

Cape Breton Regional Municipality

Council Meeting

AGENDA

TUESDAY NOVEMBER 20, 2018

6:00 P.M.

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

Cape Breton Regional Municipality

Council Meeting

Tuesday, November 20th, 2018
6:00 p.m.

AGENDA ITEMS

Roll Call

O'Canada

Moment of Silent Reflection

1. **APPROVAL OF MINUTES:** (Previously Distributed)

➤ Council – October 15th, 2018

2. **APPROVAL OF AGENDA:** (Motion Required)

3. **PROCLAMATIONS & RESOLUTIONS:**

3.1 **James Delorey Day:**

Councillor Jim MacLeod (See page 9)

3.2 **World Aids Day:**

Councillor Kendra Coombes (See page 10)

3.3 **United Way Cape Breton GivingTuesday:**

Councillor Steve Gillespie (See page 11)

3.4 **Hello Cape Breton:**

Councillor Amanda McDougall (See page 12)

Continued...

**Council Meeting Agenda
November 20th, 2018 (Cont'd)**

4. PRESENTATION:

4.1 Cadets of Cape Breton:

- Cadet Chief Petty Officer 2nd Class Brandon Martin, 70 New Waterford, Royal Canadian Sea Cadet Corps;
- Cadet Master Warrant Officer Jacob Côté-MacNeil, 3060 Coriano Ridge Royal Canadian Army Cadet Corps;
- Cadet Sgt. Lauren Chettle, 29 Sydney Kiwanis Royal Canadian Air Cadet Squadron. (See page 13)

5. DELEGATION:

- 5.1 Cape Breton Island Food Network:** Ms. Jody Nelson, Coordinator and Mr. Eric Leviten-Reid, Steering Committee (See page 28)

6. PLANNING ISSUES:

6.1 FINAL APPROVAL – PUBLIC HEARING:

- a) **Zoning Amendment Application #1049 by Greg Bramwell Reserve Street, Glace Bay (PID 15887821) :**

Public Hearing to consider the Zoning amendment application by Greg Bramwell to establish a Motor Vehicle Sales Business on a portion of PID 15221229 Adjacent to Reserve Street, Glace Bay, Case # 1049. Karen Neville, Planner (See page 41)

6.2 APPROVAL TO ADVERTISE:

- a) **Report on Public Participation Program:**
- i) **Cannabis and the Municipal Planning Strategy - #1047**

Staff recommends Council pass a Motion to schedule a Public Hearing to consider adopting the amending Bylaws to: (1) the CBRM Planning Strategy; and (2) to the CBRM Land Bylaw, to allow agricultural uses in all zones where manufacturing is permitted, provided agricultural produce is processed at the site as well as cultivated. Malcolm Gillis, Director of Planning and Development (See page 51)

Continued...

**Council Meeting Agenda
November 20th, 2018 (Cont'd)**

Approval to Advertise (Cont'd)

b) **Municipal Planning Strategy and Land Use By-law
Amendment Application #1048 – Northside Business Park:**

General Committee recommends approval to advertise notice of Public Hearing to be held during a future meeting of Council to consider proposed amendments to the Municipal Planning Strategy and Land Use By-law applicable to the Northside Business Park. Karen Neville, Planner (See page 56)

7. **BUSINESS ARISING:**

7.1 **General Committee – November 5, 2018:**

a) **Request from Cape Breton Community Housing Association – PID
15125602, 15125594 & 15653231 – Birch Street, Sydney:**

General Committee recommends that Council recognize the Cape Breton Community Housing Association's development proposal as an activity beneficial to the municipality, and in accordance with Policy 4.8 and the Property Management Policy and Section 51 of the *Municipal Government Act*, hold a Public Hearing with respect to the proposed sale to CBCHA for \$1.00 and that any sale be subject to the condition that the association must submit an application for a Building/Development Permit within one year of the date of closing or the property is to revert back to CBRM for \$1.00. Further, all fees and/or cost associated with the transfer of land(s) shall be the responsibility of Cape Breton Community Housing Association. Sheila Kolanko, Senior Paralegal/Property Manager (See page 61)

b) **Travel Expense Policy – Hospitality Policy:**

General Committee recommends Council approve amendments to the Travel Expense Policy for Elected Officials, the Travel Expense Policy for Staff (*noting the changes to the "reportable employees" to include Directors and Mayor's office contract employment*), and to adopt the Cape Breton Regional Municipality Hospitality Policy, as outlined in the staff Issue Paper dated October 11, 2018. Jennifer Campbell, Chief Financial Officer (See page 67)

Continued...

**Council Meeting Agenda
November 20th, 2018 (Cont'd)**

Business Arising - General Committee: November 5, 2018 (Cont'd):

c) **Elimination of 1/3 Taxable Remuneration Benefit - Elected Officials:
Amendments pertaining to Pension Plan Contributions - Elected
Officials:**

General Committee recommends Council approve:

- Amendments to the Council Remuneration Policy to reflect the adjusted salaries for elected officials in accordance with NSFM's recommendation regarding the elimination of the one-third non-taxable remuneration benefit, as outlined in the staff Issue Paper dated November 5, 2018.
- Amendments to the Council Remuneration Policy pertaining to Pension Plan contributions for Elected Officials to reference the rates in the Public Service Superannuation Plan, and amendments pertaining to Pension Plan contributions for Elected Officials that would pay a taxable benefit equal to the calculation for pension contributions for those affected by the age restriction, as outlined in the staff Issue Paper dated November 5, 2018. Jennifer Campbell, Chief Financial Officer (See page **113**)

d) **Travel and Related Expense Processing and Reporting:**

General Committee recommends Council endorse the recommendations for the online reporting of travel and related expenses and identify the "Reportable Employees" required for inclusion in the Expense Policy, as outlined in the staff Issue Paper dated October 30, 2018. John MacKinnon, Director of Technology (See page **119**)

e) **Capped Assessment:**

General Committee recommends Council endorse staff to meet with other municipal officials that have expressed interest along with PVSC to discuss the viable and logistically doable options on the CAP and to pick one option that will be presented to Minister Porter for consideration of a Pilot project in Cape Breton and quite possibly other Municipalities as outlined in the staff report dated November 5, 2018. Marie Walsh (See page **124**)

Continued...

**Council Meeting Agenda
November 20th, 2018 (Cont'd)**

Business Arising - General Committee: November 5, 2018 (Cont'd):

f) CBRM Regional Enterprise Network:

General Committee recommends that Council approve the start of the process of forming the CBRM REN with the following steps:

1. Form the Oversight committee comprised of 2 CBRM staff, 2 DMA staff and 2 Council members;
2. Presentation from Cape Breton Partnership on short term plan for 2018/19 given \$160,000 budget;
3. Pending approval of the plan, appoint a 6 member board of CBRM business leaders either from the current partnership board or a separate board;
4. Creation of the Strategic Economic Direction for the REN;
5. Formation of the structure and budget in concert with the Partnership and the Board for 2019/20 based on estimated funding from DMA to be approved by the oversight committee. Marie Walsh, Chief Administrative Officer (See page **134**)

g) David Suzuki Blue Dot Movement – The Right to a Healthy Environment:

General Committee recommends that Council adopt the Resolution entitled “Cape Breton Regional Municipality Declaration – The Right to a Healthy Environment”, as outlined in the Issue Paper dated October 30, 2018. Wayne MacDonald, Director of Engineering and Public Works (See page **138**)

7.2 General Committee – September 4, 2018:

- a) Revenue from Sale of Cannabis:** Councillor Kendra Coombes
(See page **143**)

8. CORPORATE SERVICES ISSUES:

- 8.1 Request for Eating / Beverage Establishment:** John Phalen, Manager of Economic Development and Major Projects (See page **147**)
- 8.2 Land Expropriation PID 15543051 – Wash Brook Flood Mitigation Project:** Demetri Kachafanas, Regional Solicitor (See page **148**)
- 8.3 Cromarty Lease Renewal:** Allan Clarke, Manager, Buildings & Parks
(See page **150**)

Continued...

**Council Meeting Agenda
November 20th, 2018 (Cont'd)**

Corporate Services Issues (Cont'd):

- 8.4 **Glace Bay Library New Lease:** Allan Clarke, Manager, Buildings & Parks (See page **155**)
- 8.5 **Lease Renewal Vince Muise Park:** Allan Clarke, Manager, Buildings & Parks (See page **156**)
- 8.6 **CBRM Sydney Central Library:** John Phalen, Manager of Economic Development and Major Projects (*Staff Issue Paper will be distributed prior to the meeting*)
- 8.7 **Permission to Apply for Planning Funds for Phase 6 Sydney Boardwalk:** Bill Murphy, Director Parks, Recreation, Buildings & Facilities (See page **162**)
- 8.8 **In Camera Meetings Regarding Council Remuneration:** Demetri Kachafanas, Regional Solicitor (See page **165**)

9. **COUNCIL AGENDA REQUESTS FOR ISSUE PAPERS:**

- 9.1 **Water Bill Charges – Dominion and CBRM Community Arenas:** Councillor Darren Bruckschwaiger (See page **169**)

10. **FINANCIAL STATEMENTS:** Jennifer Campbell, Chief Financial Officer

- 10.1 **CBRM to September 30, 2018:** (See page **170**)

For Information Only.

- 10.2 **Port of Sydney Development Corporation to September 30, 2018:** (See page **172**)

For Information Only.

ADJOURNMENT

Proclamation

James Delorey Day

Whereas: On the afternoon of December 5th, 2009, seven-year-old James Delorey wandered and became lost in the wilderness behind his family's home in South Bar;

And Whereas: James lived with autism and was non-verbal, but you could always hear him giggling when he was near;

And Whereas: Throughout the two days and nights that included the first blizzard of the season, young James and his loyal dog Chance survived while a massive search was underway receiving unwavering support from the entire community;

And Whereas: On December 7th, Chance returned home, leaving behind a trail of paw prints in the snow. Shortly after, searchers located James just over 1 kilometer from his home, he was curled up under a tree with an obvious impression in snow where Chance laid beside him;

And Whereas: While the community hoped and prayed for James' recovery, tragically, he peacefully passed away;

And Whereas: Young James will continue to live forever in the hearts of his family and of those within our community,

And Whereas: Since 2010, the first Saturday of December, has been dedicated as the "James Delorey Annual Fundraising Day" in his honour while supporting one of our local charities;

Be It Therefore Resolved: That Cape Breton Regional Municipality Mayor Cecil P. Clarke and Council declare December 7th, 2018 as James Delorey Day in the CBRM.

Councillor Jim MacLeod
District #12 – CBRM

November 20th, 2018

Cape Breton Regional Municipality

Proclamation

World AIDS Day

Whereas: World AIDS Day, December 1st is a time for reflection: on what we have achieved with regard to the national and global response to HIV, and what we still must achieve.

And Whereas: World AIDS Day is a day dedicated to commemorate those who have passed on and to raise awareness about AIDS and the global spread of the HIV virus. The first World AIDS Day was held in 1988 after health ministers from around the world met in London, England and agreed to such a day as a way of highlighting the enormity of the AIDS pandemic and nations' responsibility to ensure universal treatment, care and support for people living with HIV and AIDS.

And Whereas: UNAIDS has announced that the theme for World AIDS Day 2018 is **Know your status**. According to the UNAIDS Data 2018 report, an estimated 940,000 people worldwide died of AIDS-related illnesses in 2017. There were an estimated 36.9 million people with HIV around the world in 2017. On a national scale, the Public Health Agency of Canada estimated that at the end of 2016 there were 63,110 Canadians with HIV. An estimated 86% of the people in Canada with HIV were diagnosed and aware they had HIV. This means that an estimated 14% of people with HIV were undiagnosed at the end of 2016.

Be It Therefore Resolved: That Mayor Cecil P. Clarke and CBRM Council proclaim December 1st 2018 as World AIDS Day in the Cape Breton Regional Municipality and encourage all residents to **know your status**.

Councillor
Hendra Coombes
District #11

November 20th 2018

Cape Breton Regional Municipality

RESOLUTION

“United Way Cape Breton GivingTuesday”

- Whereas:** It is the mission of the United Way of Cape Breton to improve lives and build communities by engaging individuals and mobilizing collective action in Cape Breton;
- And Whereas:** GivingTuesday is a “Global Day of Giving” taking place after Black Friday and Cyber Monday;
- And Whereas:** GivingTuesday is a time to celebrate and encourage activities that support charities and non-profits;
- And Whereas:** Whether it’s making a donation, volunteering time, helping a neighbour or spreading the word, GivingTuesday is a movement for everyone who wants to give something back;
- And Whereas:** This year GivingTuesday takes place on Tuesday, November 27th and so far there have been forty-three Mayoral Proclamations approved across Canada;
- And Whereas:** United Way Cape Breton staff have been promoting GivingTuesday in various capacities for the last few years and have introduced the hashtag for this year “CapeBretonGives”;
- And Whereas:** United Way Cape Breton plans to celebrate GivingTuesday by asking local organizations to help them with “Giving a Hand Up” on GivingTuesday, by asking their customers, guests or clients to donate \$2.00 to United Way Cape Breton who will invest those funds raised into giving local community members a hands up;
- Be It Therefore Resolved:** That Mayor Cecil P. Clarke and CBRM Council hereby recognize November 27th, 2018 as GivingTuesday in the Cape Breton Regional Municipality.

Councillor Steve Gillespie – District #4 – CBRM

Dated this 20th day of November, 2018

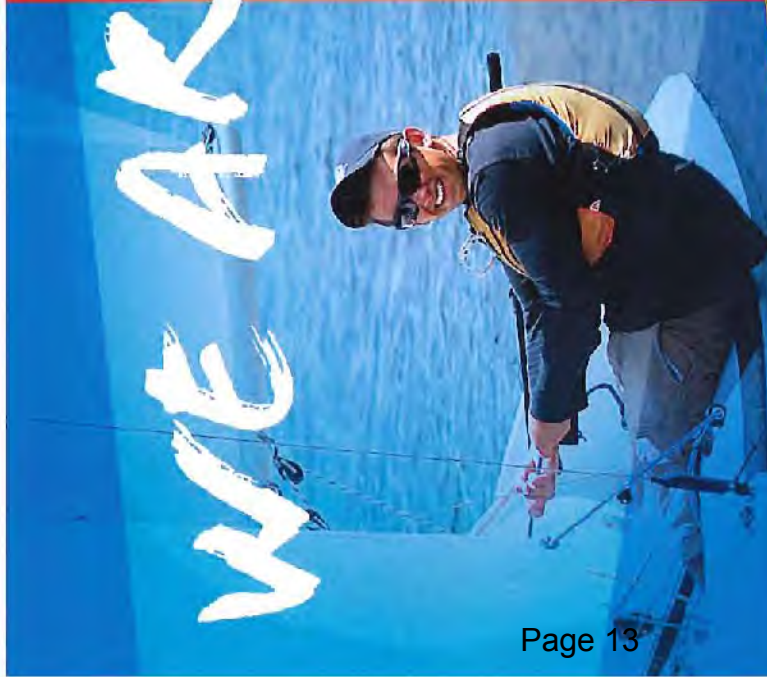
RESOLUTION

“Hello Cape Breton: Multicultural Festival”

- Whereas:** On Sunday, November 4th, 2018 the inaugural “Hello Cape Breton” multicultural festival was held at the Joan Harriss Cruise Pavilion in Sydney, NS.
- And Whereas:** The festival was organized by a dedicated group of volunteers and staff of the Cape Breton Island Centre for Immigration. The festival aimed to highlight cultures from around the world and also the local community and culture so that international students could learn more about the culture of Cape Breton Island;
- And Whereas:** Festival Coordinator Ammar Tayeb, while promoting the festival explained the intention of the festival was to bring people from all backgrounds and cultures together as a means to share and teach one another. He explained, “We don’t look at it like we are two communities (newcomers and locals), we’re one community — we’re just trying to connect everyone together.”
- And Whereas:** This was the first year for the festival and upon entering the venue one knew immediately that this was a truly special experience. The event included a multicultural village, Taste of Canada international food market, incredible stage line up of local and international talent and the foyer filled with incredibly talented artisans selling their beautiful work. This is an event that Cape Breton is lucky to have been the backdrop to.
- Be It Therefore Resolved:** That Mayor Cecil P. Clarke and CBRM Council extend a heartfelt congratulations to the organizers, volunteers and attendees of Hello Cape Breton and thank everyone for their efforts in making Cape Breton a truly welcoming and culturally diverse Island.

Councillor Amanda McDougall – District 8

November 20th, 2018



WE ARE

EXPERIENCES
YOU CAN'T GET
ANYWHERE ELSE

CADETS.CA

CADET'S CA

CAPE BRETON'S CADETS





What is Cadets?

- Open to all Canadian youth
- Free to participate
- Develops self-confidence
- Develops leadership
- Provides experiences you can't get anywhere else

All for only
1 night a week and
1 weekend a
month!

WE ARE
CADETS

Cadets in Cape



Breton



**EXPERIENCES
YOU CAN'T GET
ANYWHERE ELSE**

CADETS.CA

**I AM
AN ARMY
CADET**

About Army Cadets

- Learn to survive in the woods on an expedition or orienteering – from cooking over a fire to building your own shelter
- Get to know Canada's Army – tour a local army unit where you'll see trucks, tanks, and artillery!
- Take a hike! You'll learn how to trek, pack supplies, and navigate using a map and compass

I AM
AN ARMY
CADET



Opportunities with Army Cadets

- Earn \$60 each week while advancing your skills in expedition, marksmanship, ceremonial, sports, music and more!
- Train with your Army Cadet Corps and participate in a regional expedition, master new skills, become an instructor and lead your team
- During your summers you could become an expedition leader, help lead and teach courses, or parachute from an airplane!
- Travel the world – take part in an International Army Cadet Exchange to Europe or hike Chilean mountains on an Army Cadet International Expedition!



I AM
AN ARMY
CADET

**EXPERIENCES
YOU CAN'T GET
ANYWHERE ELSE**

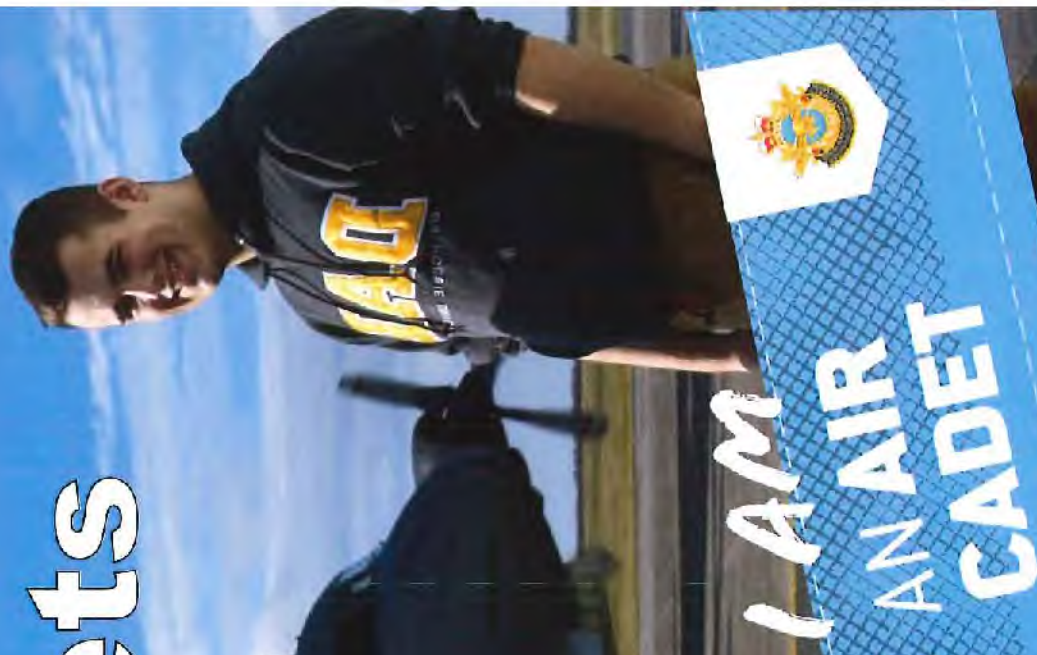
CADETS.CA

**I AM
AN AIR
CADET**



About Air Cadets

- Learn about what goes into making a plane fly in the sky and move on the ground
- Learn how to survive – including how to build a shelter, make a fire, and source food
- Spend a weekend in the field learning survival skills or flying in a glider
- Get to know Canada's air force – learn about the Royal Canadian Air Force and possible tour-an aircraft or base



I AM
AN AIR
CADET



Opportunities with Air Cadets

- Earn \$60 each week while advancing your skills in aviation, survival, ceremonial, sports, music and more!
- Spend your summers working towards a pilot's license, become a survival expert, or help lead and teach courses
- Travel the world – visit Europe, Asia or Australia on an International Air Cadet Exchange!

I AM
AN AIR
CADET

**EXPERIENCES
YOU CAN'T GET
ANYWHERE ELSE**

CADETS.CA

**I AM
A SEA
CADET**

About Sea Cadets

- Be part of a team – take on unique activities while making new friends!
- Take part in sports and skill challenge weekends
- Get to know Canada's fleet – learn about the Navy and the Coast Guard and possibly tour a ship
- Visit a nautical site – spend a weekend on a sailboat, earning CANSail Levels

I AM
A SEA
CADET

Opportunities with Sea Cadets

- Earn \$60 each week while advancing your skills in sailing, seamanship, ceremonial, sports, music and more!
- During your summers you can earn your boating license, become a sail coach, or help lead and teach courses.
- Travel the world – Be a crew member onboard a navy vessel or a tall ship.



A
SEA
CADET

Additional training

All-cadets have the opportunity to participate in:

- Olympic-style marksmanship
- Competitive biathlon
- Music training
- Sports, skills competitions and more!

WE ARE
CADETS

It takes a community...

- Cadets aim to represent the values of the community in which they are present
- Cadet units thrive when they are supported by communities
- Cadets contribute to the community

WE ARE
CADETS



WE ARE

CAPE BRETON'S

CADETS



EXPERIENCES
YOU CAN'T GET
ANYWHERE ELSE

CADETS.CA

October 29, 2018

Dear CBRM Clerk's Office:

I am writing on behalf of the Cape Breton Island Food Network (www.islandfoodnetwork.ca). We are a network of local people seeking to develop a healthful, just and resilient food system for Unama'ki-Cape Breton Island. We are seeking an opportunity to speak to CBRM Council about our work, especially current efforts to develop a food vision for our island.

Specifically, we want to inform Council about the process the Network's Food Policy Working Group has developed to support creation of a local food vision, its purpose, key areas for discussion and opportunities for citizens to provide input. The community input process will unfold over the next several months. A food forum will be held in the spring to report back on what was heard. We want to invite Council to join in the community conversations being organized, complete an on-line survey and participate in the food forum to be held in the spring. We will also ask Council to identify a representative (Council member or CBRM staff) to serve as a liaison with our work as it proceeds.

Yours truly,

ORIGINAL SIGNED BY

Eric Leviten-Reid
Island Food Network Steering Committee



What is Our Shared Vision for Food in Cape Breton - Unama'ki?



Why is Food Important?





Island Food Network



Cape Breton Food System



- Complex
- Multiple actors
- Multiple sectors
- Across 5 municipal councils and 5 band councils...
- How do we connect?



Food at the Local Level

- Agricultural and land-use planning
- Support for food-based businesses, e.g.
 - Culinary tourism
 - Processing facilities
 - Food hub
- Healthy eating policies
- Community gardens and food-scaping
- Policies to support local food
- Food access programs (e.g. mobile food market, transportation support)
- Respecting treaties and rights for Mi'kmaq people
- Evolving food bank model
- Strategic food action plans!!!



(Diagram from the Hamilton Food Strategy. "Food is the New Steel")



Why a Shared Food Vision for Cape Breton - Unama'ki?



Process



2017: Food Policy Working Group formed and began background work

October-December 2018:

Community Food Conversations
Presentations to municipal and band councils
Research (with CBU): Cape Breton Food Story

Spring 2019:

Food Forum [We will share what we heard alongside a celebration of food]
Present shared food vision back to municipal and band councils

Beyond...

Work with stakeholders to develop a strategic food action plan for Cape Breton

Reconciliation Through Food



CAPE BRETON
ISLAND FOOD
NETWORK

How Can You Contribute?

CONNECT!

- Offer a point person to maintain communication
- Join our communication email list

PARTICIPATE!

- Attend IFN events
- Complete our food vision survey (forthcoming)

SUPPORT!

Your involvement will be essential to future work on an island-wide strategic food action plan



CONTACT

Jody Nelson:

islandfoodnetwork@gmail.com

Eric Leviten-Reid:

eric@newdawn.ca

www.islandfoodnetwork.ca



FOOD FOR THOUGHT

Cape Breton Food Facts

Food can be a lever for community transformation that helps to foster healthy lands and people, economic development, innovation, and social cohesion while deepening our stewardship of the natural world and our relationships with the original peoples of these lands and waters.

Food: The Heart of Our Communities

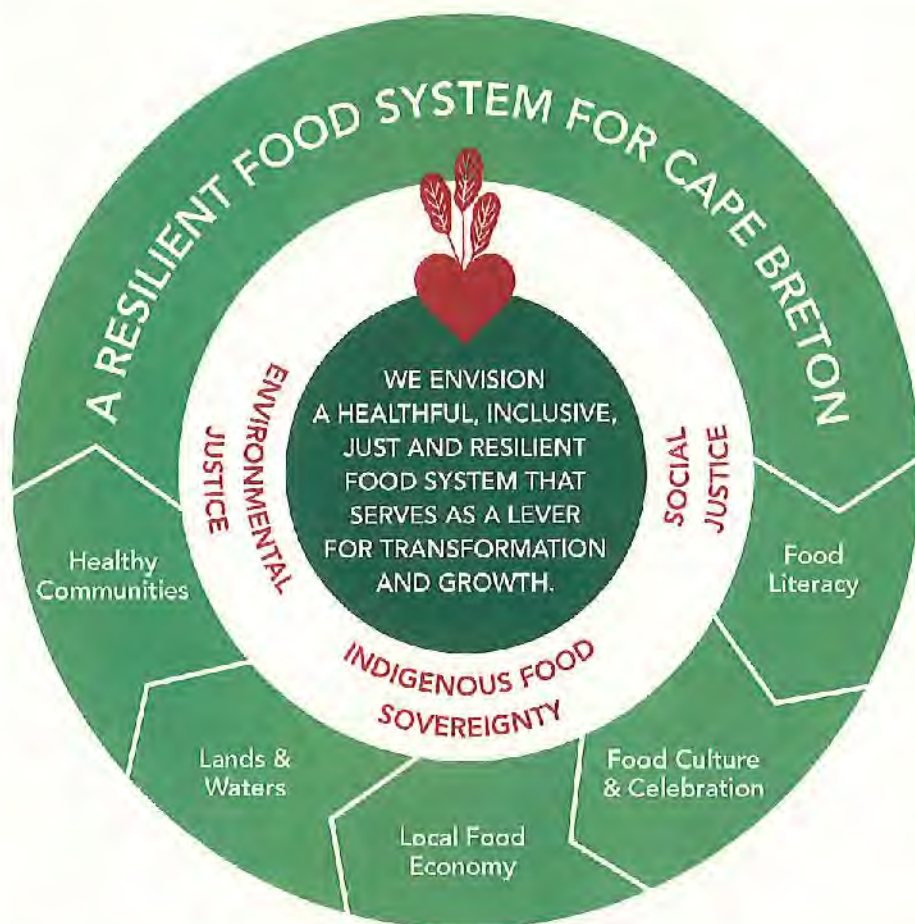
Cape Breton Island comprises the northern region of what is now known as Nova Scotia, but which continues to also be known as Unama'ki – one of the seven districts of the Mi'kmaw nation. Cape Breton is a predominantly rural region with one regional municipality where the majority of the Island's population resides. Across the Island there are five Mi'kmaw band councils and five municipal councils, which poses both a unique opportunity and a challenge to unity in island-wide vision and governance.

Colonization, a legacy of industry, and an aging and declining population also create complex challenges for our region. The solutions must use a multi-faceted and long-term approach. We propose that mending our food system is one tool for revival.

Cape Breton is known for its immense beauty – vast landscapes of land and water, which we strive to protect. From these lands and waters we have traditionally produced sufficient food for a level of subsistence and trade. We imagine a Cape Breton that renews this sustainability and resiliency.

Cape Breton's Island Food Network is an umbrella organization for food action. We support food initiatives, cultivate food knowledge, connect food leaders, and advocate for food systems change.

The Cape Breton Food Policy Working Group, an action team of the IFN, is a cross-sectoral group of food leaders working to influence food related policies in our region. Currently, the focus of this group is the development of a shared food vision and action plan.



HEALTHY COMMUNITIES

GOOD FOOD IS THE HEART OF HEALTHY COMMUNITIES.
FOOD INTERSECTS ENVIRONMENTAL, EMOTIONAL, SPIRITUAL,
MENTAL AND PHYSICAL HEALTH.

FOOD IS A RIGHT

...but not everyone has enough of the food they want and need.

Food insecurity is more than hunger.



Making the "healthy choice, the easy choice" is not so easy when affordable and accessible food is often lacking in nutrition.



Severe food insecurity has a lasting impact on children, resulting in increased risk of mental and physical health conditions later in life. ^{*15}

FOOD INSECURITY & POVERTY



1 in 3 children in Cape Breton lives in poverty ^{*9}



Minimum wage and income assistance **X** are inadequate to afford this. ^{*9}



BEYOND EMERGENCY FOOD



Even though many food insecure households ^{*16} do not use food banks Nova Scotia food bank use has increased



This approach is failing; we must think beyond the emergency.

Food access should be free of stigma and ensure dignity and choice.

FOOD IS MEDICINE

Food nourishes and heals body and spirit, connecting us to the earth. For many Mi'kmaq people, colonialism has interrupted the connection between food and health with the loss of traditional diets and high rates of food insecurity.



FOOD IN OUR LIVES

The places we live, work, play and learn shape our experience with food and the foods we can access. Positive food environments help create the conditions for individual and community health and well being. ^{*18}

LAND & WATERS

HEALTHY LANDS & WATERS ARE VITAL IN FEEDING OUR COMMUNITIES. BY PROTECTING OUR ENVIRONMENT, WE CAN FEED OURSELVES AND FUTURE GENERATIONS WITH GOOD, HEALTHY FOOD.

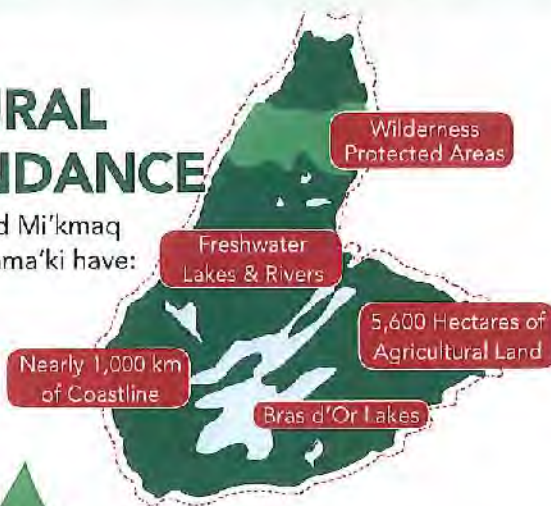


LIVING IN PEACE & FRIENDSHIP

The Treaties of Peace and Friendship signed between settler and Mi'kmaq ancestors continue the rights of Mi'kmaq peoples to hunt, fish and gather.

NATURAL ABUNDANCE

The unceded Mi'kmaq lands of Unama'ki have:



Water is sacred because without water, there is no life.

WATER IS LIFE

HEALTHY PLANET, HEALTHY FOOD, HEALTHY PEOPLE

Some farming and fishing practices contribute to climate change. In turn, climate change affects weather patterns that make it harder to grow and harvest food.



DOING MORE WITH LESS

Food waste in Canada amounts to 396 kg per person per year. Almost half of this waste happens in our households.²



DISTANCE MATTERS

The closer we eat to home, the better it is for people and the planet.

STEWARDSHIP

Mi'kmaq peoples have cared for these lands and waters for thousands of years. The Mi'kmaq took only what was needed and wasted nothing. The Mi'kmaq idea of **Netukulimk** is a way of life, balancing the need to feed ourselves well and make a living for current and future generations.¹⁷



ENVIRONMENTAL JUSTICE

Communities of colour and low income face greater exposure to pollution and other environmental harms. Environmental Justice seeks to make sure these communities are heard and protected.

LOCAL FOOD ECONOMY

FOOD OFFERS AN OPPORTUNITY FOR ECONOMIC RESILIENCY.
IMAGINE CAPE BRETON AS A LEADER IN SUSTAINABLE AGRICULTURE AND FOOD-BASED TOURISM; A PLACE WHERE PEOPLE WANT TO LIVE AND CREATE.



SUPPORTING LOCAL FOOD BENEFITS EVERYONE

STRONG COMMUNITIES

LOCAL BUSINESS & JOBS

HEALTHIER ENVIRONMENT

ACCESS TO HEALTHY FOODS

*20

HARNESSING POTENTIAL

In 2017, the Pan Cape Breton Food Hub Co-op had over

\$130,000

in on-line sales



directly creating farm jobs and making it easier for people to access local foods.

In 2010 only **13%** of our food dollars spent in this province went back to Nova Scotia farms.



*19

More than **90%** of beef is imported to Nova Scotia



Increase Full-Year Equivalent Employment:

from:

448 JOBS

to

ABOUT 1,774 JOBS

*19

GROWING OPPORTUNITIES



Adopting sustainable farming practices can increase the total economic value of agriculture, produce more food with improved soil quality, reduce water use and decrease greenhouse gas emissions.

*13

INFORMAL FOOD ECONOMY

Many living in Cape Breton, including Mi'kmaq peoples, traditionally participated in and still enjoy informal food economy practices such as:



HUNTING



GATHERING



SHARING



BARTERING

*14

FOOD CREATES JOBS

Producing Our Own Beef Could:



Put Underutilized Land to Use

\$22.5 mil/yr

INCREASE FARM CASH RECEIPTS FROM \$22.5 MILLION TO \$90 MILLION A YEAR.

\$90 million/year



FOOD CULTURE & CELEBRATION

FOOD BRINGS PEOPLE TOGETHER. FOOD IS CENTRAL TO FAMILY, CELEBRATIONS, TRADITIONS, AND CROSS-CULTURAL LEARNING.



EATING IS SOCIAL

Making the time and space for cooking and eating together strengthens relationships and builds community while reducing social isolation.



TWO-EYED SEEING/ ETUAPTUMUK



is a guiding principle coined by Mi'kmaq Elder, Albert Marshall.

"learning to see from one eye with the strengths of Indigenous knowledges and ways of knowing, and from the other eye with the strengths of Western knowledges and ways of knowing... and learning to use both these eyes together, for the benefit of all."

FOOD KEEPS TRADITIONS ALIVE

Food is deeply connected to memories.

Cape Breton has a rich tapestry of food traditions.

Celebrating food shapes and preserves our cultures.

KitchenFest! Festival de l'Escaouette
Féis a' Chidsin! Ceilidhs Crab Fest
Celtic Colours International Festival
Mawio'mi Pier Melting Pot
Storytelling Lunches with Elders
Kitchen Parties

Annual events such as "A Taste of Canada" in Sydney allow cultural groups to share their cuisines and cultural identity with the community.



FOOD IS SACRED

Food is a gift of life not to be squandered.

Through ceremony, prayer, gratitude, and celebration, many cultures have a spiritual relationship with food and the plants, animals, lands and waters from which it comes.

Hunting, eeling, fishing, and food sharing are vital Mi'kmaq food traditions.

FOOD LITERACY

FOOD LITERACY IS AN ESSENTIAL LIFE SKILL.

IT CAN LEAD TO INFORMED FOOD CHOICES FOR BETTER PERSONAL AND COMMUNITY HEALTH.

FOOD LITERACY...



Goes beyond the Canada Food Guide daily recommendations.



Develops a positive relationship between people & food.

- Fosters an understanding of how food choices impact health and our complex food system.¹³
- Can impact eating patterns.

CONFIDENCE & COMMUNITY RESILIENCE⁷

PRIDE
in food skills

FOOD LEADERS & EATERS
that take action on food issues with an awareness of the greater food system and the roots of food insecurity

The feeling of being a part of **POSITIVE CHANGE**

CONNECTION
to culture & community

A sense of environmental **RESPONSIBILITY**

FOOD SKILLS

Growing, planning, purchasing, preparing, cooking, and sharing



Lower income **does not** mean a lower level of food skills.¹¹

LOCAL FOOD KNOWLEDGE



Food literacy preserves our local food knowledge across generations and cultures. For example, intergenerational learning is vital to maintaining Mi'kmaq traditions of food harvest, food preservation and land stewardship.



Cape Breton's Up! Skilling Food Festival celebrates our local food experts and builds community around food.

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Production of this document has been made possible through a financial contribution from Public Health Agency of Canada. The views expressed herein do not necessarily represent the views of Public Health Agency of Canada.



Zoning Amendment Application #1049 by Greg Bramwell to Establish a Motor Vehicle Sales Business on a portion of PID 15221229, adjacent to Reserve Street, Glace Bay

Motion:

Moved by Councillor George MacDonald, seconded by Deputy Mayor Eldon MacDonald, approval to advertise notice of a Public Hearing to be held at the November meeting of Council to consider the zoning amendment application by Greg Bramwell to establish a Motor Vehicle Sales Business on a portion of PID 15221229, adjacent to Reserve Street, Glace Bay, Case #1049.

Motion Carried.



TO: CBRM Council

FROM: Karen Neville

**SUBJECT: ZONING AMENDMENT APPLICATION – 1049
Greg Bramwell
Reserve Street, Glace Bay (PID 15887821)**

DATE: November 13th, 2018

Introduction

The Planning and Development Department has received an amendment request from Greg Bramwell for PID 15887821 located along Reserve Street, Glace Bay. Mr. Bramwell would like to establishment a motor vehicle sales business on the newly created lot parcel PID 15887821 (Attachment A).

Why a zoning amendment is necessary for this development?

The property in question is zoned Arterial Business Corridor (ABC) and Residential Urban C (RUC) [Attachment B]. While the ABC zone would does permit a motor vehicle sales business, the RUC zone does not. Part 10, Policy 17, of the Municipal Planning Strategy Policy (MPS) indicates Council may consider a zone amendment to a zone immediately adjacent. In this case, the proposed zone requested is the ABC zone which is immediately adjacent to the RUC zone; therefore, the request is in keeping with the Part 10, Policy 17.

Evaluation

The area surrounding the property in question is comprised of a mix of residential and non-residential land uses including single detached dwellings, a four-unit dwelling, a Nova Scotia Power substation, auto repair business, farmers market, hardware wholesaler, and storage buildings (Attachment C). It should be noted that the majority of the residential development, located on Daniel Drive, is more than 400 feet away from the proposed property and the remaining residential development is located in the ABC zone where the proposed use is permitted.

The proposed 36'X24' building will be one storey and contain two garage bay service areas and an office (Attachment D). The applicant plans on planting mature trees and placing large armour stone along the eastern and western boundaries of the lot parcel. Vehicles to be serviced will be located toward the rear of the building and will be screened by a six foot fence (Attachment E). A series of mounted lights is also being proposed on the property. Any lights in the parking area will be required to comply with parking area standards found in the Land Use By-law.

Mr. Bramwell has indicated he plans to clear, level, and bring in gravel to provide customer parking and vehicle entry/exit to the site. However, according to the Land Use By-law, parking areas that can accommodate more than three vehicles must be maintained with a permanent hard surface (i.e. pavement or similar material). The surfacing requirement for parking areas apply to the area on a lot parcel containing parking spaces, driveways, aisles, ramps, and motor vehicle maneuvering areas, and also applies to any area used for the display of motor vehicles for retail purposes. Compliance with parking standard provisions and the provisions of the ABC zone will be determined when an application for a Building Development Permit is received.

Notice of the Public Hearing

In accordance with the *Municipal Government Act*, notice of this application was placed in the November 5th and 12th editions of the Cape Breton Post. Notice was also mailed to assessed property owners in the vicinity of the property in question. At the time this report was prepared no written comments were received by the Planning and Development Department.

Recommendation

Based on the above evaluation and Municipal Planning Strategy policy, I recommend that Council amend Land Use By-law map by deleting Residential Urban C (RUC) Zone in effect for the portion of PID 15887821 identified in Schedule A of the Amending By-law (Attachment F) replacing it with the Arterial Business Corridor (ABC) Zone in accordance with Part 10, Policy 17 of the Municipal Planning Strategy.

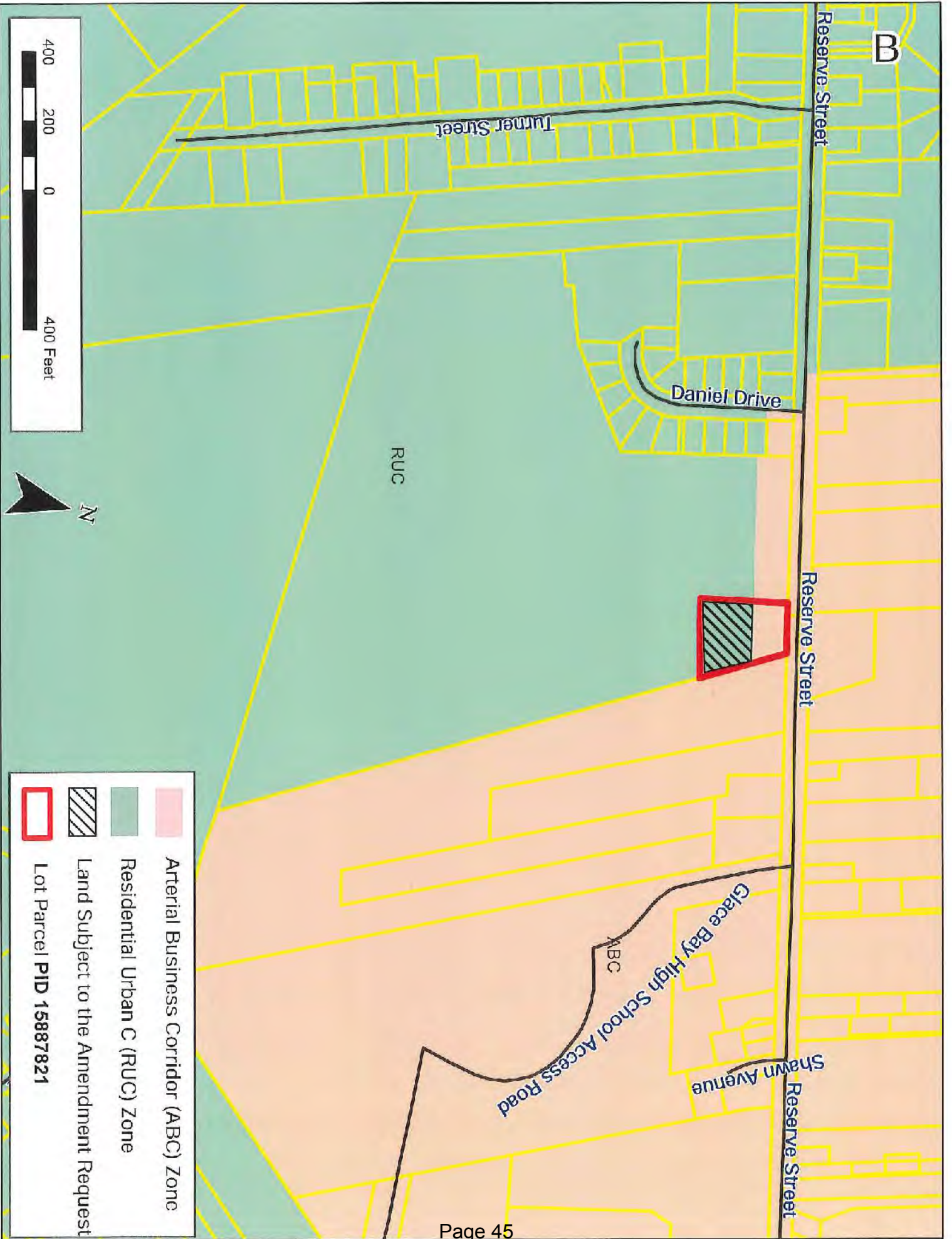
Submitted by:

Originally Signed by

Karen Neville

Planning and Development Department





B

Reserve Street

Turner Street

Daniel Drive

RUC

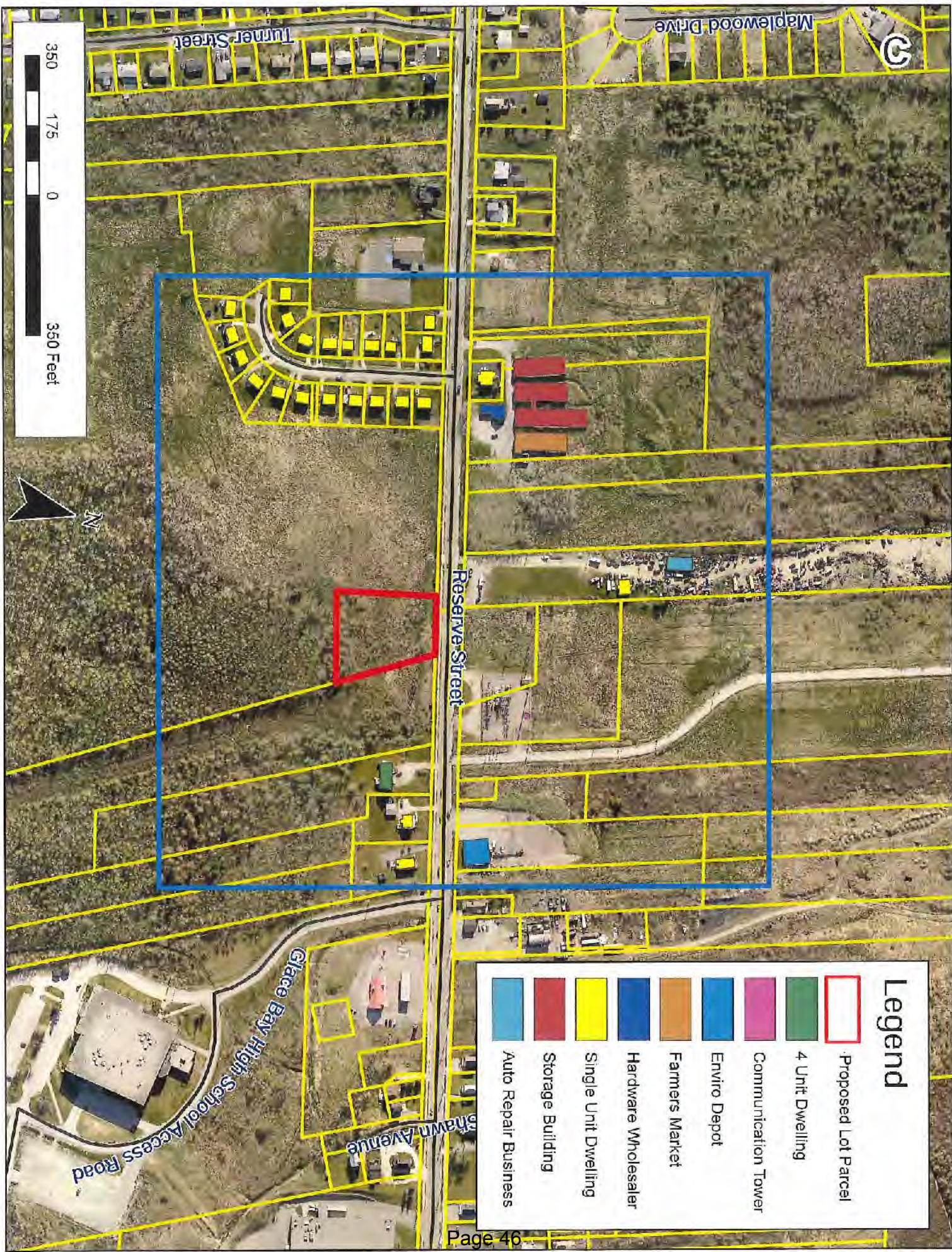
Reserve Street

Glace Bay High School Access Road

ABC

Shawn Avenue

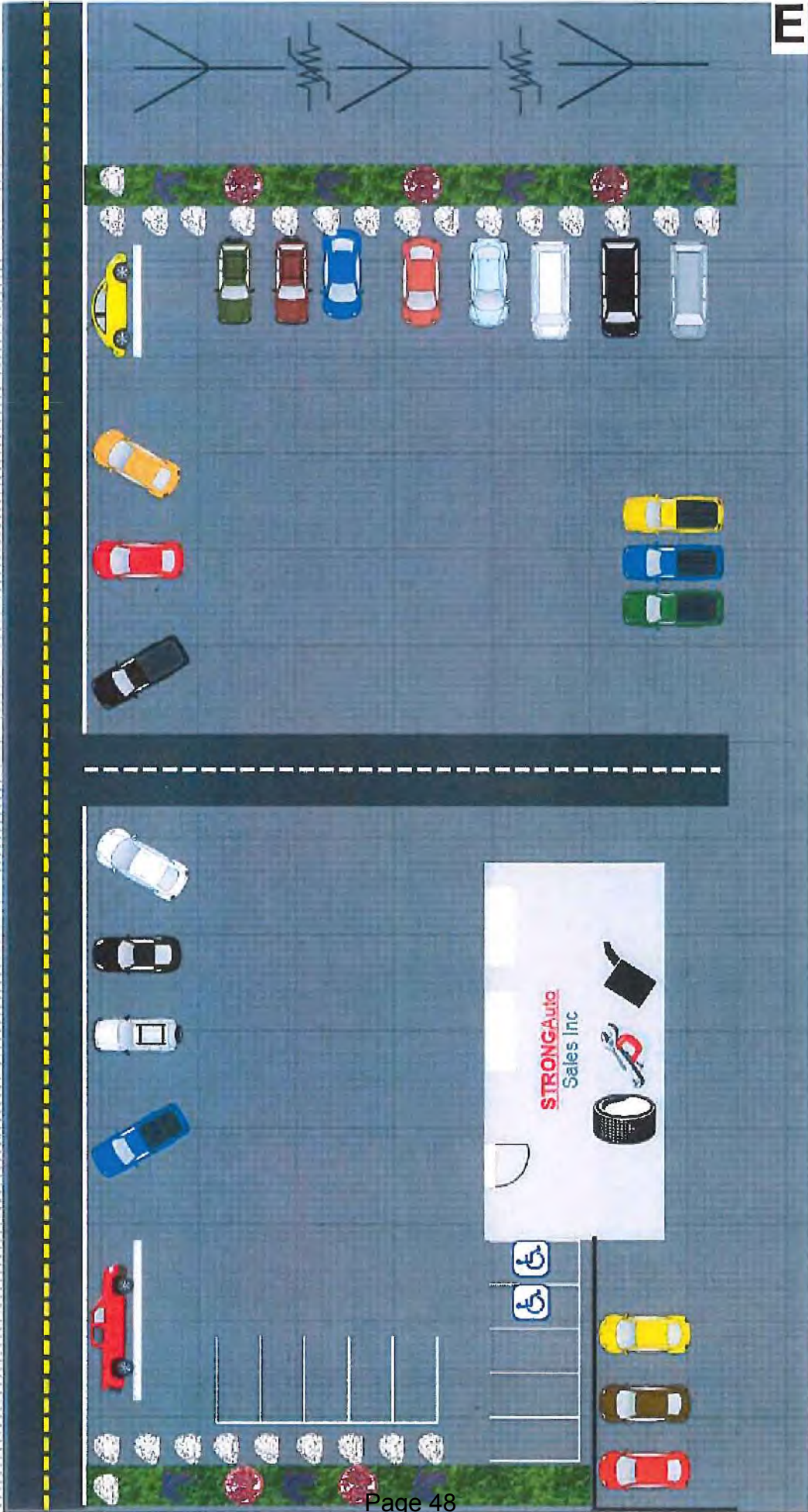
Reserve Street



Legend

-  Proposed Lot Parcel
-  4 Unit Dwelling
-  Communication Tower
-  Enviro Depot
-  Farmers Market
-  Hardware Wholesaler
-  Single Unit Dwelling
-  Storage Building
-  Auto Repair Business

E



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 map of the Cape Breton Regional Municipality's Land Use By-law in the following manner:

THAT: Council amends the CBRM's Land Use Bylaw map by deleting Residential Urban C (RUC) Zone in effect for the portion of PID 15887821 identified in Schedule A replacing it with the Arterial Business Corridor (ABC) Zone.

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 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.

Deborah Campbell Ryan, CLERK

Schedule A



Map illustrating the effect of the _____ decision of CBRM Council, deleting the Residential Urban C (RUC) Zone, as highlighted above, and replacing it with the Arterial Business Corridor (ABC) Zone.

**Legalization of Cannabis and the Municipal Planning Strategy and Land Use Bylaw
#1047**

Motion:

Moved by Councillor George MacDonald, seconded by Councillor MacLeod, to adopt a Public Participation Program to consist of a social media forum made available on the CBRM website, to consider amendments to the Municipal Planning Strategy and Land Use Bylaw to allow agricultural uses in all zones where manufacturing is permitted, provided agricultural product is processed at the site as well as cultivated.

Motion Carried.



MEMO TO: COUNCIL

FROM: Malcolm Gillis

SUBJECT: CANNABIS AND THE MUNICIPAL PLANNING STRATEGY - 1047

DATE: November 14th, 2018

In an issue paper dated August 20th presented during the September 4th General Committee meeting it was explained that the CBRM Planning Strategy and its implementing Land Use Bylaw only required minor amendments as a result of the legalization of cannabis by the Federal Government. The issue paper recommended the Planning Strategy and Land Use Bylaw be amended to permit the cultivation of agricultural products in all zones where manufacturing is permitted, provided the cultivated agricultural product is also processed at the site.

During its October 15th meeting Council passed a Motion instructing staff to conduct a Public Participation Program to consist of an on-line survey. 259 people participated in the survey. More than 92% said the Regional Municipality should permit the cultivation of agricultural products in zones where manufacturing takes place provided the cultivated product was an ingredient in the manufacturing process. Staff of the Planning and Development Department and CBRM's Communications Officer believe this to be overwhelming support for the amendments recommended in the above referenced August 20th issue paper.

Recommendation:

I recommend that Council pass a Motion to schedule a Public Hearing to consider adopting the amending Bylaws to (1) the CBRM Planning Strategy and (2) to the CBRM Land Use Bylaw for the reasons explained in this issue paper and the August 20th issue paper on this topic. Copies of the amending Bylaws are included with this issue paper.

Respectfully submitted by:

ORIGINAL SIGNED BY

Malcolm Gillis
Director of Planning and Development

By-law
of the Cape Breton Regional Municipality
amending the

**Cape Breton Regional Municipality's
Municipal Planning Strategy**

Pursuant to Section 205 of the Municipal Government Act of Nova Scotia, the Council of the Cape Breton Regional Municipality hereby amends the Cape Breton Regional Municipality's Municipal Planning Strategy in the following manner:

THAT: Part 6 is amended by adding the following policy and its preamble immediately after Policy 1.h:

The Cultivation, Processing, and Retailing of Agricultural Products

The legalization of cannabis required only one minor amendment to CBRM's Municipal Planning Strategy and its implementing Land Use Bylaw. Once legalized, the cultivation of cannabis is just another agricultural commodity (e.g. tobacco) the cultivation, processing, and retailing of which is regulated by the Province and the Federal Government. As with all agricultural products, the Planning Strategy and Land Use Bylaw permit both processing and retailing the cultivated crop on the farm as an accessory use to the primary agricultural use. It is expected those in the cannabis cultivation, processing, and retailing business will want to conduct all three aspects of the business at one location and, most probably, that location will not be where agricultural uses are generally permitted (e.g. business parks).

Where manufacturing is permitted but retailing as a main use is not, the retailing of the manufactured product is permitted on-site as an accessory use. What needed to be changed is to permit agricultural uses and retailing of the agricultural product in all zones where manufacturing (i.e. processing) is permitted (e.g. the various business parks) because it is expected those in the cannabis cultivation, processing, and retailing business will want to conduct all three aspects of the business at one location. Because this Planning Strategy and its implementing Land Use Bylaw are treating the cannabis industry just like any other cultivated crop, there is no reason why the amendment should be exclusive to the cannabis industry. The Land Use Bylaw will only reference the generic term of agriculture.

Policy

2. It shall be a policy of Council to permit the cultivation of any agricultural crop in any Zone of the Land Use Bylaw where manufacturing is permitted provided the crop cultivated is also processed at the site. In any Zone that permits manufacturing but does not permit retailing as a main use, retailing of the crop shall be permitted as an accessory use wherever it is being processed.

PASSED AND ADOPTED: by a majority of the whole Council at a duly called meeting of the Cape Breton Regional Municipal Council held on 2018.

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 2018 to amend the CBRM's Municipal Planning Strategy.

Deborah Campbell Ryan, CLERK

By-law
of the Cape Breton Regional Municipality

amending the

**Cape Breton Regional Municipality's
Land Use Bylaw**

Pursuant to Section 219 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: the text of the Arterial Business Corridor (ABC) Zone, the Boularderie Island Business Corridor (BBC) Zone, the Keltic Drive Business Corridor (KBC) Zone, the Northside Business Park (NBP) Zone, the Regional Industrial Utility (IUR) Zone, the Prime Brook Industrial (IPB) Zone, The Sydney Harbour Port (SHP) Zone, and the Harbourside Business Park (HBZ) Zone are all amended by adding the words "agricultural uses on the same site as an agricultural products manufacturer" to the list of permitted uses (i.e. Section 1).

THAT: the text of the Lingan Corridor Comprehensive Development District (LCD) Zone is amended by adding the words "agricultural uses on the same site as an agricultural products manufacturer" to the list of permitted uses in Section 2.

PASSED AND ADOPTED: by a majority of the whole Council at a duly called meeting of the Cape Breton Regional Municipal Council held on 2018.

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 2018 to amend the Cape Breton Regional Municipality's Land Use By-law.

Deborah Campbell Ryan, CLERK

Municipal Planning Strategy and Land Use By-law Amendment Application #1048 – Northside Business Park – Approval to Advertise

Motion:

Moved by Councillor MacMullin, seconded by Councillor Prince, that a recommendation be made to Council for approval to advertise notice of a Public Hearing to be held during a future meeting of Council, to consider proposed amendments to the Municipal Planning Strategy and Land Use By-law applicable to the Northside Business Park as outlined in the staff report dated October 5, 2018.

Public Participation Program:

The Mayor asked if there was anyone wishing to speak for or against this matter, seeing there was no one, Mayor Clarke then called for the Vote.

Motion Carried.



TO: CBRM Council

FROM: Karen Neville

**SUBJECT: Municipal Planning Strategy and Land Use
By-law Amendment Application – 1048
Northside Business Park**

DATE: November 7th, 2018

Introduction

On September 18th Council passed a motion requesting the Planning Department prepare the necessary changes to the Municipal Planning Strategy (MPS) and Land Use By-law (LUB) as it applies to the changes to the Property Management Policy associated with the Northside Business Park. Please consider this issue paper staff's response to that motion.

Amendments to the Municipal Planning Strategy

On October 24th, 2017, Council passed a motion to removing the price of \$20,000 per acre of land from the pricing strategy for CBRM lands in the Northside Business Park. This change enabled the CBRM to sell property at market value pursuant to the *Municipal Government Act*. Because the dollar value was removed from the pricing strategy it should also be removed from the text of the Municipal Planning Strategy. It is recommended that introductory text for the Northside Business Park found in Part 3 Port Facilities, Business Industrial Park/Corridors and Nodes of the Municipal Planning Strategy be amended by deleting:

There is a two-tier real estate sales policy that continues the comparatively low \$20,000 per acre retail value for serviced land in the Park to be used to cite a manufacturing industry, but imposes an appraised value for all other types of developments.

The need to supply a detailed site plan and building construction plans prior to the purchase of land within the Northside Business Park is being removed from the Property Management Policy and is being replaced with then need to obtain a zoning confirmation. The requirement for a detailed site plan and building construction plans is also referenced in Policy 10.c, Part 3 of the MPS; as a result, this policy should be deleted. Due of the deletion of Policy 10.c, Policy 10.d must be renumbered (Attachment A).

Amendments to the Land Use By-law

Due the fact that the current restricted covenant for the Northside Business Park is being revised, it is being recommended that the provisions for outdoor display and storage in the Northside Business Park (NBP) Zone be amended. The proposed amendment would require all outdoor storage, regardless of what is being stored, to be screened from adjacent properties and any public street/road and where possible, existing vegetation should comprise all or part of the screening. The need to have the landscaped open

area be designed and completed by a Certified Horticultural Technician or Architect is being recommended to be removed (Attachment B).

Public Participation Program

In accordance with the *Municipal Government Act*, Council is required to complete a Public Participation Program prior to considering any amendment to the Municipal Planning Strategy. The purpose of the public participation program is not for Council to make a decision on an application but rather to seek input from the public. Notification of the public participation held on November 5th was published in the October 30th edition of the Cape Breton Post. No members of the public present on November 5th provided input on the request to amend the Municipal Planning Strategy and Land Use By-law.

Next Steps

If Council agrees to schedule a Public Hearing at their November meeting, the earliest date for the Public Hearing would be during the December meeting of Council. Upon a decision of Council to schedule a Public Hearing, the required notices will be published in the Cape Breton Post encouraging the public to contact the Planning and Development Department if they have any questions and of their opportunity to attend the Public Hearing.

Recommendation

I recommend that Council pass a Motion to schedule a Public Hearing to consider the proposed amendments to the Municipal Planning Strategy and Land Use By-law at the December meeting of Council.

A draft of the recommended amendments to the Municipal Planning Strategy can be found in Attachment A.

A draft of the recommended amendments to the Land Use By-law 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
Municipal Planning Strategy**

Pursuant to Section 205 of the Municipal Government Act of Nova Scotia, the Council of the Cape Breton Regional Municipality hereby amends the Cape Breton Regional Municipality's Municipal Planning Strategy in the following manner:

THAT: The introductory text for the Northside Business Park found in Part 3 Port Facilities, Business Industrial Park/Corridors and Nodes of the Municipal Planning Strategy is hereby amended by deleting:

There is a two-tier real estate sales policy that continues the comparatively low \$20,000 per acre retail value for serviced land in the Park to be used to cite a manufacturing industry, but imposes an appraised value for all other types of developments.

THAT: Part 3 Port Facilities, Business Industrial Park/Corridors and Nodes, Policy 10.c of the Municipal Planning Strategy is hereby deleted.

THAT: Part 3 Port Facilities, Business Industrial Park/Corridors and Nodes, Policy 10.d of the Municipal Planning Strategy is hereby numbered to Policy 10.c.

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 Amending By-law of the Cape Breton Regional Municipality adopted by Regional Council during a meeting held on _____ to amend the CBRM's Municipal Planning Strategy.

Deborah Campbell Ryan, CLERK

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

Pursuant to Section 219 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: Part 29 Northside Business Park (NBP) Zone, Section 3 Outdoor Display and Storage of the Land Use By-law is hereby amended by deleted and replaced with the following:

Section 3 Outdoor Display and Storage

- a. Outdoor storage shall be screened from adjacent properties and any public street/road. Where possible, existing vegetation shall comprise all or part of the screening.
- b. Where applicable, outdoor storage shall be prohibited in any yard between a main building and a public street/road.
- c. Outdoor display is permitted.

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 adapted by Regional Council during a meeting held on _____ to amend the Cape Breton Regional Municipality's Land Use By-law.

Deborah Campbell Ryan, CLERK

**Request from Cape Breton Community Housing Association - PID 15125602,
15125594 & 15653231 - Birch Street, Sydney**

Motion:

Moved by Councillor MacLeod, seconded by Councillor Coombes, that a recommendation be made to Council to recognize the Cape Breton Community Housing Association's development proposal as an activity beneficial to the municipality, and in accordance with Policy 4.8 and the Property Management Policy and Section 51 of the *Municipal Government Act*, hold a Public Hearing with respect to the proposed sale to CBCHA for \$1.00 and that any sale be subject to the condition that the association must submit an application for a Building/Development Permit within one year of the date of closing or the property is to revert back to CBRM for \$1.00. Further, all fees and/or cost associated with the transfer of land(s) shall be the responsibility of Cape Breton Community Housing Association.

Motion Carried.

**CBRM***A Community of Communities*

ISSUE PAPER

TO: GENERAL COMMITTEE

FROM: Sheila Kolanko – Property Manager

SUBJECT: REQUEST FROM CAPE BRETON COMMUNITY HOUSING ASSOCIATION

DATE: November 5th, 2018

INTRODUCTION

CBRM is in receipt of a letter from the Cape Breton Community Housing Association (CBCHA) requesting CBRM transfer 3 parcels of land located on Birch Street, Sydney for nominal consideration for housing development on the site. The lots are identified herein (Attachment "A") as PID 1S125602; 1S125594, 15653231 and outlined in red on the attached map. The properties are currently listed as "surplus" land in CBRM's Property Inventory.

BACKGROUND INFORMATION

CBCHA is a registered non-profit organization that is managed by a volunteer Board of Directors. Their mission is to provide residential services and rehabilitative programs for individuals with mental illness and/or experiencing homelessness.

The association has been approved for funding from the Nova Scotia Department of Community Services to build a new Group Home for individuals living with mental illness which will replace the existing 2 Group Homes located in Sydney. Once the new facility is built, the existing 2 Group Homes will be converted to affordable housing for Individuals escaping homelessness.

The association is asking for council to consider conveying the 3 parcels of land for no consideration for their development. The property is currently assessed at \$7500 per lot which would equate to \$22,500 for the 3 parcels.

Pursuant to Policy 4.8 of CBRM's Property Management Policy and Section 51 of the *Municipal Government Act* a Municipality can sell at a price less than market value to a non-profit organization that Council considers to be carrying on an activity that is beneficial to the Municipality. It also provides that the resolution to sell at less than market value must be passed by at least a two thirds majority of the council present and voting. Furthermore, Section 51(3) requires Council first hold a public hearing if the property is valued at more than ten thousand dollars. Copies of the relevant sections of the Policy and MGA are attached as Attachment "B" and Attachment "C" respectively.

Upon review of this request with our Planning department, the Land Use Bylaw permits such a development in all residential neighbourhoods under the category "community service residence".

In September, 2017, CBRM placed all surplus property, including the 3 parcels noted herein, on CBRM's website entertaining expression of interest from individuals, partners, and companies for proposals for the surplus property throughout the municipality. To date, no other offers have been received by the legal department for the property subject to this issue paper.

Given the content of the CBCHA development proposal; the recognition of their generous work and pursuant to existing policy and legislative authority, it is reasonable for Council to consider the request of the association.

Recommendation

I recommend that General Committee request that Council recognize the Cape Breton Community Housing Association's development proposal as an activity beneficial to the Municipality, and in accordance with Policy 4.8 and the Property Management Policy and Section 51 of the *Municipal Government Act*, hold a Public Hearing with respect to the proposed sale to CBCHA for \$1.00 and that any sale be subject to the condition that the association must submit an application for a Building/Development Permit within one year of the date of closing or the property is to revert back to CBRM for \$1.00. I further recommend all fees and/or cost associated with the transfer of land(s) shall be the responsibility of Cape Breton Community Housing Association.

Respectively Submitted by:

Original Signed By

Sheila Kolanko
Property Manager

A

40 20 0 40 Feet

Birch Street

PID: 15658281

PID: 15125594

PID: 15125602

 CBRM Surplus Property

N

ATTACHMENT "B"

MUNICIPAL GOVERNMENT ACT

Sale or lease of municipal property

51 (1) A municipality may sell or lease property at a price less than market value to a nonprofit organization that the council considers to be carrying on an activity that is beneficial to the municipality.

(2) A resolution to sell or lease property referred to in subsection (1) at less than market value shall be passed by at least a two thirds majority of the council 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.

ATTACHMENT "C"

CBRM PROPERTY MANAGEMENT POLICY

4.8 Sale To Non-profit Organizations

Section 51 of the Municipal Government Act enables the municipality to sell or lease property at a price less than market value to a non-profit organization if Council considers the organization to carry on an activity that is beneficial to the municipality. The procedures for this process to occur includes a public hearing respecting the sale of property if more than ten thousand dollars less than market value, and a resolution of council passed by at least two-thirds majority of the council present and voting.

Travel Expense Policy; Hospitality Policy

Motion:

Moved by Councillor MacLeod, seconded by Councillor Eldon MacDonald, that a recommendation be made to Council to approve amendments to the Travel Expense Policy for Elected Officials and the Travel Expense Policy for Staff, and to adopt the Cape Breton Regional Municipality Hospitality Policy, as outlined in the staff Issue Paper dated October 11, 2018.

Discussion:

Council Discussion included the following:

- Clarification of the \$140 weekly travel allowance
- Travelling Business Class
- Bill 10 and “reportable employees”

It was **agreed** that Directors and Mayor’s office contract employment would be included in the “reportable employees” section of the revised Travel Expense Policy for Staff.

Motion Carried.



CBRM

A Community of Communities

Cape Breton Regional Municipality

Issue Paper

Date: October 11, 2018
To: Mayor and Council
From: Jennifer Campbell, CPA, CA Chief Financial Officer
Re: Travel Expense Policy, Hospitality Policy

The revisions to the Municipal Government Act following the passing of Bill 10, An Act to amend Chapter 18 of the MGA, requires a Municipality to adopt an expense policy and a hospitality policy. Specifically, with relevance to the CBRM, the expense policies are required to:

- Prohibit the reimbursement of alcohol purchase by an individual;
- Identify the persons who have signing authority to authorize the reimbursement of an expense.

The Municipality is also required to adopt a hospitality policy which must:

- Establish the expenditures, including alcohol purchase, that may be a hospitality expense;
- Establish the approval process for authorizing hospitality expenses;
- Establish the scope and applicability of the policy.

As such, the Travel Expense policies for both Elected Officials and Staff have not been reviewed in some time. The requirement to amend our policies to adhere to the specifications of Bill 10 afford the opportunity to review, refine and amend other sections of these policies keeping in mind the current environment and standard of accountability and transparency that exists and should exist with respect to travel and travel-related expenditures. Respecting Hospitality, CBRM does not have an existing Policy and as such, Council must adopt one.

The following chart provides a summary of travel expense policy changes:

SUMMARY OF POLICY AMENDMENTS - ELECTED OFFICIALS & STAFF

Airfare

- Notes upgrade fees as a non-reimbursable personal expense unless continuous air travel exceeds 9 hours or due to physical requirements including but not limited to ergonomics.
- Restricts the # of baggage fees claimed
- Incorporates the purchase and use of flight passes as a form of travel advance and the process for reporting usage.

Lodging

- Limits the room type to a standard room.
- Specifies utilization of hotels with negotiated rates and exceptions.
- Notes upgrade costs and additional accommodation expenses for accompanying guests as non-reimbursable personal expenses.
- Adds a per diem of a \$40/night for private out of town accommodation in lieu of hotel rates.

Meals

- Meal per diems replace receipts unless explicitly approved by the CAO
- Specifies when per diems for Breakfast and Dinner are applicable.
- Updates per diem rates to correspond to NSFM rates (adjusted annually)
- Adds a provision of an incidental per diem for overnight travel.
- Prohibits meal reimbursements when meals are provided in conference/meeting itinerary.

Mileage

- Amends mileage claim to the lesser of distance from regular place of work vs residence to the travel destination.
- Updates per diem rates to correspond to NSFM rates (adjusted annually)
- Notes circumstances when the use of vehicle rentals is preferred

Travel Advances

- Notes conditions that must be met to obtain a travel advance.
- Specifies a minimum dollar threshold to obtain a travel advance.
- Requires subsequent claim submission to reconcile travel advances against actual costs of travel.
- Unreconciled advances to be recovered via payroll deduction.

Non-allowable items

- Identifies specific expenses considered personal in nature and therefore the sole responsibility of the employee.
- Specifically identifies alcohol as an ineligible expense.

Other

- Notes requirement to identify on claim forms any costs attributed to other individuals.
- Requirement to submit detailed/itemized receipts as only accepted receipt vs debit/credit card transaction receipts.

Reporting Requirements - NEW

- Notes the timelines and reporting requirements for travel expenses.
- Defines reportable employees as all elected officials and the CAO (as per Bill 10)

Review Requirements - NEW
Notes the requirement for frequency of review and adoption of expense policy.
ADDITIONAL POLICY AMENDMENTS - ELECTED OFFICIALS ONLY
Statement of Policy
- Amends FCM/NSFM convention delegation to not exceed one half of council membership (previously 8 when Council size was 16) - CAO to approve travel outside of Province. Kilometer Allowance - Prohibits the daily local travel allowance (\$140/week) from being claimed on days where Council members are out of town or unavailable to fulfill municipal duties.

CBRM's existing policy documents, HRM expense policy, and Model policy documents provided by the Association of Municipal Administrators of NS have been used as a resource in developing the proposed amended Policies for both Staff and Elected Officials. The draft Hospitality Policy is essentially a carbon copy of that proposed by the AMA. Any changes to the model document are noted in red. These policies are attached for Council review and consideration.

Respectfully submitted,

Jennifer Campbell, CPA, CA
Chief Financial Officer

Proposed Changes in Red

(Council) Travel Expense Policy for Elected Officials

LEGISLATIVE AUTHORITY

This policy derives its authority from Section 65(r) and (s) of the *Municipal Government Act* of the Province of Nova Scotia.

STATEMENT OF POLICY:

- It is the policy of the municipality to reimburse **elected officials Council** for **approved reasonable and necessary** expenditures incurred **by-elected-officials** on official municipal business.
- Actual kilometers travelled will be reimbursed at the kilometer rate set by Council or the appropriate committee.
- All other allowable expenses are on an actual cost basis; or per diem rate set by Council or the appropriate committee. **or per diem rate set by Council or the appropriate committee.**
- Claims for reimbursement of actual travel expenses, other than for kilometers or per diems, must be accompanied by detailed invoices and/or receipts showing proof of payment with all taxes detailed.
- All expense claims are subject to review and internal audit verification.
- Travel is subject to budget restrictions.
- **Any travel outside of Canada must be approved in advance by the Chief Administrative Officer.**
- **The purpose of the travel, destination, kilometers (if applicable) and dates must be recorded on the expense claim form.**
- The distribution of travel funds for non-local conferences and meetings will be allotted in the following manner:

Each member of Council will be assigned an annual budget based on past experience and available budget. Each member of Council must be personally accountable for the usage of this funding and must

make travel decisions based on their individual total budget available.

- FCM/NSFM convention fund entitlement is authorized by Council. Delegates attending for the annual FCM convention shall not ~~will be exceed one half of council membership eight Councillors~~, noting that priority will be given to Council members who have not attended the conference in the previous year.
- Emergency Travel – Non budgeted travel will only be authorized by the Mayor when it is deemed necessary to have Council representation present at some unforeseen event, despite the lack of individual councillor(s) budget.
- *Income Tax Act* – Reporting requirements include some items as taxable income or taxable benefits.

TRAVEL WHILE ON MUNICIPAL BUSINESS

Overnight Trips

Airfare

Air travel should be booked at the advanced purchase excursion rates on commercial airlines using the most efficient and direct route.

Any differentials from the excursion rate or stop-over costs must be explained and approved on the expense claim when submitted.

Where available, business/executive class air travel shall be authorized where continuous air travel exceeds nine hours. Continuous air travel starts at the scheduled flight departure time, and ends with the arrival at destination terminal or with an overnight stop or layover equivalent to an overnight stop.

For all other travel, airfare upgrades shall be at the personal expense of the claimant unless there are ergonomic necessities attributable to physical requirements of the employee including, but not limited to, wheel chair accessibility. Reimbursement for upgrade costs must be received at the time of billing.

Additional charges for baggage fees shall be limited to 1 item per claimant unless authorized in advance.

The purchase and use of flight passes constitutes a travel advance and must be reported on an expense claim with 10 days of use.

Lodging

Hotel and motel expenses will be reimbursed on completion of travel upon submittal of proper "Expense Claim" forms. ~~A reasonable class of accommodation shall be selected where choice is available.~~

Hotel accommodations shall not exceed the cost of a standard room, double occupancy.

Other than for conferences/conventions offering group rates, hotel accommodations shall be booked at a hotel with a negotiated price agreement whenever possible or offering reduced government rates.

Hotel upgrades shall be at the personal expense of the claimant unless there are ergonomic necessities attributable to physical requirements of the employee including, but not limited to, wheel chair accessibility.

Additional accommodation expenses for an accompanying guest will not be reimbursed and are the personal responsibility of the claimant.

Private accommodation may be authorized in lieu of hotel accommodation for non-local travel and shall receive a per diem of \$40.00 per night.

Meals

- ~~• Meal reimbursements are to be itemized on proper "Expense Claim" forms accompanied by receipts.~~
- ~~Per-Diem:~~ Meal per diem reimbursements are to be itemized on proper "Expense Claim" forms.
- Reimbursement for meals shall not exceed the per diem meal amounts set out in this policy. Reimbursement in excess of daily maximum meal per diem will only be made if the actual expenses are reasonable and approved by the CAO.
- Approved meal reimbursements are to be itemized on proper "Expense Claim" forms accompanied by detailed receipts.
- Breakfast may be claimed only when the council member has been travelling on municipal business for more than one hour before the recognized time for the start of the day's work. Dinner may only be

claimed when the council member is not expected to return to his/her residence before 6:30pm.

- Meal costs will not be reimbursed where the cost is included in the airfare or in registration fees at conventions, conferences, or training events. (Conference itineraries should be attached to the expense claim form).

Kilometer Allowance

Members of Council who utilize their personal vehicles on travel assignments will be ~~reimbursed~~ **allowed** the approved rate per kilometer.

Mileage will be reimbursed from the regular place of work, or from the Council member's residence, whichever is ~~less~~.

Local travel of an elected official to Council or Committee meeting is an allowable claim, but restricted to only one claim per day. Alternatively, Council members may opt for a daily per diem for local travel.

If an elected official is out of town or otherwise unavailable to fulfill municipal duties, the elected official shall forfeit the travel allowance for days absent, either through payroll deduction or as an offset to expenses being claimed.

Non local travel - No reimbursement for mileage shall exceed the dollar amount of round trip airfare at the economy rate on a licensed common carrier, plus auto rental or taxi fare at point of destination.

When two or more Council members are attending the same seminar, convention, or meeting, ~~reasonable efforts to share a vehicle shall be made~~ **car pooling shall be practiced** whenever possible. ~~Claimed kilometers will be based on the approved kilometer schedule.~~

If an elected official, for his or her own convenience, travels by an indirect route or interrupts travel by the most economical route, the elected official shall bear any extra expense involved. Reimbursement for such travel shall be for only that part of the expense as would have been necessary in order to travel.

Vehicle Rentals

Council members are encouraged to rent a vehicle from an agency with a negotiated price agreement wherever possible in instances where:

- The aggregate costs of renting a vehicle are more cost effective to the Municipality than paying a per diem.
- Reasonable ground transportation services such as public transit, taxis or hotel shuttles are unavailable; or
- Two or more employees are travelling for the same purpose, and it is more economical than the combined cost of other reasonable transportation.

Compact, economical vehicles must be used unless three (3) or more persons travelling together, the bulk weight of goods being transported necessitates a larger vehicle, or a compact, economical vehicle is unavailable.

Parking Fees

Parking fees will be reimbursed for actual cost when receipts are provided.

Travel Advances

Advances will only be issued where an overnight stay is required.

Travel advances will be issued by the Finance Department based on a reasonable estimated costs. ~~Reimbursement or refunds will be handled by the Council Assistant after the "Expense Claim" form is turned in.~~

Advances will not be paid for less than \$200.

Travel advances must be reconciled against actual costs incurred by submitting an expense claim accompanied by any repayment of advance owing within 10 days of completing the travel. Any travel advance not reconciled in this time frame shall be reclaimed through payroll deduction.

Non-allowable items (Additional Expenses)

Claims for loss of personal effects, for medical and hospital treatment, for purchase of hand luggage, clothing, and other personal equipment, or for other personal expenses such as laundry, valet parking will not be reimbursed.

If the duration of travel exceeds 1 week or for extenuating circumstances, then laundry services may be reimbursed for reasonable amounts with receipts.

Fines for parking or traffic violations are the direct responsibility of the employee and will not be reimbursed.

Additional expenses incurred as a result of non-council member accompaniment are the direct responsibility of the council member.

Purchases of alcohol will not be reimbursed.

OTHER

Expenses incurred by one individual on behalf of another must be attributed to the individual(s) for whom those expenses were incurred.

Debit/Credit card transaction records are not acceptable as receipts and will not be reimbursed. Only detailed/itemized receipts are accepted.

REPORTING REQUIREMENTS

Pursuant to Section 65A of the Municipal Government Act, the CAO shall ensure that:

Within 90 days of the end of each fiscal quarter, the expense report for elected officials is prepared and posted on the Municipal website.

Reportable expenses include Travel and travel related expenses, including transportation accommodation and incidentals, meals, and training and education.

The annual summary report on expenses for the preceding fiscal year that is compliant with the requirements of the Department of Municipal Affairs and the requirements set out in the Financial Reporting and Accounting Framework is prepared and submitted to the Minister of Municipal Affairs by September 30th of each year.

REVIEW REQUIREMENTS

By the January 31st immediately following a regular election held under the Municipal Elections Act, Council shall review this policy and, following a motion of Council, either re-adopt or amend the policy.

PROCEDURES

RESERVATIONS

All reservations for air travel, accommodation and rental vehicles will be coordinated by the Council Assistant.

Accommodation and rental vehicles shall be reserved using negotiated price agreements whenever possible in order to provide the municipality a preferred level of service at competitive rates.

Travel Advances

- The travel advance will be submitted to the Finance Department by the Council Assistant.
- The travel advance must be approved by the Chief Financial Officer, Director of Finance.
- The Council Assistant should receive the travel advance form from the Councillor no earlier than five working days prior to the required date.

Expense Claims

Local Travel Kilometers Travelled

- Travel claims are to be submitted to the Council Assistant on approved claim form the 1st working day of each month for the prior month.
- Claims are to be processed and payment made on or before mid month.

Travel Reimbursement

- All expense claims or advance repayments are to be submitted to the Council Assistant on the 1st and 15th of each month. (First working day following – if weekend or holiday.)
- All travel expenditures relating to the Mayor will be processed through authorized by the Office of the Chief Administrative Officer, Director of Finance.
- Payments shall be processed made the week following submission date if supported by proper documentation.

MEAL PER DIEM and KILOMETER ALLOWANCE

Meal and incidental per diems and per-kilometer allowances shall be that of the Nova Scotia Federation of Municipalities (NSFM) established rates, adjusted annually,

effective the first day of the fiscal year – April 1. Incidental per diem shall only be paid on travel dates requiring overnight accommodation in hotels.

Private accommodation per diem shall be set at \$40.00 per night.

Morning	10.00
Noon	15.00
Evening	25.00
Daily Maximum	\$50.00

~~KILOMETER ALLOWANCE~~

~~Rate for kilometers traveled will be that of the Province of Nova Scotia, adjusted annually, effective the first day of the fiscal year – April 1.~~

Rates in USA are the same as in Canada but paid in US funds.

Approved by Council: June 12, 1996
Amended June 27, 2001, March 11, 2005, June 8, 2006, **November XX, 2018**

APPENDIX 1**Kilometer Schedule Between Sydney/Return**

City/Town	Km	City/Town	Km
Amherst	904	Lunenburg	1060
Annapolis	1176	Middleton	1084
Antigonish	444	New Glasgow	542
Baddeck	178	New Waterford	40
Berwick	1022	North Sydney	62
Bridgetown	1128	Pictou	590
Canso	546	Port Hawkesbury	356
Dartmouth	862	Shelburne	1298
Digby	1240	Springhill	868
Dominion	36	Stellarton	558
Glace Bay	41	Sydney Mines	72
Halifax	882	Trenton	562
Hantsport	926	Truro	676
Ingonish	248	Windsor	904
Kentville	980	Wolfville	956
Liverpool	1150	Yarmouth	1438
Lockport	1278	Louisbourg	102

Travel Expense Policy for Elected Officials

1. LEGISLATIVE AUTHORITY

- a. This policy derives its authority from Section 65(r) and (s) of the *Municipal Government Act* of the Province of Nova Scotia.

2. STATEMENT OF POLICY:

- a. It is the policy of the municipality to reimburse elected officials for reasonable and necessary expenditures incurred on official municipal business.
- b. Actual kilometers travelled will be reimbursed at the kilometer rate set by Council or the appropriate committee.
- c. All other allowable expenses are on an actual cost basis; or per diem rate set by Council or the appropriate committee.
- d. Claims for reimbursement of actual travel expenses, other than for kilometers or per diems, must be accompanied by detailed invoices and/or receipts showing proof of payment with all taxes detailed.
- e. All expense claims are subject to review and internal audit verification.
- f. Travel is subject to budget restrictions.
- g. Any travel outside of Canada must be approved in advance by the Chief Administrative Officer.
- h. The purpose of the travel, destination, kilometers (if applicable) and dates must be recorded on the expense claim form.
- i. The distribution of travel funds for non-local conferences and meetings will be allotted in the following manner:
 - (1) Each member of Council will be assigned an annual budget based on past experience and available budget. Each member of Council must be personally accountable for the usage of this funding and must make travel decisions based on their individual total budget available.

- (2) FCM/NSFM convention fund entitlement is authorized by Council. Delegates attending the annual FCM convention shall not exceed one half of council membership, noting that priority will be given to Council members who have not attended the conference in the previous year.
- (3) Emergency Travel – Non budgeted travel will only be authorized by the Mayor when it is deemed necessary to have Council representation present at some unforeseen event, despite the lack of individual councillor(s) budget.
- (4) *Income Tax Act* – Reporting requirements include some items as taxable income or taxable benefits.

3. TRAVEL WHILE ON MUNICIPAL BUSINESS

i) Airfare

- (1) Air travel should be booked at the advanced purchase excursion rates on commercial airlines using the most efficient and direct route.
- (2) Any differentials from the excursion rate or stop-over costs must be explained and approved on the expense claim when submitted.
- (3) Where available, business/executive class air travel shall be authorized where continuous air travel exceeds nine hours. Continuous air travel starts at the scheduled flight departure time, and ends with the arrival at destination terminal or with an overnight stop or layover equivalent to an overnight stop.
- (4) For all other travel, airfare upgrades shall be at the personal expense of the claimant unless there are ergonomic necessities attributable to physical requirements of the employee including, but not limited to, wheel chair accessibility. Reimbursement for upgrade costs must be received at the time of billing.
- (5) Additional charges for baggage fees shall be limited to 1 item per claimant unless authorized in advance.
- (6) The purchase and use of flight passes constitutes a travel advance and must be reported on an expense claim with 10 days of use.

ii) Lodging

- (1) Hotel and motel expenses will be reimbursed on completion of travel upon submittal of proper "Expense Claim" forms.
- (2) Hotel accommodations shall not exceed the cost of a standard room, double occupancy.
- (3) Other than for conferences/conventions offering group rates, hotel accommodations shall be booked at a hotel with a negotiated price agreement whenever possible or offering reduced government rates.
- (4) Hotel upgrades shall be at the personal expense of the claimant unless there are ergonomic necessities attributable to physical requirements of the employee including, but not limited to, wheel chair accessibility.
- (5) Additional accommodation expenses for an accompanying guest will not be reimbursed and are the personal responsibility of the claimant.
- (6) Private accommodation may be authorized in lieu of hotel accommodation for non-local travel and shall receive a per diem of \$40.00 per night.

iii) Meals

- (1) Meal per diem reimbursements are to be itemized on proper "Expense Claim" forms.
 - (2) Reimbursement for meals shall not exceed the per diem meal amounts set out in this policy. Reimbursement in excess of daily maximum meal per diem will only be made if the actual expenses are reasonable and approved by the CAO.
 - (3) Approved meal reimbursements are to be itemized on proper "Expense Claim" forms accompanied by detailed receipts.
 - (4) Breakfast may be claimed only when the council member has been travelling on municipal business for more than one hour before the recognized time for the start of the day's work. Dinner may only be claimed when the council member is not expected to return to his/her residence before 6:30pm.
 - (5) Meal costs will not be reimbursed where the cost is included in the airfare or in registration fees at conventions, conferences, or training events. (Conference itineraries should be attached to the expense claim form).
-

iv) **Kilometer Allowance**

- (1) Members of Council who utilize their personal vehicles on travel assignments will be reimbursed the approved rate per kilometer.
- (2) Mileage will be reimbursed from the regular place of work, or from the Council member's residence, whichever is less.
- (3) Local travel of an elected official to Council or Committee meeting is an allowable claim, but restricted to only one claim per day. Alternatively, Council members may opt for a daily per diem for local travel.
- (4) If an elected official is out of town or otherwise unavailable to fulfill municipal duties, the elected official shall forfeit the travel allowance for days absent, either through payroll deduction or as an offset to expenses being claimed.
- (5) Non local travel - No reimbursement for mileage shall exceed the dollar amount of round trip airfare at the economy rate on a licensed common carrier, plus auto rental or taxi fare at point of destination.
- (6) When two or more Council members are attending the same seminar, convention, or meeting, reasonable efforts to share a vehicle shall be made whenever possible.
- (7) If an elected official, for his or her own convenience, travels by an indirect route or interrupts travel by the most economical route, the elected official shall bear any extra expense involved. Reimbursement for such travel shall be for only that part of the expense as would have been necessary in order to travel.

v) **Vehicle Rentals**

- (1) Council members are encouraged to rent a vehicle from an agency with a negotiated price agreement wherever possible in instances where:
 - (a) The aggregate costs of renting a vehicle are more cost effective to the Municipality than paying a per diem.
 - (b) Reasonable ground transportation services such as public transit, taxis or hotel shuttles are unavailable; or
 - (c) Two or more employees are travelling for the same purpose, and it is more economical than the combined cost of other reasonable transportation.
-

- (2) Compact, economical vehicles must be used unless three (3) or more persons travelling together, the bulk weight of goods being transported necessitates a larger vehicle, or a compact, economical vehicle is unavailable.

vi) Parking Fees

- (1) Parking fees will be reimbursed for actual cost when receipts are provided.

vii) Travel Advances

- (1) Advances will only be issued where an overnight stay is required.
- (2) Travel advances will be issued by the Finance Department based on reasonable estimated costs.
- (3) Advances will not be paid for less than \$200.
- (4) Travel advances must be reconciled against actual costs incurred by submitting an expense claim accompanied by any repayment of advance owing within 10 days of completing the travel. Any travel advance not reconciled in this time frame shall be reclaimed through payroll deduction.

viii) Non-allowable items

- (1) Claims for loss of personal effects, for medical and hospital treatment, for purchase of hand luggage, clothing, and other personal equipment, or for other personal expenses such as laundry, valet parking will not be reimbursed.
- (2) If the duration of travel exceeds 1 week or for extenuating circumstances, then laundry services may be reimbursed for reasonable amounts with receipts.
- (3) Fines for parking or traffic violations are the direct responsibility of the employee and will not be reimbursed.
- (4) Additional expenses incurred as a result of non-council member accompaniment are the direct responsibility of the council member.
- (5) Purchases of alcohol will not be reimbursed.

4. OTHER

- i. Expenses incurred by one individual on behalf of another must be attributed to the individual(s) for whom those expenses were incurred.

- ii. Debit/Credit card transaction records are not acceptable as receipts and will not be reimbursed. Only detailed/itemized receipts are accepted.

5. REPORTING REQUIREMENTS

- i. Pursuant to Section 65A of the Municipal Government Act, the CAO shall ensure that:
 - 1. Within 90 days of the end of each fiscal quarter, the expense report for elected officials is prepared and posted on the Municipal website.
 - 2. Reportable expenses include Travel and travel related expenses, including transportation accommodation and incidentals, meals, and training and education.
 - 3. The annual summary report on expenses for the preceding fiscal year that is compliant with the requirements of the Department of Municipal Affairs and the requirements set out in the Financial Reporting and Accounting Framework is prepared and submitted to the Minister of Municipal Affairs by September 30th of each year.

6. REVIEW REQUIREMENTS

- i. By the January 31st immediately following a regular election held under the Municipal Elections Act, Council shall review this policy and, following a motion of Council, either re-adopt or amend the policy.

7. PROCEDURES

a. RESERVATIONS

- i. All reservations for air travel, accommodation and rental vehicles will be coordinated by the Council Assistant.
- ii. Accommodation and rental vehicles shall be reserved using negotiated price agreements whenever possible in order to provide the municipality a preferred level of service at competitive rates.

b. Travel Advances

- i. The travel advance will be submitted to the Finance Department by the Council Assistant.
- ii. The travel advance must be approved by the Chief Financial Officer.
- iii. The Council Assistant should receive the travel advance form from the Councillor no earlier than five working days prior to the required date.

c. Expense Claims

i. Local Travel

1. Travel claims are to be submitted to the Council Assistant on approved claim form the 1st working day of each month for the prior month.
2. Claims are to be processed and payment made on or before mid month.

ii. Travel Reimbursement

1. All expense claims or advance repayments are to be submitted to the Council Assistant on the 1st and 15th of each month. (First working day following – if weekend or holiday.)
2. All travel expenditures relating to the Mayor will be authorized by the Chief Administrative Officer.
3. Payments shall be processed the week following submission date if supported by proper documentation.

iii. MEAL PER DIEM and KILOMETER ALLOWANCE

1. Meal and incidental per diems and per-kilometer allowances shall be that of the Nova Scotia Federation of Municipalities (NSFM) established rates, adjusted annually, effective the first day of the fiscal year – April 1. Incidental per diem shall only be paid on travel dates requiring overnight accommodation in hotels.
2. Private accommodation per diem shall be set at \$40.00 per night.
3. Rates in USA are the same as in Canada but paid in US funds.

Approved by Council: June 12, 1996
Amended June 27, 2001, March 11, 2005, June 8, 2006, November
XX, 2018

DRAFT

Proposed Changes in Red

Travel Expense **Policy for Management Staff Policy** Policy No.

LEGISLATIVE AUTHORITY

This policy derives its authority from Section 65(r) of the *Municipal Government Act* of the Province of Nova Scotia.

STATEMENT OF POLICY:

It is the policy of the municipality to reimburse employees for reasonable and necessary expenditures incurred by individuals on official municipal business.

Actual kilometers travelled will be reimbursed at the kilometer rate set by Council or the appropriate committee.

All other allowable expenses are on an actual cost basis; or per diem rate set by Council or the appropriate Committee.

Claims for reimbursement of actual travel expenses, other than for kilometers or per diems, must be accompanied by detailed invoices and/or receipts showing proof of payment with all taxes detailed.

All expense claims are subject to review and internal audit verification.

The purpose of the travel, destination, kilometers (if applicable) and dates must be recorded on the expense claim form.

TRAVEL WHILE ON MUNICIPAL BUSINESS

OVERNIGHT TRIPS

Airfare

Air travel should be booked at the advanced purchase excursion rates on commercial airlines using the most efficient and direct route.

Any differentials from the excursion rate or stop-over costs must be explained and approved on the expense claim when submitted.

Where available, business/executive class air travel shall be authorized where continuous air travel exceeds nine hours. Continuous air travel

starts at the scheduled flight departure time, and ends with the arrival at destination terminal or with an overnight stop or layover equivalent to an overnight stop.

For all other travel, airfare upgrades shall be at the personal expense of the claimant unless there are ergonomic necessities attributable to physical requirements of the employee including, but not limited to, wheel chair accessibility. Reimbursement for upgrade costs must be received at the time of billing.

Additional charges for baggage fees shall be limited to 1 item per claimant unless authorized in advance.

The purchase and use of flight passes constitutes a travel advance and must be reported on an expense claim with 10 days of use.

Lodging

Hotel and motel expenses will be reimbursed on completion of travel upon submittal of proper "Expense Claim" forms. ~~A reasonable class of accommodation shall be selected where choice is available.~~

Hotel accommodations shall not exceed the cost of a standard room, double occupancy.

Other than for conferences/conventions offering group rates, hotel accommodations shall be booked at a hotel with a negotiated price agreement whenever possible or offering reduced government rates.

Hotel upgrades shall be at the personal expense of the claimant unless there are ergonomic necessities attributable to physical requirements of the employee including, but not limited to, wheel chair accessibility.

Additional accommodation expenses for an accompanying guest will not be reimbursed and are the personal responsibility of the claimant.

Private accommodation may be authorized in lieu of hotel accommodation for non-local travel and shall receive a per diem of \$40.00 per night.

Meals

~~Per Diem:~~ Meals per diem reimbursements are to be itemized on proper "Expense Claim" forms.

Reimbursement for meals shall not exceed the per diem meal amounts set out in this policy. Reimbursement in excess of daily maximum meal per

diem will only be made if the actual expenses are reasonable and approved by the CAO.

Approved meal reimbursements are to be itemized on proper "Expense Claim" forms accompanied by detailed receipts.

Breakfast may be claimed only when the employee has been travelling on municipal business for more than one hour before the recognized time for the start of the day's work. Dinner may only be claimed when the employee is not expected to return to his/her residence before 6:30pm.

Meal costs will not be reimbursed where the cost is included in the airfare or in registration fees at conventions, conferences, or training events. (Conference itineraries should be attached to the expense claim form).

Kilometer Allowance

Employees who utilize their personal vehicles on travel assignments will be allowed the approved rate per kilometer. Each employee who drives a private vehicle on municipal business must have liability insurance on said vehicle.

Mileage will be reimbursed from the regular place of work, or from the employee's residence, whichever is less.

No reimbursement for mileage shall exceed the dollar amount of round trip air fare at the economy rate on a licensed common carrier, plus auto rental or taxi fare at point of destination.

When two or more employees are attending the same seminar, convention, or meeting, reasonable efforts to share a vehicle shall be made ~~car-pooling shall be practiced~~ whenever possible. ~~Claimed kilometers will be based on the approved kilometer schedule.~~

If an employee, for his or her own convenience, travels by an indirect route or interrupts travel by the most economical route, the ~~employee conseiller~~ shall bear any extra expense involved. Reimbursement for such travel shall be for only that part of the expense as would have been necessary in order to travel.

Vehicle Rentals

Employees are encouraged to rent a vehicle from an agency with a negotiated price agreement wherever possible in instances where:

- The aggregate costs of renting a vehicle are more cost effective to the Municipality than paying a per diem.
- Reasonable ground transportation services such as public transit, taxis or hotel shuttles are unavailable; or
- Two or more employees are travelling for the same purpose, and it is more economical than the combined cost of other reasonable transportation.

Compact, economical vehicles must be used unless three (3) or more persons travelling together, the bulk weight of goods being transported necessitates a larger vehicle, or a compact, economical vehicle is unavailable.

Parking Fees

Parking fees will be reimbursed for actual cost when receipts are provided.

Travel Advances

Advances will only be issued where an overnight stay is required.

Travel advances will be issued by the Finance Department based on reasonable estimated costs. ~~Reimbursement or refunds will be handled by the Finance Department after the "Expense Claim" form is turned in.~~

Advances will not be paid for less than \$200.

Travel advances must be reconciled against actual costs incurred by submitting an expense claim accompanied by any repayment of advance owing within 10 days of completing the travel. Any travel advance not reconciled in this time frame shall be reclaimed through payroll deduction.

Non-allowable items (Additional Expenses)

Claims for loss of personal effects, for medical and hospital treatment, for purchase of hand luggage, clothing, and other personal equipment, or for other personal expenses such as laundry, valet parking will not be reimbursed.

If the duration of travel exceeds 1 week or for extenuating circumstances, then laundry services may be reimbursed for reasonable amounts with receipts.

Fines for parking or traffic violations are the direct responsibility of the employee and will not be reimbursed.

Additional expenses incurred as a result of non-employee member accompaniment are the direct responsibility of the employee.

Purchases of alcohol will not be reimbursed.

Local Travel and Expenses

Local Kilometers

No travel expense will be paid for commuting from an employee's personal residence to place of work during regular business hours.

Local Meals

Reimbursement for meals will be allowed when the employee is attending a seminar or conference, a business meeting, and/or where the employee's attendance will directly benefit the municipality.

OTHER

Expenses incurred by one individual on behalf of another must be attributed to the individual(s) for whom those expenses were incurred.

Debit/Credit card transaction records are not acceptable as receipts and will not be reimbursed. Only detailed/itemized receipts are accepted.

REPORTING REQUIREMENTS

Pursuant to Section 65A of the Municipal Government Act, the CAO shall ensure that:

Within 90 days of the end of each fiscal quarter, the expense report for reportable employees is prepared and posted on the Municipal website.

Reportable employees include the Chief Administrative Officer, and any other employees as deemed by Council.

Reportable expenses must report all travel and travel related expenses, including transportation accommodation and incidentals, meals, and training and education.

The annual summary report on expenses for the preceding fiscal year that is compliant with the requirements of the Department of Municipal Affairs and the requirements set out in the Financial Reporting and Accounting Framework is prepared and submitted to the Minister of Municipal Affairs by September 30th of each year.

REVIEW REQUIREMENTS

By the January 31st immediately following a regular election held under the Municipal Elections Act, Council shall review this policy and, following a motion of Council, either re-adopt or amend the policy.

APPROVED: JUNE 27, 2001
AMENDED: NOVEMBER XX, 2018

Procedures

RESERVATIONS

All reservations for air travel, accommodation and rental vehicles will be coordinated by a designated staff person ~~in each department~~.

~~Accommodation and rental vehicles shall be reserved using negotiated price agreements whenever possible in order to This will~~ provide the municipality a preferred level of service at competitive rates.

TRAVEL ADVANCES

- The travel advance is to be initiated on approved form by the individual travelling.
- The travel advance must be approved by the appropriate authorization levels.
- The Finance Department must receive the travel advance form ~~no earlier than~~ five working days prior to the required date.
- Travel advances for the Chief Administrative Officer will be authorized by the ~~Chief Financial Officer~~ ~~Director of Finance~~.

EXPENSE CLAIMS

~~Local Travel Kilometers Travelled~~

- ~~Travel claims are to be~~ submitted to the Finance Department on approved ~~claim~~ form the 1st working day of each month for the prior month.
- ~~Claims are to be processed~~ and payment made on or before mid month.

Travel Reimbursement

- All expense claims or advance repayments are to be submitted to the Finance Department on the 1st and 15th of each month. (First working day following – if weekend or holiday.)
- Payment ~~shall processed made~~ the week following submission date if supported by proper documentation.

APPENDIX 1 Authorization Levels

Staff

Travel within Cape Breton:

Travel within **Atlantic** Canada:Travel outside **Atlantic** Canada:Immediate Supervisor/**Manager**

Appropriate Director

Chief Administrative Officer

Kilometer Schedule Between Sydney/Return

City/Town	Km	City/Town	Km
Amherst	904	Lunenburg	1060
Annapolis	1176	Middleton	1084
Antigonish	444	New Glasgow	542
Baddeck	78	New Waterford	40
Berwick	1022	North Sydney	62
Bridgetown	1128	Pictou	590
Canso	548	Port Hawkesbury	356
Dartmouth	862	Shelburne	1298
Digby	1240	Springhill	868
Dominion	36	Stellarton	558
Glace Bay	41	Sydney Mines	72
Halifax	882	Trenton	562
Hantsport	926	Truro	676
Ingonish	248	Windsor	904
Kentville	980	Wolfville	956
Liverpool	1150	Yarmouth	1438
Lockport	1278	Loulsbourg	102

MEAL PER DIEM and KILOMETER ALLOWANCE

Meal and incidental per diems and per-kilometer allowances shall be that of the Nova Scotia Federation of Municipalities (NSFM) established rates, adjusted annually, effective the first day of the fiscal year – April 1. Incidental per diem shall only be paid on travel dates requiring overnight accommodation in hotels.

Private accommodation per diem shall be set at \$40.00 per night.

Morning	10.00
Noon	15.00
Evening	25.00
Daily Maximum	\$50.00

KILOMETER ALLOWANCE

~~Rate for kilometers traveled will be that of the Province of Nova Scotia, adjusted annually, effective the first day of the fiscal year April 1.~~

Rates in USA are the same as in Canada but paid in US funds.

Travel Expense Policy for Staff

Policy No.

1. LEGISLATIVE AUTHORITY

- a. This policy derives its authority from Section 65(r) of the *Municipal Government Act* of the Province of Nova Scotia.

2. STATEMENT OF POLICY:

- a. It is the policy of the municipality to reimburse employees for reasonable and necessary expenditures incurred by individuals on official municipal business.
- b. Actual kilometers travelled will be reimbursed at the kilometer rate set by Council or the appropriate committee.
- c. All other allowable expenses are on an actual cost basis; or per diem rate set by Council or the appropriate Committee.
- d. Claims for reimbursement of actual travel expenses, other than for kilometers or per diems, must be accompanied by detailed invoices and/or receipts showing proof of payment with all taxes detailed.
- e. All expense claims are subject to review and internal audit verification.
- f. The purpose of the travel, destination, kilometers (if applicable) and dates must be recorded on the expense claim form.

3. TRAVEL WHILE ON MUNICIPAL BUSINESS

a. OVERNIGHT TRIPS

i. Airfare

- 1. Air travel should be booked at the advanced purchase excursion rates on commercial airlines using the most efficient and direct route.
- 2. Any differentials from the excursion rate or stop-over costs must be explained and approved on the expense claim when submitted.

3. Where available, business/executive class air travel shall be authorized where continuous air travel exceeds nine hours. Continuous air travel starts at the scheduled flight departure time, and ends with the arrival at destination terminal or with an overnight stop or layover equivalent to an overnight stop.
4. For all other travel, airfare upgrades shall be at the personal expense of the claimant unless there are ergonomic necessities attributable to physical requirements of the employee including, but not limited to, wheel chair accessibility. Reimbursement for upgrade costs must be received at the time of billing.
5. Additional charges for baggage fees shall be limited to 1 item per claimant unless authorized in advance.
6. The purchase and use of flight passes constitutes a travel advance and must be reported on an expense claim with 10 days of use.

ii. Lodging

1. Hotel and motel expenses will be reimbursed on completion of travel upon submittal of proper "Expense Claim" forms.
2. Hotel accommodations shall not exceed the cost of a standard room, double occupancy.
3. Other than for conferences/conventions offering group rates, hotel accommodations shall be booked at a hotel with a negotiated price agreement whenever possible or offering reduced government rates.
4. Hotel upgrades shall be at the personal expense of the claimant unless there are ergonomic necessities attributable to physical requirements of the employee including, but not limited to, wheel chair accessibility.
5. Additional accommodation expenses for an accompanying guest will not be reimbursed and are the personal responsibility of the claimant.

6. Private accommodation may be authorized in lieu of hotel accommodation for non-local travel and shall receive a per diem of \$40.00 per night.

iii. Meals

1. Meals per diem reimbursements are to be itemized on proper "Expense Claim" forms.
2. Reimbursement for meals shall not exceed the per diem meal amounts set out in this policy. Reimbursement in excess of daily maximum meal per diem will only be made if the actual expenses are reasonable and approved by the CAO.
3. Approved meal reimbursements are to be itemized on proper "Expense Claim" forms accompanied by detailed receipts.
4. Breakfast may be claimed only when the employee has been travelling on municipal business for more than one hour before the recognized time for the start of the day's work. Dinner may only be claimed when the employee is not expected to return to his/her residence before 6:30pm.
5. Meal costs will not be reimbursed where the cost is included in the airfare or in registration fees at conventions, conferences, or training events. (Conference itineraries should be attached to the expense claim form).

iv. Kilometer Allowance

1. Employees who utilize their personal vehicles on travel assignments will be allowed the approved rate per kilometer. Each employee who drives a private vehicle on municipal business must have liability insurance on said vehicle.
2. Mileage will be reimbursed from the regular place of work, or from the employee's residence, whichever is less.
3. No reimbursement for mileage shall exceed the dollar amount of round trip air fare at the economy rate on a licensed common carrier, plus auto rental or taxi fare at point of destination.

4. When two or more employees are attending the same seminar, convention, or meeting, reasonable efforts to share a vehicle shall be made whenever possible.
5. If an employee, for his or her own convenience, travels by an indirect route or interrupts travel by the most economical route, the employee shall bear any extra expense involved. Reimbursement for such travel shall be for only that part of the expense as would have been necessary in order to travel.

v. Vehicle Rentals

1. Employees are encouraged to rent a vehicle from an agency with a negotiated price agreement wherever possible in instances where:
 - a. The aggregate costs of renting a vehicle are more cost effective to the Municipality than paying a per diem.
 - b. Reasonable ground transportation services such as public transit, taxis or hotel shuttles are unavailable; or
 - c. Two or more employees are travelling for the same purpose, and it is more economical than the combined cost of other reasonable transportation.
2. Compact, economical vehicles must be used unless three (3) or more persons travelling together, the bulk weight of goods being transported necessitates a larger vehicle, or a compact, economical vehicle is unavailable.

vi. Parking Fees

1. Parking fees will be reimbursed for actual cost when receipts are provided.

vii. Travel Advances

1. Advances will only be issued where an overnight stay is required.
2. Travel advances will be issued by the Finance Department based on reasonable estimated costs.

3. Advances will not be paid for less than **\$200**.
4. Travel advances must be reconciled against actual costs incurred by submitting an expense claim accompanied by any repayment of advance owing within **10** days of completing the travel. Any travel advance not reconciled in this time frame shall be reclaimed through payroll deduction.

viii. Non-allowable items

1. Claims for loss of personal effects, for medical and hospital treatment, for purchase of hand luggage, clothing, and other personal equipment, or for other personal expenses such as laundry, valet parking will not be reimbursed.
2. If the duration of travel exceeds 1 week or for extenuating circumstances, then laundry services may be reimbursed for reasonable amounts with receipts.
3. Fines for parking or traffic violations are the direct responsibility of the employee and will not be reimbursed.
4. Additional expenses incurred as a result of non-employee member accompaniment are the direct responsibility of the employee.
5. Purchases of alcohol will not be reimbursed.

b. Local Travel and Expenses

i. Local Kilometers

1. No travel expense will be paid for commuting from an employee's personal residence to place of work during regular business hours.

ii. Local Meals

1. Reimbursement for meals will be allowed when the employee is attending a seminar or conference, a business meeting, and/or where the employee's attendance will directly benefit the municipality.

4. OTHER

- i. Expenses incurred by one individual on behalf of another must be attributed to the individual(s) for whom those expenses were incurred.
- ii. Debit/Credit card transaction records are not acceptable as receipts and will not be reimbursed. Only detailed/itemized receipts are accepted.

5. REPORTING REQUIREMENTS

- i. Pursuant to Section 65A of the Municipal Government Act, the CAO shall ensure that:
 1. Within 90 days of the end of each fiscal quarter, the expense report for reportable employees is prepared and posted on the Municipal website.
 2. Reportable employees include the Chief Administrative Officer, Directors, Mayor's office contract employment, and any other employees as deemed reportable by Council.
 3. Reportable expenses must report all travel and travel related expenses, including transportation accommodation and incidentals, meals, and training and education.
 4. The annual summary report on expenses for the preceding fiscal year that is compliant with the requirements of the Department of Municipal Affairs and the requirements set out in the Financial Reporting and Accounting Framework is prepared and submitted to the Minister of Municipal Affairs by September 30th of each year.

6. REVIEW REQUIREMENTS

- i. By the January 31st immediately following a regular election held under the Municipal Elections Act, Council shall review this policy and, following a motion of Council, either re-adopt or amend the policy.

7. PROCEDURES

a. RESERVATIONS

- i. All reservations for air travel, accommodation and rental vehicles will be coordinated by a designated staff person in each department.
- ii. Accommodation and rental vehicles shall be reserved using negotiated price agreements whenever possible in order to provide the municipality a preferred level of service at competitive rates.

b. TRAVEL ADVANCES

- i. The travel advance is to be initiated on approved form by the individual travelling.
- ii. The travel advance must be approved by the appropriate authorization levels.
- iii. The Finance Department must receive the travel advance form no earlier than five working days prior to the required date.
- iv. Travel advances for the Chief Administrative Officer will be authorized by the Chief Financial Officer.

c. EXPENSE CLAIMS

i. Local Travel

1. Travel claims are to be submitted to the Finance Department on approved claim form the 1st working day of each month for the prior month.
2. Claims are to be processed and payment made on or before mid month.

d. TRAVEL REIMBURSEMENT

1. All expense claims or advance repayments are to be submitted to the Finance Department on the 1st and 15th of each month. (First working day following – if weekend or holiday.)

2. Payment shall be processed the week following submission date if supported by proper documentation.

8. AUTHORIZATION LEVELS

Staff

Travel within Cape Breton:
Travel within Canada:
Travel outside Canada:

Immediate Supervisor/Manager
Appropriate Director
Chief Administrative Officer

9. MEAL PER DIEM AND KILOMETER ALLOWANCE

- a. Meal and incidental per diems and per-kilometer allowances shall be that of the Nova Scotia Federation of Municipalities (NSFM) established rates, adjusted annually, effective the first day of the fiscal year – April 1. Incidental per diem shall only be paid on travel dates requiring overnight accommodation in hotels.
- b. Private accommodation per diem shall be set at \$40.00 per night.
- c. Rates in USA are the same as in Canada but paid in US funds.

APPROVED: JUNE 27, 2001
AMENDED: NOVEMBER XX, 2018

AMA Model Policy with Changes in Red

Cape Breton Regional Municipality Hospitality Policy

Policy Statement

1. The **Municipality** recognizes that hospitality-related activities are, at times, necessary and legitimate expenses supporting the effective conduct of government business and for reasons of diplomacy, protocol, business development or promotional advocacy.
2. The offering of hospitality will be done in such a manner so as to reflect the prudent stewardship of public funds. This policy safeguards the appropriate use of public funds through the establishment of uniform standards and procedures respecting Council member, Chief Administrative Officer (“CAO”) and **Municipality** employee hospitality claims.

Policy Objectives

3. To provide direction and guidance with respect to the appropriate expensing of necessary hospitality expenses that support the **Municipality’s** objectives.
4. To ensure hospitality is offered in an accountable, economical and consistent manner in the facilitation of government business and/or for reasons of diplomacy, protocol, business development or promotional advocacy.
5. To ensure taxpayers’ dollars are used prudently and responsibly with a focus on accountability and transparency.

Hospitality and Hospitality Events

6. A hospitality event is a reception, ceremony, conference, or other event that involves hosting individuals from outside the **Municipality**. Hospitality may be offered under the following circumstances in accordance with this policy:
 - (1) Hosting foreign dignitaries;
 - (2) Engaging in official public matters with representatives from other governments, business, industry or labour leaders, or other community leaders;
 - (3) Sponsoring or hosting conferences;
 - (4) Hosting ceremonies / recognition events; and
 - (5) Other official functions, as approved by the CAO, their designate or Council.

Signing Authority

7. The following are the Signing Authorities for the positions referred to, and shall be responsible for administering this policy with respect to the individuals in those positions:

Position	Signing Authority
Member of Council	CAO or designate
CAO	Mayor or designate
Directors and Senior Staff	CAO or designate

8. A Signing Authority may designate a second signing authority. The designation of a secondary signing authority shall be in writing and shall state the name and position of the designate.
9. A Signing Authority is prohibited from authorizing payment of hospitality expenses incurred on their own behalf.

Prior Authorization

10. Subject to this policy, all hospitality events **which costs are expected to exceed \$500** require prior authorization.
11. A request for prior authorization for hospitality events requires the following information:
- rationale/purpose of the event;
 - estimated numbers of attendees and their respective affiliations;
 - if alcohol is to be provided at the event, the reasons that the provision of alcohol is appropriate and warranted in the circumstances;
 - estimated itemized costs including gratuities and supplementary expenses.
12. Requests for hospitality events shall be reviewed by either the CAO or their designate, ~~or Council~~, who shall consider the value and benefit of the proposed event in relation to its cost in deciding whether to approve the hospitality event.
13. In instances where a hospitality event has been held without prior approval, claims for reimbursement must provide the details outlined above and also include a document outlining the reasons prior approval was not possible.

Serving of Alcohol

14. While the standard for hospitality is the provision of non-alcoholic beverages, the provision of alcohol in the context of hospitality for reasons of diplomacy, protocol, business development or promotional advocacy is deemed an acceptable expense in limited circumstances. Any request for approval to serve alcohol at a hospitality event must have prior approval by either the CAO or their designate, ~~or Council~~.

15. The **Municipality**, its employees and members of Council are expected to act responsibly in the use of public funds and in the care and well-being of themselves, other employees and their respective guests with respect to the serving of alcohol.
16. The **Municipality** will demonstrate good judgment in the reasonableness of the quantity and expense of alcoholic beverages offered to guests.
17. If alcohol is provided at a hospitality event, food must be served.

Gifts

- ~~18. For reasons of diplomacy, protocol, business development or promotional advocacy, the giving of token gifts to individuals outside of government (value not to exceed \$40.00) is sometimes appropriate. Any giving of gifts requires prior approval by either the CAO or their designate, or Council.~~

Claims for Reimbursement of Hospitality Expenses

19. Claims for reimbursement of hospitality expenses must be submitted on the form provided ~~from time to time~~ by the **Municipality** and shall be signed by the Claimant.
20. Hospitality expense claims must include the following:
 - (1) A copy of the signed prior authorization for the hospitality event for which the expense was incurred;
 - (2) The names and positions of the guests at the hospitality event;
 - (3) The business objective for the expense;
 - (4) A detailed itemized receipt for the expense.
21. In instances where prior approval of the hospitality event was not possible, the hospitality expense claim must also provide the information required in paragraph [11] and an explanation of why prior approval was not possible.
22. If no receipt is available for a hospitality expense, a written attestation signed by the Claimant must be submitted to explain why the receipt is unavailable, and a description itemizing and confirming the expense must be provided. Debit or credit card transaction records are not acceptable as receipts.
23. Hospitality expenses incurred by one individual on behalf of another must be attributed to the individual for whom those expenses were incurred.
24. No hospitality expense claim shall be paid unless the claim is first approved for payment by ~~two Signing Authorities who have those noted in this policy as having signing~~ authority to approve the claim. Before approving an expense claim, a Signing Authority must ensure that:

- (1) the claim is consistent with this policy;
- (2) the expenses claimed were necessarily incurred in the performance of municipal business;
- (3) appropriate receipts are provided to support the claim, and that the claim documentation is appropriately filed;
- (4) the expenses claimed have appropriate justification; and
- ~~(5) all requirements, as determined by the [municipal audit committee], have been fulfilled.~~

25. In considering a hospitality expense claim for payment, a Signing Authority may request additional explanations, documentation or justification from the claimant, and may refuse to approve any claim or expense which did not have prior authorization and that the Signing Authority decides is unreasonable or not in compliance with this policy.

~~26. The use of petty cash to pay a hospitality expense claim is prohibited.~~

Reporting Requirements

27. Pursuant to s. 65A of the *Municipal Government Act*, the CAO shall ensure that the **Municipality** does the following:

- (1) Within ninety (90) days of the end of each fiscal quarter, prepares and posts a hospitality expense report on the **Municipality** website that describes all of the hospitality expenses incurred by the **Municipality**, including purchases of alcohol, during the quarter;
- (2) By September 30th of each year, prepares and files with the Minister of Municipal Affairs an annual summary report that summarizes the hospitality expense reports for the preceding fiscal year, that is compliant with the requirements of the Department of Municipal Affairs and the requirements set out in the Financial Reporting and Accounting Manual.

Review Requirements

~~28. The **Municipality** Audit Committee shall review the hospitality annual summary report by October 31st of each year.~~

29. By the January 31st immediately following a regular election held under the *Municipal Elections Act*, Council shall review this policy and, following a motion by Council, either re-adopt or amend the policy.

Proposed Policy

Cape Breton Regional Municipality Hospitality Policy

Policy Statement

1. The **Municipality** recognizes that hospitality-related activities are, at times, necessary and legitimate expenses supporting the effective conduct of government business and for reasons of diplomacy, protocol, business development or promotional advocacy.
2. The offering of hospitality will be done in such a manner so as to reflect the prudent stewardship of public funds. This policy safeguards the appropriate use of public funds through the establishment of uniform standards and procedures respecting Council member, Chief Administrative Officer (“CAO”) and **Municipality** employee hospitality claims.

Policy Objectives

3. To provide direction and guidance with respect to the appropriate expensing of necessary hospitality expenses that support the **Municipality**’s objectives.
4. To ensure hospitality is offered in an accountable, economical and consistent manner in the facilitation of government business and/or for reasons of diplomacy, protocol, business development or promotional advocacy.
5. To ensure taxpayers’ dollars are used prudently and responsibly with a focus on accountability and transparency.

Hospitality and Hospitality Events

6. A hospitality event is a reception, ceremony, conference, or other event that involves hosting individuals from outside the **Municipality**. Hospitality may be offered under the following circumstances in accordance with this policy:
 - (1) Hosting foreign dignitaries;
 - (2) Engaging in official public matters with representatives from other governments, business, industry or labour leaders, or other community leaders;
 - (3) Sponsoring or hosting conferences;
 - (4) Hosting ceremonies / recognition events; and
 - (5) Other official functions, as approved by the CAO, their designate or Council.

Signing Authority

7. The following are the Signing Authorities for the positions referred to, and shall be responsible for administering this policy with respect to the individuals in those positions:

Position	Signing Authority
Member of Council	CAO or designate
CAO	Mayor or designate
Directors and Senior Staff	CAO or designate

8. A Signing Authority may designate a second signing authority. The designation of a secondary signing authority shall be in writing and shall state the name and position of the designate.
9. A Signing Authority is prohibited from authorizing payment of hospitality expenses incurred on their own behalf.

Prior Authorization

10. Subject to this policy, all hospitality events which costs are expected to exceed \$500 require prior authorization.
11. A request for prior authorization for hospitality events requires the following information:
- a) rationale/purpose of the event;
 - b) estimated numbers of attendees and their respective affiliations;
 - c) if alcohol is to be provided at the event, the reasons that the provision of alcohol is appropriate and warranted in the circumstances;
 - d) estimated itemized costs including gratuities and supplementary expenses.
12. Requests for hospitality events shall be reviewed by either the CAO or their designate who shall consider the value and benefit of the proposed event in relation to its cost in deciding whether to approve the hospitality event.
13. In instances where a hospitality event has been held without prior approval, claims for reimbursement must provide the details outlined above and also include a document outlining the reasons prior approval was not possible.

Serving of Alcohol

14. While the standard for hospitality is the provision of non-alcoholic beverages, the provision of alcohol in the context of hospitality for reasons of diplomacy, protocol, business development or promotional advocacy is deemed an acceptable expense in limited circumstances. Any

request for approval to serve alcohol at a hospitality event must have prior approval by either the CAO or their designate.

15. The **Municipality**, its employees and members of Council are expected to act responsibly in the use of public funds and in the care and well-being of themselves, other employees and their respective guests with respect to the serving of alcohol.
16. The **Municipality** will demonstrate good judgment in the reasonableness of the quantity and expense of alcoholic beverages offered to guests.
17. If alcohol is provided at a hospitality event, food must be served.

Claims for Reimbursement of Hospitality Expenses

18. Claims for reimbursement of hospitality expenses must be submitted on the form provided by the **Municipality** and shall be signed by the Claimant.
19. Hospitality expense claims must include the following:
 - (1) A copy of the signed prior authorization for the hospitality event for which the expense was incurred;
 - (2) The names and positions of the guests at the hospitality event;
 - (3) The business objective for the expense;
 - (4) A detailed itemized receipt for the expense.
20. In instances where prior approval of the hospitality event was not possible, the hospitality expense claim must also provide the information required in paragraph [11] and an explanation of why prior approval was not possible.
21. If no receipt is available for a hospitality expense, a written attestation signed by the Claimant must be submitted to explain why the receipt is unavailable, and a description itemizing and confirming the expense must be provided. Debit or credit card transaction records are not acceptable as receipts.
22. Hospitality expenses incurred by one individual on behalf of another must be attributed to the individual for whom those expenses were incurred.
23. No hospitality expense claim shall be paid unless the claim is first approved for payment by those noted in this policy as having signing authority to approve the claim. Before approving an expense claim, a Signing Authority must ensure that:
 - (1) the claim is consistent with this policy;
 - (2) the expenses claimed were necessarily incurred in the performance of municipal business;

- (3) appropriate receipts are provided to support the claim, and that the claim documentation is appropriately filed;
 - (4) the expenses claimed have appropriate justification;
24. In considering a hospitality expense claim for payment, a Signing Authority may request additional explanations, documentation or justification from the claimant, and may refuse to approve any claim or expense which did not have prior authorization and that the Signing Authority decides is unreasonable or not in compliance with this policy.

Reporting Requirements

25. Pursuant to s. 65A of the *Municipal Government Act*, the CAO shall ensure that the **Municipality** does the following:
- (1) Within ninety (90) days of the end of each fiscal quarter, prepares and posts a hospitality expense report on the **Municipality** website that describes all of the hospitality expenses incurred by the **Municipality**, including purchases of alcohol, during the quarter;
 - (2) By September 30th of each year, prepares and files with the Minister of Municipal Affairs an annual summary report that summarizes the hospitality expense reports for the preceding fiscal year, that is compliant with the requirements of the Department of Municipal Affairs and the requirements set out in the Financial Reporting and Accounting Manual.

Review Requirements

26. By the January 31st immediately following a regular election held under the *Municipal Elections Act*, Council shall review this policy and, following a motion by Council, either re-adopt or amend the policy.

Elimination of 1/3 Taxable Remuneration Benefit – Elected Officials; Amendments pertaining to Pension Plan Contributions – Elected Officials

Motion:

Moved by Councillor George MacDonald, seconded by Councillor MacLeod, that a recommendation be made to Council to approve the amendments to the Council Remuneration Policy to reflect the adjusted salaries for elected officials in accordance with NSFM's recommendation regarding the elimination of the one-third non-taxable remuneration benefit, as outlined in the staff Issue Paper dated November 5, 2018.

Discussion:

Some of Council discussion including the following:

- Council's full salary will now be taxed
- Other municipalities responses to change in Federal policy
- Councillors will be affected differently based on individual circumstances

Motion Carried.

Motion:

Moved by Councillor George MacDonald, seconded by Councillor MacLeod, that a recommendation be made to Council to approve the amendments to the Council Remuneration Policy to reference the rates in the Public Service Superannuation Plan, and amendments pertaining to Pension Plan contributions for Elected Officials that would pay a taxable benefit equal to the calculation for pension contributions for those affected by the age restriction, as outlined in the staff Issue Paper dated November 5, 2018.

Motion Carried.



CBRM

A Community of Communities

Cape Breton Regional Municipality

Issue Paper

Date: November 5, 2018

To: Mayor and Council

From: Jennifer Campbell, CPA, CA Chief Financial Officer
Gordie MacDougall, Director of Human Resources

Re: Elimination of 1/3 non-taxable remuneration benefit – Elected Officials
Amendments pertaining to Pension Plan Contributions – Elected Officials

Elimination of 1/3 non-taxable remuneration benefit – Elected Officials

As you are aware, the Federal Government has announced that the 1/3 taxable exemption on remuneration for elected officials is to be removed effective January 1, 2019.

The tax implications of this legislative change on CBRM elected official's remuneration will affect everyone differently, depending on each person's additional sources of taxable income, family income, and available personal tax credits and deductions.

Options in response to the full taxation of Council "stipend" include:

- 1) Make no change to Council's compensation – take home/net pay will decrease by additional tax/CPP held at source.
- 2) Increase Council's compensation to maintain net pay at status quo.
- 3) Increase Council's compensation but by a lesser amount.

On July 3, 2018, the Nova Scotia Federation of Municipalities issued a press release on this issue, recommending that pre-tax compensation for elected officials be adjusted to allow them to maintain the same levels of post-tax compensation after the 2019 laws take effect. Staff have calculated revised salaries based on this recommendation as follows:

Cape Breton Regional Municipality
Elimination of 1/3 non-taxable - Elected officials remuneration

Effective January 1, 2019		1/3 non-taxable Annual	Fully taxable Annual
Mayor	Total Salary*	115,884	143,838
	1/3 non-taxable weekly salary	38,628	
	2/3 taxable salary	77,256	
	Income Tax on taxable salary	19,999	47,953
	CPP (Max 2593.80; \$55,900 salary)	2,594	2,594
	Net Pay - Mayor	93,291	93,291
Deputy Mayor	Total Salary*	47,074	56,030
	1/3 non-taxable weekly salary	15,691	
	2/3 taxable salary	31,383	
	Income Tax on taxable salary	4,321	12,063
	CPP (Max 2593.80; \$55,900 salary)	1,380	2,594
	Net Pay - D. Mayor	41,373	41,373
Council	Total Salary*	41,872	49,202
	1/3 non-taxable weekly salary	13,957	
	2/3 taxable salary	27,915	
	Income Tax on taxable salary	3,409	9,686
	CPP (Max 2593.80; \$55,900 salary)	1,208	2,263
	Net Pay - Council	37,254	37,254

*Adjusted to reflect CBRM Inside Bargaining Unit retroactive and current negotiated wage increases.

The above proposed salaries are based on compensation and income tax rates in effect as of the date of this Issue Paper. The above salary increases will result in an additional cost of approximately \$35,000 for the 2018-19 fiscal year, and an annual increase in salary and benefits going forward of \$140,000. The CBRM Inside Bargaining Unit contract expired October 31, 2017, however the tentative negotiated increases, pending council approval that would be in effect November 1, 2017 and November 1, 2018, have been reflected in the revised salaries above.

Amendments pertaining to Pension Plan Contributions – Elected Officials

The current policy references a pension contribution rate of 8%. As a result of the transfer to the Public Service Superannuation Plan, the policy should be updated to reference the rates in this document.

Additional consideration respecting Pension Plan Contribution – Elected Officials

Canada Revenue Agency's age restriction on contributions to pension plans result in some elected officials not qualifying for employer contributions that would otherwise be paid if eligible to contribute. Council could consider a policy amendment that would pay a taxable benefit equal to the calculation for pension contributions for those affected by this age restriction. Such a policy amendment would not impact our operating budget, as our budget is based on the assumption that all elected officials are eligible to contribute.

A draft of the proposed amended policy reflecting the changes noted above is attached for council consideration. Key policy changes are summarized as follows:

SUMMARY OF POLICY AMENDMENTS		Previous	Amended November 2018
REMUNERATION			
Annual Remuneration	Mayor	106,016.56	143,838.24
	Deputy Mayor	43,305.80	56,030.00
	Councillor	38,305.80	49,202.40
Reference to 1/3 expense allowance		Section 81 (3) ITA	removed
Inside Bargaining Unit rate increases		01-Apr-14	01-Nov-18
BENEFITS			
Pension Plan employer contributions		8%	as per stipulated rates in the PSSP
CRA Restrictions on Pension Contributions		silent	Employer pension contributions otherwise entitled to in the absence of CRA restrictions to be added to remuneration as a taxable benefit

Respectfully submitted,

Jennifer Campbell, CPA, CA
Chief Financial Officer

Gordie MacDougall
Director of Human Resources



CBRM

Proposed Changes Highlighted in Yellow

Council Remuneration Policy

REMUNERATION

The annual remuneration paid to members of Council, effective **January 1, 2019** shall be:

MAYOR	\$143,838.24
DEPUTY MAYOR	\$ 56,030.00
COUNCILLOR	\$ 49,202.40

Any member of Council who is absent more than three committee meetings in any calendar year shall have his remuneration reduced by \$200 for each unexcused committee meeting in excess of three meetings.

The Mayor may excuse or refuse to excuse a member of Council for their absence upon presentation of an explanation from the absent member. Acceptable explanations include illness, other municipal business, vacation or such other explanations that the Mayor may deem appropriate.

The decision of the Mayor to accept or refuse to excuse a member's absence may be appealed to the full Council pursuant to the rules of CBRM Council.

The remuneration amounts will be increased annually in accordance with the negotiated wage increase established by a CBRM Inside Bargaining Unit. This provision will be effective **November 1, 2017**. Each increase thereafter will align with the effective date as found in the Inside Collective Agreement.

BENEFITS

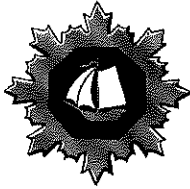
Each member of Council is eligible for inclusion under the Pension and Benefit Plans offered by CBRM.

Members of Council who chose to be enrolled in the Pension Plan will make an equal contribution to the plan **as per stated in the Public Service Superannuation Plan (PSSP)**. CBRM will make a matching contribution to the plan.

For members of Council not qualifying for employer contributions to a pension plan because of Canada Revenue Agency age restrictions, CBRM shall pay as a taxable benefit, an amount calculated on the same basis as the pension contributions of other council members.

The Benefit Program shall also be an option that each Council member may choose. Premiums to the plan will be paid on a 60/40 basis, with CBRM contributing 60% and the Council member contributing 40%.

Approved:	CBRM Council June 27th, 2001
Amended:	CBRM Council November 20th, 2001
Amended:	CBRM Council May 24, 2007
Amended:	CBRM Council January 15, 2008
Amended:	CBRM Council April 16, 2013
Amended:	CBRM Council July 2, 2014
Amended:	CBRM Council November __, 2018



CBRM

Current Policy

Council Remuneration Policy

REMUNERATION

The annual remuneration paid to members of Council shall be (effective April 1, 2014):

MAYOR	\$106,016.56
DEPUTY MAYOR	\$43,305.80
COUNCILLOR	\$38,305.80

One-third of the remuneration shall be an allowance for expenses incidental to the discharge of the duties of the respective member of Council as elected officers of the Cape Breton Regional Municipality in accordance with Section 81 (3) of the *Income Tax Act*.

Any member of Council who is absent more than three committee meetings in any calendar year shall have his remuneration reduced by \$200 for each unexcused committee meeting in excess of three meetings.

The Mayor may excuse or refuse to excuse a member of Council for their absence upon presentation of an explanation from the absent member. Acceptable explanations include illness, other municipal business, vacation or such other explanations that the Mayor may deem appropriate.

The decision of the Mayor to accept or refuse to excuse a member's absence may be appealed to the full Council pursuant to the rules of CBRM Council.

The remuneration amounts will be increased annually in accordance with the negotiated wage increase established by a CBRM Inside Bargaining Unit. This provision will be effective April 1, 2014. Each increase thereafter will align with the effective date as found in the Inside Collective Agreement.

BENEFITS

Each member of Council is eligible for inclusion under the Pension and Benefit Plans offered by CBRM.

Members of Council who chose to be enrolled in the Pension Plan will make an equal contribution to the plan of 8.0% of the taxable portion of their remuneration amount. CBRM will make a matching contribution to the plan for Councillors.

The Benefit Program shall also be an option that each Council member may choose. Premiums to the plan will be paid on a 60/40 basis, with CBRM contributing 60% and the Council member contributing 40%.

Approved:	CBRM Council June 27th, 2001
Amended:	CBRM Council November 20th, 2001
Amended:	CBRM Council May 24, 2007
Amended:	CBRM Council January 15, 2008
Amended:	CBRM Council April 16, 2013
Amended:	CBRM Council July 2, 2014

Travel and Related Expense Processing and Reporting

Motion:

Moved by Councillor MacLeod, seconded by Councillor McDougall, that a recommendation be made to Council to endorse the recommendations for the online reporting of travel and related expenses and identify the “Reportable Employees” required for inclusion in the Expense Policy, as outlined in the staff Issue Paper dated October 30, 2018.

Discussion:

There was discussion and agreement to update the travel expense column to separate transportation and accommodation costs. It was clarified that the reporting will begin December 1st, 2018.

Motion Carried.

ISSUE PAPER

October 30, 2018

To: Mayor and Council

Travel and Related Expense Processing and Reporting

BACKGROUND:

In response to the recommendations of the Joint Municipal Accountability and Transparency Committee (JMATC) in April 2017, the Province of Nova Scotia committed to requiring municipal elected officials and Chief Administrative Officers (CAO) to post their expenses online.

Subsequent to the recommendations outlined in JMATC, the Province of Nova Scotia introduced a bill (Bill 10) on September 28, 2017 requiring municipal elected officials to implement online expense reporting. Bill 10 passed the legislature and received Royal Assent on October 26th, 2017 but is yet to be proclaimed into law. The bill contained the framework for posting expense reports, hospitality expense reports, and annual summary reports online as well as improving municipal audits and strengthening audit committees and expense policies/practices. Details on when municipalities will be required to post expenses online is still to be determined. As stated, the legislation has not been proclaimed into law. Regulations associated with the legislation is still outstanding but is expected to be introduced in the fall. Once regulation is approved, municipalities will be given a period (to be determined by the province) to comply with the regulation.

The purpose of this Issue Paper will be to discuss how the CBRM will process and implement expenses in advance of the regulation.

Travel and Related Expense Processing and Reporting

ISSUE

Currently, the CBRM does not have a defined process for publishing elected officials expenses online. The intent of this Issue Paper is to identify the options for online posting and develop timelines for when reporting will commence.

In advance of the actual publishing of travel expenses, significant changes needed to be made in how the CBRM processes travel expense claims. Currently, the CBRM processes travel expenses for reimbursement through an Excel spreadsheet but does not contain the necessary intelligence to properly collate expenses and easily report. In some instances, the spreadsheet is printed out and claim details are handwritten on the printout for reimbursement.

Recognizing that it was necessary to enhance our processing of expense claims and with the pending expense claim legislation, the CBRM began developing an online CBRM expense claims portal. The portal is a “one stop shop” for expense claim requests, approval, and reimbursement. It incorporates electronic approvals at each stage of the process for future review and auditing purposes. The information contained in the expense claims is published to a secure relational database and gives the CBRM ability to publish expense information easily, efficiently, and accurately.

Who is required to have expenses published online?

The language is very clear in the legislation that all elected officials, as well as the CAO are required to publish their expenses online. The CBRM will be required to publish as legislated. The list of reportable employees needs to be determined and added to the expense policy as “reportable employees”.

How will it be reported online?

The expense legislation is particularly vague regarding how the expenses should be reported online. It only references that the CBRM “*prepares and posts an expense report on the municipality websites.*” It doesn’t provide any specific recommendations on format, what specific information to publish, and what platform to publish on other than “website.”

Travel and Related Expense Processing and Reporting

The CBRM is a member of the Joint Municipal/PVSC Open Data Consortium, The datazONE (www.thedatazone.ca). A number of CBRM data sets are published into open data through The datazONE and is continuing to grow. Open Data is the excellent vehicle for the dissemination of travel expenses data as it is fully open, intelligent, and easy to automate for efficient distribution. The public will be able to slice and dice the data as the information is stored within an open database structure.

What should be reported?

The legislation has identified the information that is required to be reported. It is to include:

- A. Travel and travel related expenses, including transportation, accommodation and incidentals;
- B. Meals;
- C. Training and education.

It is suggested that the CBRM comply with the required items (Travel and travel related expense, meals, and training/education and publish the following within Open Data:

- Name (Character)
- From Date (Date)
- To Date (Date)
- Travel Expense (Currency)
- Accommodation Expense (Currency)
- Meals Expense (Currency)
- Training and Education Expense (Currency)

Name	From Date	To Date	Travel Expense	Accommodation Expense	Meals Expense	Training and Education Expense
Tom MacDonald	01-Apr-18	30-Apr-18	\$ 254.45	\$239.45	\$ 65.00	-
Fred Appleton	01-Apr-18	30-Apr-18	\$ 103.45	\$0	\$ 200.00	-
Sara Waterman	01-Apr-18	30-Apr-18	\$ 623.65	\$ 194.56	\$ 125.00	250.00
Linda MacPhee	01-Apr-18	30-Apr-18	\$ 80.35	-	\$ 65.23	-
Tom MacDonald	01-May-18	31-May-18	\$ 117.56	\$ 340.34	\$ 88.90	374.00
Fred Appleton	01-May-18	31-May-18	\$ 381.67	\$ 134.45	\$ 145.23	-
Sara Waterman	01-May-18	31-May-18	\$ 291.12	-	\$ 30.00	250.00
Linda MacPhee	01-May-18	31-May-18	\$ 50.23	-	\$ 15.00	250.00

Travel and Related Expense Processing and Reporting

Timing of reporting

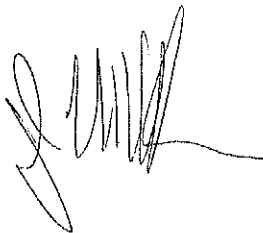
Section 65A of the Municipal Government Act stipulates that municipalities post expense reports on the municipality's website within 90 days of the end of the fiscal quarter. The CBRM will comply with the 90 day requirement and will report the expenses monthly.

The CBRM will also prepare an annual summary report due by September 30th of each year to the Minister of Municipal Affairs that summarizes the expense reports for the preceding fiscal year as stipulated in the Financial Reporting and Accounting Manual.

It is anticipated that the new CBRM expense reimbursement portal will be complete and fully tested by the end of November with the ability to publish to Open Data to soon after. This will ensure the CBRM is fully compliant to the new regulations in advance of the provincial requirement.

RECOMMENDATION:

Council endorse the recommendations in this Issue Paper for the online reporting of travel and related expenses and identify the "Reportable Employees" required for inclusion in the Expense Policy.



John MacKinnon, P.Eng.
Director of Technology
CBRM

Capped Assessment

Motion:

Moved by Councillor MacLeod, seconded by Councillor George MacDonald, that a recommendation be made to Council to endorse staff to meet with other municipal officials that have expressed interest along with PVSC to discuss the viable and logistically doable options on the CAP and to pick one option that will be presented to Minister Porter for consideration of a Pilot project in Cape Breton and quite possibly other Municipalities as outlined in the staff report dated November 5, 2018.

Discussion:

Discussion included the following:

- The Provincial Government has to show leadership on this issue
- The need to educate the public regarding the CAP (i.e. video on the website)
- How seniors are affected
- The original reason for the CAP

Motion Carried.

ISSUE PAPER

November 5, 2018

To: Mayor & Council

RE: Capped Assessment

Background

In April 2005 legislation was enacted in Nova Scotia that places a 'cap' on the amount that residential property assessments can increase year over year. The CAP was originally set at 15% before it moved to 10% and now the amount 'capped' is based on the percentage change in Nova Scotia Consumer Price Index. If you are eligible for the CAP your property notice will reflect a Capped Assessment. CBRM presently has \$910 million dollars in capped assessment. The CAP was introduced to protect property tax payers as a result of some Nova Scotians experiencing sudden and dramatic increases in assessment.

The following criteria determine if you are eligible for the CAP:

- At least 50% owned by a Nova Scotia resident
- Residential property with less than four dwelling units or vacant resource
- Annual increase in market value greater than the Nova Scotia Consumer Price Index
- Ownership remained within the family
- Owner occupied condominium
- Manufactured home
- Manufactured home park, co-operative housing, residential or resource portions of commercial farm

Not Eligible

- Majority owned by an out of province resident
 - Commercial property
 - New construction
 - Transfer in ownership during the year unless to a close family member
 - Non-owner occupied condominium
-

Consequences of the CAP

- The CAP has disadvantaged those building new homes or those buying properties. It has caused such dramatic differences in the tax burden that some residents are choosing not to build or buy. I have evidence of the difference of well over one and a half times the current tax bill. Some developers can no longer make the business case for the construction of residential income properties such as duplexes. This will result in a drop in the market value of homes as the market will become stagnant.
- The CAP has caused an arbitrary redistribution among capped and uncapped properties
- The CAP distorts the market value system and results in a complex and inconsistent system
- The CAP reduces the autonomy of Municipalities in their number one revenue source and puts us in a position of being less accountable. Our property tax system is no longer explainable or defensible.
- The CAP does not effectively assist residents on low or fixed incomes and in fact has been shown that it has shifted the burden to home owners with lower assessed properties which often represents those on lower incomes as it simply shifts the tax burden to properties whose market values change at a rate less than or equal to the cap limit.
- Some capped property owners who appear to be benefitting from the program are actually paying more tax under the cap than they would if the cap did not exist.
- The data shows that these inequities are exacerbated the longer a capped assessment program stays in place
- It has created a negative impact on aging and retired residents who want to downsize their properties but are afraid to do so because the next property they purchase may be smaller but taxes will likely be higher

An example of this is data taken from our current tax roll.

Current Year			
Cap Assessment	MKT value	Tax Rate	Tax Bill
121,700	322,800	1.595	1,941
322,800	322,800	1.595	5,149
Cap Assessment	MKT value	Rate	Bill
77,900	128,800	1.40	1,094
128,800	128,800	1.40	1,808

Both have equal market value assessments, however the house that has just been purchased pays \$3200 more taxes than another home of equal value. In the next example the difference is less given the market value is significantly less. For me this is hardly explainable and certainly not defensible. This gap, if we allow the CAP to remain will just increase for home sales and new builds. I would expect that even the homeowner who is paying \$3200 less that although they would like it, would still agree that this is highly inequitable. We have lost our accountability to this taxpayer. In 2011 the Province came out with a report that cited the CAP gives residents a level of predictability and that although the CAP can “appear” unfair at times, this is balanced by the protection it provides. I’m not sure the resident in this example (there are many more of these examples) would agree that this is balanced by the protection it provides or that it can simply “appear” to be unfair. Other comments in the report talk about the amount of savings residents have. This is extremely misleading as our required levy does not change, it is simply a redistribution causing huge inequities between taxpayers. They do not talk about those who paid more than their fair share and they clearly don’t understand that regardless of the levy required someone has to pay. Another comment made was that it gives homeowners the comfort of knowing they won’t have to sell their homes due to tax bill increases. I would argue that many new home owners that I heard from in person and in public sessions were shocked when they received their tax bill and can barely, or not, afford their mortgage payment. Is this what the legislation intends?

In 2010 as part of a CAP review, a UNSM-AMA Task Force proposed the following set of principles:

An effective municipal taxation distribution system should:

- 1. be equitable and consistent*
- 2. protect taxpayers from sudden and dramatic increases in assessment*
- 3. minimize unequal shifts in tax burden, without the benefit of a means test*
- 4. have a mechanism to address taxpayers in need*
- 5. have a neutral or positive impact on the economy*
- 6. retain market value as the primary basis for tax distribution*
- 7. be logical, efficient, and predictable to citizens*
- 8. support and preserve municipal autonomy, accountability and transparency.*

The CAP system does not serve to achieve any of the above principles. There are other programs we could put in place to protect homeowners from sudden and dramatic increases. I want to stress that this is not a move by Municipalities to access more revenue. We would have

to commit to lowering the Tax rate as part of any solution. Our goal is to have a system that incorporates the key principles listed above.

Solution

- Option 1: Phase out of the CAP over 7-10 years, along with a spike clause with an improved low income tax rebate program. Cease the practice of returning properties to market values that sell immediately and throughout the phase out. Variations of a phase out could be used (See Appendix 1)
 - Year1 - 15%
 - Year 2 - 30%
 - Year 3 - 45%
 - Year 4 - 60%
 - Year 5 - 75%
 - Year 6 - 90%
 - Year 7 - back to full market
- Option 2: Modify the existing program, but increase the rate for the CAP to 10% (or higher). Over time the “cap gap” will become less of an issue. The rate at which it corrects itself will depend on the differential between the actual market value and CAP in the first year and the difference between the 10 % and the rate at which the market value increases every year after that. As you will see this method gradually reduces the tax rate even with a built in lift of 1.5% (See 2 examples in Appendix 2)
- Option 3: Get rid of the CAP all at once and reduce the tax rate by 19% less CPI for 19/20 along with implementing a spike clause and a method to better deal with an improved low income tax rebate program (See Appendix 3) Residents who are currently capped at less than 19% of their Market value believe they are saving on the CAP but this is not the case. If you are capped at less than 19% you are actually paying more.

Recommendation

Council to endorse staff to meet with other municipal officials that have expressed interest along with PVSC to discuss the viable and logistically doable options and to pick one option that will be presented to Minister Porter for consideration of a Pilot project in Cape Breton and quite possibly other Municipalities.

APPENDIX I

Year	Capped Value	Market Value	Taxable Value
2018/2019	\$213,000	235000	
2019/2020		\$239,700	\$217,005
2020/2021		\$244,494	\$225,252
2021/2022		\$249,384	\$236,111
2022/2023		\$254,372	\$247,067
2023/2024		\$259,459	\$256,361
2024/2025		\$264,648	\$263,819
2025/2026		269941	269941

Assume 2% Market growth

APPENDIX 2

Current Year				Year 1				Year 2			
Assess	MKT value	Tax Rate	Tax Bill	Assess	Mkt value	Rate	Tax Bill	Assess	MKT value	Rate	Tax Bill
121,700	322,800	1.595	1,941	133,870	327,642	1.5592	2,087	147,257	332,557	1.5223	2,242
322,800	322,800	1.595	5,149	327,642	327,642	1.5592	5,109	332,557	332,557	1.5223	5,062
444,500			7,090	461,512			7,196	479,814			7,304

Year 3				Year 4				Year 5			
Assessmen	MKT Value	Rate	Tax Bill	Assessme	Mkt Value	Rate	Tax Bill	Assessme	MKT value	Rate	Tax Bill
161,983	337,545	1.4841	2,404	178,181	342,608	1.4449	2,575	195,999	347,747	1.4046	2,753
337,545	337,545	1.4841	5,010	342,608	342,608	1.4449	4,950	347,747	347,747	1.4046	4,885
499,528			7,414	520,789			7,525	543,746			7,638

Year6				Year7				Year8			
Assessme	MKT value	Rate	Tax Bill	Assessme	MKT value	Rate	Tax Bill	Assessment	MKT value	Rate	Tax Bill
215,599	352,963	1.3635	2,940	237,159	358,258	1.3215	3,134	260,875	363,632	1.2789	3,336
352,963	352,963	1.3635	4,813	358,258	358,258	1.3215	4,734	363,632	363,632	1.2789	4,650
568,562			7,752	595,417			7,869	624,507			7,987

Assumptions :1.5% increase in Market value
1.5 % increase in the levy (average CPI in last 9 years)

Current Year				Year 1				Year 2			
Assess	MKT value	Rate	Rev	Assess	Mkt value	Rate	Revenue	Assess	MKT value	Rate	Revenue
77,900	128,800	1.404096	1,094	85,690	130,732	1.3678	1,172	94,259	132,693	1.3305	1,254
128,800	128,800	1.40	1,808	130,732	130,732	1.8545	1,788	132,693	132,693	1.3305	1,765
206,700			2,902	216,422			2,960	226,952			3,020

Year 3				Year 4				Year 5			
Assessmen	MKT Value	Rate	Revenue	Assessme	Mkt Value	Rate		Assessme	MKT value	Rate	
103,685	134,683	1.2921	1,340	114,053	136,704	1.2528	1,429	125,459	138,754	1.2128	1,522
134,683	134,683	1.2921	1,740	136,704	136,704	1.2528	1,713	138,754	138,754	1.2128	1,683
238,368			3,080	250,757			3,142	264,213			3,204

Year6			
Assessme	MKT value	Rate	
138,005	140,835	1.1722	1,618
140,835	140,835	1.1722	1,651
278,840			3,268

APPENDIX 3

Year	Market Value	Capped Value	% Market Value
2007	\$2,550,315,800	\$2,548,023,847	0.09%
2008	\$2,741,250,356	\$2,632,084,456	3.98%
2009	\$3,025,905,700	\$2,772,109,700	8.39%
2010	\$3,317,126,900	\$2,857,984,500	13.84%
2011	\$3,614,097,200	\$3,028,965,600	16.19%
2012	\$3,868,307,000	\$3,218,610,800	16.80%
2013	\$4,171,388,300	\$3,361,758,500	19.41%
2014	\$4,382,427,300	\$3,479,777,600	20.60%
2015	\$4,542,686,900	\$3,610,085,900	20.53%
2016	\$4,607,662,000	\$3,678,873,800	20.16%
2017	\$4,688,875,000	\$3,778,828,300	19.41%



APR 26 2018



April 25, 2018

Honourable Derek Mombourquette
Minister of Municipal Affairs
14th Floor North, Maritime Centre
1505 Barrington Street P.O. Box 216
Halifax, Nova Scotia B3J 3K5

Minister

Representatives of the four groups identified above, and listed below, recently met to discuss the Province of Nova Scotia's Capped Assessment Program (CAP) for municipal property tax. Together, these groups represent over 2,000 REALTORS®, appraisers, mortgage brokers, and property lawyers living and working throughout the Province of Nova Scotia.

As a group, we share concerns about the impact to residents and long term sustainability of our property taxation system. The current system, implemented in order to protect homeowners from spikes in property values, has created inequalities for homeowners across the province. Homeowners of adjacent properties with similar value can be paying dramatically different property taxes for identical services, depending on their purchase date. Homeowners who have purchased since the CAP has been put in place can pay thousands of dollars more in taxes than neighbours who purchased prior to 2005.

Additionally, when a home is sold, the CAP is lifted, impacting first-time homebuyers, a catalyst in our growing housing market, as well as young families, who are often buying larger homes to accommodate growing families. Our senior population is gravely impacted as they begin downsizing their homes. Upon downsizing, seniors often discover their new property taxes are higher than previous taxes, even in smaller dwellings. The unintended consequences of the CAP have impacted homeowners, buyers and sellers in our province.

The CAP impacts not only Nova Scotians, but immigrants who we hope to attract and retain. The March 2018 Speech from the Throne stated that:
Our government repeatedly made it a priority to attract new people, launching new immigration streams for international graduates, aggressively recruiting immigrants from around the world, and making it easier for people to move here and start new businesses.

The CAP has made moving to Nova Scotia and buying a home here harder for new immigrants and their families. As professionals in the real estate industry, our members can each share stories of individuals and families delaying a home purchase or considering alternate locations due to unfair programs that place strains on financing, such as the CAP.

The CAP is no longer a viable option for Nova Scotia's property taxation system. We respectfully request a working group be formed by the Minister of Municipal Affairs to examine and recommend changes to the program. We believe that collectively our experience and expertise would be of great benefit to the Province as it embarks on this project.

Please have your representative contact us, email addresses are provided below, and we will provide names of individuals who can assist as you move forward.

Signed by:

ORIGINAL SIGNED BY

James Shinnars
President, CMBA Atlantic
James@CMBAAntlantic.ca

ORIGINAL SIGNED BY

Mark Turner, AACI
Vice President, NSREAA
markturner@turnerdrake.com

ORIGINAL SIGNED BY

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ORIGINAL SIGNED BY

Iola doucet
Chairperson, RELANS
lola.doucet@ns.sympatico.ca

CC: Geoff Stewart, President, Union of Nova Scotia Municipalities
Alain Muise, President, Association of Municipal Administrators Nova Scotia

CBRM Regional Enterprise Network

Motion:

Moved by Councillor MacLeod, seconded by Councillor Gillespie, that a recommendation be made to Council to approve the start of the process of forming the CBRM REN with the following steps:

1. Form the Oversight committee comprised of 2 CBRM staff, 2 DMA staff and 2 Council members;
2. Presentation from Cape Breton Partnership on short term plan for 2018/19 given \$160,000 budget;
3. Pending approval of the plan, appoint a 6 member board of CBRM business leaders either from the current partnership board or a separate board;
4. Creation of the Strategic Economic Direction for the REN;
5. Formation of the structure and budget in concert with the Partnership and the Board for 2019/20 based on estimated funding from DMA to be approved by the oversight committee.

Motion Carried.

ISSUE PAPER

November 5, 2018

To: Mayor & Council

RE: CBRM Regional Enterprise Network

Background

Regional Enterprise Networks (RENs) are mandated to oversee the development and implementation of a regional economic development strategy. In July 2012, after the announcement that the federal government would no longer fund regional economic development organizations in Atlantic Canada, the Province of Nova Scotia appointed an independent panel of economic development and business experts to examine the Regional Development Authority (RDA) model and make recommendations for a new approach to promoting economic development in Nova Scotia. This led to the formation of the REN model.

Led by Boards of Directors with extensive business experience, the RENs operate as connectors among economic development partners, support business growth and retention, and provide regional leadership on economic development priorities.

Currently Cape Breton Island has one REN which is known as the Cape Breton REN. It is operated under the umbrella of The Cape Breton Partnership.

CBRM REN

A number of economic development options for the CBRM were identified and reviewed for their fit and best potential for success. They included doing economic development in-house, joining CB REN, and creating a CBRM REN using the Cape Breton Partnership to provide the service. The issue with doing economic development in house was the inability to create a structure where the private sector was significantly involved in charting the direction of economic development within the CBRM. Joining the CB REN also had issues. It became obvious that, though there are similarities with the economic development needs of the other municipalities in the CB REN, there were significant differences that existed. Most other municipalities in the CB REN were rural where the CBRM was more urban in nature. Because of this, it was felt that it would be more of a challenge to insure the CBRM's needs were a priority. The option of creating our own CBRM REN and using the Cape Breton Partnership to administer allows the

CBRM to have the best of both worlds. It does provide the vehicle where the private sector is involved in helping us chart the course for economic development in the CBRM, provides synergies with the CB REN where the CBRM REN can participate in island wide initiatives that impact the entire island. It also provides economies of scale where the Cape Breton Partnership can provide shared services such as HR and accounting to both the CB REN and the CBRM that are more cost effective then doing ourselves.

I would, therefore, propose that the CBRM REN also operate under the umbrella of the Cape Breton Partnership, as our own REN but with a coordinated approach having shared initiatives in areas such as small business supports, Immigration, and the Creative Economy to provide this Island wide approach. The Partnership could hit the ground running and are very aware of available programs; they are involved in stakeholder conversations which would keep us in the loop and they could leverage additional funds.

To begin the process of setting up a REN, we need first to set up an oversight committee with 2 CBRM staff, 2 staff from DMA and 2 Council as determined by the Nominating Committee. For ease of Governance, continuity and cooperation, the Board could be a 6-member Board that would be comprised of 6 of the current board members of the Partnership provided they are from CBRM. Alternatively, it could be a completely separate board. Both would be comprised of private sector Business leaders. This should be determined by the oversight Committee.

The Province has indicated that they have \$80,000 left for this fiscal year to fund our REN. This would be matched by CBRM. I would recommend we work from the remaining budget for this year and develop a plan and budget for next year based on available funding. It will be important to develop the Strategic Direction for Economic development for the CBRM REN. The information gathered in our stakeholder workshop would be a source to aid in setting the strategic direction. The possible structure of our REN would include staff in the area of Economic Development, Marketing/communications, Small Business Support, Creative Economy staff, immigration and Business Retention.

Other options for the REN could be explored at a later time once we have had time to measure the outcomes and success of this structure.

RECOMMENDATION

Council motion to approve the start of the process of forming the CBRM REN with the following steps:

1. Form the Oversight committee comprised of 2 CBRM staff, 2 DMA staff and 2 Council members.
2. Presentation from Cape Breton Partnership on short term plan for 2018/19 given \$160,000 budget.
3. Pending approval of the plan, appoint a 6 member board of CBRM business leaders either from the current partnership board or a separate board
4. Creation of the Strategic Economic Direction for the REN

5. Formation of the structure and budget in concert with the Partnership and the Board for 2019/20 based on estimated funding from DMA to be approved by the oversight committee

Respectfully Submitted,

Marie Walsh, CPA, CGA
Chief Administrative Officer

David Suzuki Blue Dot Movement – The Right to a Healthy Environment

Motion:

Moved by Councillor Coombes, seconded by Councillor MacLeod, that a recommendation be made to Council to adopt the Resolution entitled “Cape Breton Regional Municipality Declaration – The Right to a Healthy Environment”, as outlined in the Issue Paper dated October 30, 2018.

Motion Carried.

Issue Paper

TO: CBRM Council

October 2018

Issue

David Suzuki Blue Dot Movement – The Right to a Healthy Environment

Background

The David Suzuki Foundation is working with municipalities across Canada to recognize the right to a healthy environment. This campaign, called The Blue Dot Movement, has the ultimate goal of seeing environmental rights enshrined in the Canadian Charter of Rights and Freedoms. Achieving this goal begins with municipal declarations recognizing their citizens' right to a healthy environment, to serve as a call to action for provincial and federal governments to strengthen environmental rights legislation. As of December 2017, 161 Canadian municipalities have made declarations in support of a healthy environment representing almost half of the population. More than 110 countries already recognize the rights of their citizens' to live in a healthy environment leaving Canada among the minority of countries that do not yet recognize the right to a healthy environment.

At the June 6, 2017 General Committee meeting Mr. Paul Strome, David Suzuki Elder and spokesperson for the Blue Dot Movement, presented background information and a video entitled "Today is the Day we Decide" (<https://www.youtube.com/watch?v=D43PJOBLCJI>). Mr. Strome requested that the Cape Breton Regional Municipality consider adopting a resolution supporting the right to live in a healthy environment.

Following the presentation and discussion, a motion was put forward by Councillor MacLeod, seconded by Councillor Coombes, to agree, in principle, to a CBRM Declaration of the right to a healthy environment and that staff be directed to prepare a report to be brought back to a future meeting of the committee.

Conclusion

This declaration would be a positive affirmation that the people of CBRM support the notion that every person has the right to live in a healthy environment with subsequent access to clean air, water, and food.

The declaration does not require new regulations or policy to be adopted at the municipal level and the primary goal of the campaign is to send a message of support to Provincial and Federal levels of government to enact an Environmental Bill of Rights that recognizes an inherent human right to drink clean water, breath clean air, and live in a healthy environment.

This declaration would be a positive move for CBRM and would show a commitment to our community and youth by calling on the Provincial and Federal government to recognize that we have a responsibility today to live in a way that does not negatively impact the ability of current and future generations to access clean air, water, food, and nature.

Recommendation

That CBRM Council adopt the resolution attached as Appendix A entitled, Cape Breton Regional Municipality Declaration – The Right to a Healthy Environment.

ORIGINAL SIGNED BY

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

Appendix A

Cape Breton Regional Municipality Declaration – The Right to a Healthy Environment

WHEREAS

the **CAPE BRETON REGIONAL MUNICIPALITY** understands that a healthy environment provides ecosystem services which are essential to ensuring the health and prosperity of current and future generations of human beings and is inextricably linked to the long-term success and well-being of our community;

AND WHEREAS

the **CAPE BRETON REGIONAL MUNICIPALITY** recognizes the cultural and spiritual significance of the environment to indigenous peoples who have historically inhabited Cape Breton (Unama'ki) and have teachings on how to care for planet Earth;

AND WHEREAS

the **CAPE BRETON REGIONAL MUNICIPALITY** supports the Bras d'Or Lakes UNESCO Biosphere Reserve designation recognizing the unique and globally significant habitat of the Bras d'Or Lakes and the Two-Eyed Seeing approach of the Collaborative Environmental Planning Initiative's (CEPI) ongoing work initiated in 2003 by the five Mi'kmaq chiefs of Cape Breton in a unique partnership with Federal, Provincial, Municipal governments to protect, preserve, and promote all aspects of the Bras d'Or Lakes biosphere including water, air, land, forest, aquaculture, agriculture, tourism, and culturally significant sites;

AND WHEREAS

the **CAPE BRETON REGIONAL MUNICIPALITY** recognizes that we have today, a responsibility to live in a way that will not negatively impact the ability of future generations to access clean air, water, food, and nature;

AND WHEREAS

the **CAPE BRETON REGIONAL MUNICIPALITY** recognizes that it is the jurisdictional responsibility of the Province and the Federal Government to protect the environment;

THEREFORE BE IT RESOLVED THAT

1. the **CAPE BRETON REGIONAL MUNICIPALITY** supports that all Canadians have the right to live in a healthy environment, including:

- The right to breathe clean air;
- The right to drink clean water;
- The right to consume safe food;
- The right to access nature;
- The right to know about pollutants and contaminants released into the local environment;
- The right to participate in decision-making that will affect the environment;

2. The **CAPE BRETON REGIONAL MUNICIPALITY**, within its jurisdiction, will respect, protect, and promote these rights while working to conserve and where reasonable, restore the integrity of the environment through continued work with residents and experts to set objectives, targets, and actions we can all take to address our right to live in a healthy environment including:

- Distribute environmental benefits and burdens within the municipality;
- Ensure infrastructure and development projects protect the environment, including air quality;
- Address climate change by reducing greenhouse gas emissions and implementing adaptation measures;
- Responsibly increase density;
- Promote walking, cycling and public transit as healthy and economical modes of transportation;
- Prioritize infrastructure and protected water sources for the provision of safe and accessible drinking water;
- Promote the availability of safe, local foods;
- Reduce solid waste and promote recycling, re-use, composting and resource recovery;
- Establish and maintain accessible green spaces and conserve nature in public spaces;
- Attract and invest in green businesses, green energy, clean technology and jobs of tomorrow.

3. The **CAPE BRETON REGIONAL MUNICIPALITY** shall send a letter to the Federal Minister of the Environment, Catherine McKenna and Prime Minister Justin Trudeau in support of the Blue Dot Movement principles and updating the Canadian Environmental Protection Act and the Canadian Charter of Rights and Freedoms to include the right to live in a healthy environment for all Canadians.

4. The **CAPE BRETON REGIONAL MUNICIPALITY** shall send a letter to Nova Scotia Premier Stephen McNeil in support of the need to pass environmental laws for the province of Nova Scotia that are supportive of the principles embedded in the Blue Dot Movement Declaration and the right to live in a healthy environment for all Canadians.

5. A copy of this resolution will be sent to the Federation of Canadian Municipalities.



City Hall
320 Esplanade
Sydney, NS B1P 7B9

Item No.

Council Agenda Request Form	
☒ Included on Agenda (Submitted to Municipal Clerk's Office by 4:30 pm seven days before the meeting)	☐ Late Item (Submitted to Municipal Clerk's Office by Noon the day before the meeting)
☐ Request from the Floor: (New Business) - Announcement - Referral - Submit Petition - Notice of Motion	
Date of Council Meeting: November 20th 2018	
Subject: Cannabis Tax- response from NS Finance Minister	
Motion for Council to Consider: That the NSFM be requested to formulate a position for all Municipalities relating to cannabis funding.	
Reason: I believe this is an important issue that deserves further discussion in Council	
Outcome Sought:	
Potential next steps: Letters to NSFM, FCM, local MLAs and MPs	
<i>Councillor</i> Kendra Coombes	<i>District</i> 11
<i>Date: November 13th 2018</i>	<i>Received by Clerk's Department (date):</i>

From: Finance Minister [mailto:FinanceMinister@novascotia.ca]

Sent: November-08-18 11:40 AM

To: ClerksOffice

Cc: CorrespondenceJustice; Business Correspondence; Minister, DMA; Alfie MacLeod; Eddie Orrell; Tammy Martin; Derek Mombourquette

Subject: Revenue from Sale of Cannabis CRM:0051082

November 8, 2018

Ms. Deborah Campbell Ryan
Cape Breton Regional Municipality
320 Esplanade
Sydney, NS B1P 7B9
Email: ClerksOffice@cbrm.ns.ca

Dear Ms. Campbell Ryan:

RE: Revenue from Sale of Cannabis

On behalf of Premier Stephen McNeil, thank you for your letter dated September 18, 2018 requesting a one third (1/3) share of recreational cannabis excise tax revenue with municipalities, namely Cape Breton Regional Municipality. I appreciate all municipalities are anticipating costs due to the legalization of cannabis.

The legalization of cannabis is a significant policy shift that was initiated by the federal government. Many of the responsibilities for its successful implementation have been delegated to provinces, territories and municipalities. The Nova Scotia *Cannabis Control Act* provides important details for the legalization of cannabis including the decision of NSLC as the sole authorized retailer. Having the NSLC as retailer reduces the potential issues, including the costs of zoning and inspection for municipalities.

In other areas like policing and enforcement, the province recognizes the major role and responsibility that municipalities play with regards to policing. Our Department of Justice is working with the federal government to ensure our law enforcement agencies are equipped to address policing and safety issues related to the legalization of cannabis including drug impaired driving.

As you are aware, the province is incurring a number of costs related to this significant policy shift with limited revenue resources in the short term. Although the federal government has created expectations regarding the excise tax with municipalities, this was not part of the agreement of the Coordinated Taxation Framework. It will be sometime before we understand the cost to the province for the legalization of cannabis and the revenue from the retail sale.

In closing, the province is responsible for the costs of setting up the system we have chosen to legalize recreational cannabis. Municipalities must be responsible for the choices they make and the associated costs of those choices. Our government is committed to working with municipalities on shared areas of responsibility and to maintain an open dialogue.

Yours sincerely,

original signed by

Karen Casey
Minister of Finance and Treasury Board

- c. Honourable Stephen McNeil, Premier
- Honourable Chuck Porter, Minister of Municipal Affairs
- Honourable Mark Furey, Minister of Justice
- Honourable Derek Mombourquette, MLA - Sydney-Whitney Pier
- Honourable Geoff MacLellan, Minister of Business
- Honourable Alfie MacLeod, MLA - Sydney River-Mira-Louisbourg.
- Eddie Orrell, MLA Northside-Westmount
- Tammy Martin, MLA Cape Breton Centre

Honourable Karen Casey
Minister of Finance & Treasury Board
Provincial Building, 7th Floor
1723 Hollis Street, Halifax, NS B3J 2N3
Tel: 902-424-5720 Fax: 902-424-0635
E-mail: financeminister@novascotia.ca



CBRM

A Community of Communities

Cape Breton Regional Municipality

**Office of Deborah Campbell Ryan, BBA, MPA
Municipal Clerk**

320 Esplanade
Sydney, Nova Scotia
B1P 7B9
Tel: 902-563-5010
Fax: 902-564-0481
email: clerksoffice@cbrm.ns.ca
www.cbrm.ns.ca

Via Email

September 18, 2018

**Honourable Stephen McNeil, Premier of Nova Scotia
Honourable Chuck Porter, Minister of Municipal Affairs
Honourable Mark Furey, Minister of Justice
Honourable Karen Casey, Minister of Finance & Treasury Board**

Re: Revenue from Sale of Cannabis

Dear Premier McNeil and Honourable Ministers:

At the September 4, 2018 meeting of CBRM's General Committee, a motion was passed instructing staff to write to you, on behalf of the Mayor and Council, requesting that the Province honour their agreement with the Federal Government with respect to sharing the revenue from the sale of cannabis with municipalities, without the requirement for municipalities to prove associated policing costs.

It is Council's understanding that the Federal Government had announced a two-year agreement with the provinces and territories to give them a 75% share of the tax revenues from the sale of legalized marijuana, a portion of which was to be meted out to cities and towns to help them defray associated costs. The Federation of Canadian Municipalities has said it would like to see one-third of those revenues earmarked by the provinces to help municipal governments handle administrative and policing costs, but how that share is divided will be up to the municipalities and their provincial/ territorial counterparts.

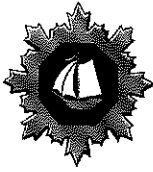
On behalf of CBRM Mayor and Council, I would ask that you give favourable consideration to this request.

Yours truly,

ORIGINAL SIGNED BY

**Deborah Campbell Ryan
Municipal Clerk**

copy: Honourable Derek Mombourquette, MLA - Sydney-Whitney Pier
Honourable Geoff MacLellan, MLA - Glace Bay
Honourable Alfie MacLeod, MLA - Sydney River-Mira-Louisbourg
MLA Eddie Orrell, Northside-Westmount
MLA Tammy Martin, Cape Breton Centre



CBRM

A Community of Communities

ISSUE PAPER

TO: Deborah Campbell Ryan - Clerk

FROM: John Phalen - Manager of Economic Development

SUBJECT: Request for Eating / Beverage Establishment

DATE: November 14 / 2018

Madame Clerk,

We have received request from a local food and beverage operator to lease the community room for a food and beverage establishment.

The CBRM have been advertising the lease of the facility for the past two plus years and it recently was leased last year to a clothing / craft business.

Rent will be determined on a competitive scale with similar properties in the downtown Sydney area and the operator would be required for any leasehold improvements which would be required to be approved by CBRM staff.

Staff recommends a long term lease that would be negotiated with the operator and the lease would be brought back to Council.

Recommended Motion

Motion to allow the use of the community room for a restaurant / beverage establishment and that staff will negotiate a long tem lease to bring back to Council.

Sincerely,

John Phalen



Cape Breton Regional Municipality

ISSUE PAPER

November 20, 2018

To: Mayor and Council

Re: Land Expropriation PID 15543051 - *Wash Brook Flood Mitigation Project*

Background:

The results of the Wash Brook Flood Water Containment and Intensity Mitigation Project, which were received on June 15th recommended the installation of option #15 consisting of three structures to help mitigate flooding during various precipitation events. On July 10th Council endorsed that staff proceed with the installation of option 15 in a multiyear phased approach.

One of the three structures is a 'Flow Control Structure' designed to regulate the flow that enters the Wash Brook from Mud Lake during precipitation events.

The Flow Control Structure is to be located at the outlet of the lake which is located on a private parcel of land 2.3 kilometers South of Highway 125 and 1.8 kilometers North of Mira Road (Refer to Map 1 attached).

The result of a property title search conducted in October concluded the property has title issues therefore, the best option is Expropriation of the required land.

In order to proceed with the installation of this structure, CBRM is seeking ownership of PID 15543051.

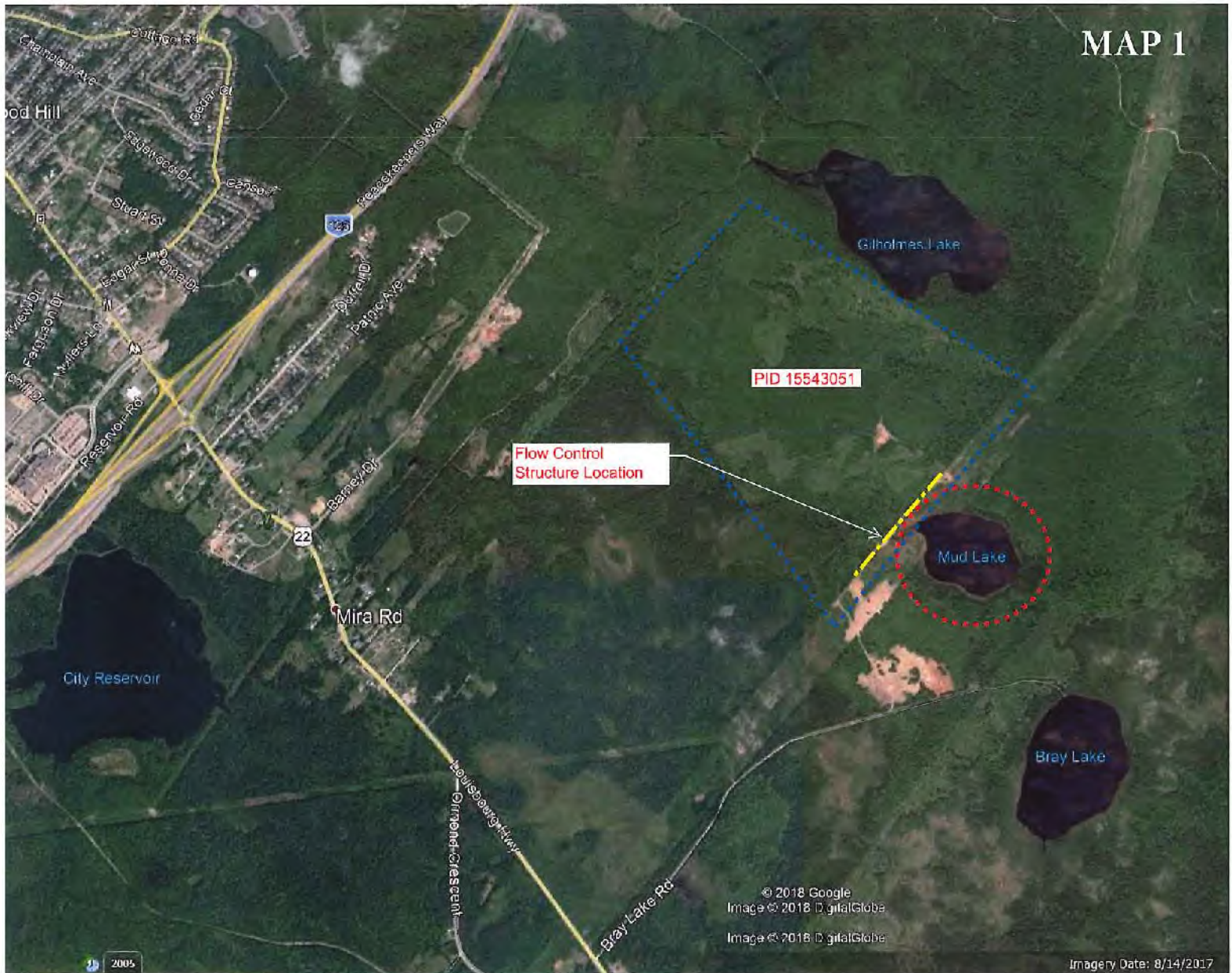
Recommendation:

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

ORIGINAL SIGNED BY

Demetri Kachafanas
Regional Solicitor

MAP 1





TO: CBRM General Committee of Council

FROM: Allan Clarke

SUBJECT: Cromarty Lease Renewal

DATE: November 20, 2018

Background

The lease for the Cromarty Tennis has expired the 1st day of May, 2003 it was agreed upon that the Land lord and Tenant renew the lease for 5 years at the conclusion of this 5 year term lease. This term lease was automatically renewed for 2 more, 5 year terms, meeting the outlined criteria in the lease.

Recommendation

Staff recommends the lease be renewed for a 5 year term with the option to renew for 5 more years for an annual payment of \$1.00. CBRM to provide an annual \$5000 operating grant to the Tenant. Bullet 13 to be rewritten to exclude the CPI (Consumers Price Index) which would have been added on the operating grant of \$5000.00. All other wording will remain the same. The parties agree that any significant capital expenditures for the Cromarty Tennis Courts will be discussed between the Landlord and the Tennant.

Submitted By: Allan Clarke

Allan Clarke
Manager, Building & Parks

COPY

THIS LEASE made this 23rd day of September, A.D., 2003.

BETWEEN:

CAPE BRETON REGIONAL MUNICIPALITY, a body corporate and politic, of Sydney, in the Cape Breton Regional Municipality, Province of Nova Scotia,

hereinafter referred to as the "LANDLORD"

- and -

CROMARTY TENNIS CLUB, a registered Society in the Province of Nova Scotia,

hereinafter referred to as the "TENANT"

WHEREAS the Landlord is the owner of the land on Cromarty Street, Sydney, which contains four (4) tennis courts and a clubhouse and which hereinafter is referred to as the "Cromarty Tennis Courts"; and

WHEREAS the Landlord has agreed to lease to the Tenant and the Tenant has agreed to lease from the Landlord, the Cromarty Tennis Courts;

NOW THEREFORE THIS AGREEMENT WITNESSETH that in consideration of the mutual covenants and undertakings herein contained, the parties hereto agree with each other as follows:

1. THAT the Landlord hereby leases the Cromarty Tennis Courts to the Tenant, who agrees to use the Cromarty Tennis Courts as a tennis court facility during the term of this Lease;
2. THAT the Landlord and Tenant agree that the Tenant shall have and hold the Cromarty Tennis Courts for a term of five (5) years commencing on the 1st day of May, 2003, hereinafter called the commencement date, and ending on the 1st day of May, 2008, both dates being inclusive, unless the Lease is sooner terminated as hereinafter provided and herein called "The Term";
- 2.1. AND THAT the Landlord and the Tenant agree that at the successful conclusion of this five (5) year term this Lease will automatically be renewed for an additional five (5) year term on the same terms and conditions as are herein contained;

3. **THAT** the Tenant shall pay to the Landlord the sum of One Dollar (\$1.00) per annum, which sum shall be payable on or before the 1st day of June, 2002, and on the 1st day of June of each year thereafter until the termination of this Lease;
4. **THAT** the parties agree that the Tenant shall have the option to terminate this Lease prior to the completion of the five (5) year term if the Tenant feels that it is no longer capable of satisfactorily managing the Cromarty Tennis Courts and by giving the Landlord one (1) year's notice of the cancellation of the Lease;
5. **THAT** the parties agree that the Landlord shall also have the right to cancel this Lease before the termination of the five (5) year term if there is, in the Landlord's opinion, evidence of financial mismanagement on the part of the Tenant or if there is significant deterioration of the Cromarty Tennis Courts, provided the Landlord gives a one (1) year notice to the Tenant;
6. **THAT** the parties agree that the Cromarty Tennis Courts will be for the exclusive, year-round use of the members of the Tenant and guests and that guest passes will be available to any resident of the CBRM at the rate of Five Dollars (\$5.00) per day, payable to the Tenant. The guest passes will entitle individuals to the same benefits of court time as regular members, but will be restricted to five (5) passes per year, per person, after which the guests will have the option to join the Cromarty Tennis Club at regular Club prices, or to play tennis elsewhere;
7. **THAT** the Tenant will be responsible for maintaining adequate liability insurance and fire insurance on the building and grounds;
8. **THAT** the Landlord shall have the right to appoint an *EX OFFICIO* representative to the Board of Directors of the Tenant;
9. **THAT** the Tenant shall provide a financial statement to the Landlord upon the completion of the financial statements yearly, such statement to be completed and delivered to the Landlord no later than March 15th in any given year during the term of the Lease;
10. **THAT** the Tenant will attempt to promote and improve tennis in the CBRM and will not undertake any significant alterations to the grounds or clubhouse without the prior written consent of the Landlord;

11. THAT the Tenant shall not be required to pay any property taxes during the term of the Lease and the Landlord hereby waives all property taxes for the term of the Lease;
12. THAT the parties agree that any significant capital expenditures for the Cromarty Tennis Courts will be discussed between the Landlord and the Tenant;
13. THAT the Landlord shall provide by the 1st day of July, 2003, and on the 1st day of July for each and every year in the term of this lease, an operating grant of Five Thousand Dollars (\$5,000.00) cash for the base year, 2003. This grant will escalate in subsequent years by the increase in the Consumer Price Index and the Tenant will be responsible for maintaining all existing programs without approaching the Landlord for any further operating or maintenance funding.
14. THAT at the successful conclusion of this five (5) year term the Landlord and the Tenant agree that this Lease will automatically be renewed for an additional five (5) year term on the same terms and conditions as are herein contained.

IN WITNESS WHEREOF the parties hereto have set their hands and seals on the year and day first above written.

SIGNED, SEALED AND DELIVERED)
in the presence of)

Original Signed By
Robin Campbell

Originally Signed

CAPE BRETON REGIONAL
MUNICIPALITY

Original Signed By
Per: Mayor John Morzan

Original Signed By
Per: Municipal Clerk Bernie White

CROMARTY TENNIS CLUB

Per: President Richard Lorway

Per: Vice-President Darren Gardiner

AFFIDAVIT

PROVINCE OF NOVA SCOTIA
 COUNTY OF CAPE BRETON
 CAPE BRETON REGIONAL MUNICIPALITY

On this *23rd* day of September, A.D. 2003, before me, the subscriber, personally came and appeared *Josie RAMSAY*, a subscribing Witness to the foregoing Indenture, and after having been duly sworn by me, made oath and said that Richard Lorway and Darren Gardiner, signed and sealed the foregoing Indenture in his/her presence on the day and the year first above written.

~~Commissioner of the Supreme~~
 Court of Nova Scotia
DEMETRI KACHAFANAS
 A BARRISTER OF THE
 SUPREME COURT OF NOVA SCOTIA

AFFIDAVIT

PROVINCE OF NOVA SCOTIA
 COUNTY OF CAPE BRETON
 CAPE BRETON REGIONAL MUNICIPALITY

On this *23rd* day of September, A.D. 2003, before me, the subscriber, personally came and appeared *ROBIN CAMPBELL, Q.C.*, a subscribing Witness to the foregoing Indenture, who having been duly sworn, made oath and said that he/she was present and did see the Corporate Seal of the Cape Breton Regional Municipality duly affixed thereto by the hand of Bernard White, Municipal Clerk of the Cape Breton Regional Municipality and that the said Indenture was duly signed and authenticated in his/her presence for and on behalf of the Cape Breton Regional Municipality by John Morgan and Bernard White, Mayor and Clerk respectively of said Municipality and the same was also duly delivered in his/her presence.

~~Commissioner of the Supreme~~
 Court of Nova Scotia
DEMETRI KACHAFANAS
 A BARRISTER OF THE
 SUPREME COURT OF NOVA SCOTIA



TO: CBRM General Committee of Council

FROM: Allan Clarke

SUBJECT: Glace Bay Library New Lease

DATE: November 20, 2018

Introduction

The Library of Glace Bay is currently looking for a new space to lease. They have outgrown their current space which they occupied for close to 20 years. The need is due to the increase of in-person visits to the Library, Children's and Adults programs, Memberships, Public Computer Hours used, Public Wireless Access use, Community Groups booking program room and items borrowed.

There was a Request for Proposal on a building lease required for the Glace Bay Library. CBRM received 3 proposals, each with its own distinct features. All 3 proposals came in within the 4000 sq. /ft. required in the RFP.

The Library Committee have viewed all 3 RFP sites, to see which site would fit the needs of the Library and the Community. After many meetings and consultations it was deemed the Glace Bay Library new space would be the preferred space at 143 Commercial St, Glace Bay.

It is an ideal location with parking, easy accessibility, and is the center hub to the Savoy Theater, Schools, and Police Station. It will be a newly renovated space with heat, lights, and communications. Cleaning of the new space is included in the \$17.00 sq/ft price with an option to include heat and lights for \$2.00 more per square foot.

Recommendation

It is recommended that 143 Commercial St, Glace Bay be lease for 5 years with the option to renew for 5 years. Once agreed a lease will be finalized through the Legal Department.

Submitted By: Allan Clarke

Allan Clarke
Manager, Building & Parks



TO: CBRM General Committee of Council

FROM: Allan Clarke

SUBJECT: Lease Renewal Vince Muisse Park

DATE: Nov 20, 2018

Background

The current lease for the Golden Horseshoe Park (Vince Muisse Park) located in Sydney River bordering the Lady Fatima Church has expired April 1, 2015. The current site has a lighted ballfield, soccer field, playground and walking track the site was dedicated after long time Little League Coach Vince Muisse as part of hosting the 2003 Canadian Little League Championships.

The expired lease was for a 20-year term and we are seeking a 5-year term.

Recommendation

Staff recommends the name in the lease (Golden Horseshoe Association) be changed to Vince Muisse Park to reflect the sites changed name. A 5 year term lease with the option to renew for 5 years, with \$1.00 paid annually paid to the landlord.

Also the new lease will show changes in parking times for the Lady of Fatima church. The current no parking time for Sunday's are 3:30 pm to 5:30 pm, those time will be changed to 4:30 to 7:00 pm Sunday's only. This will allow parishioners room to park during mass.

The Landlord requested the name change of Peter Currie to the Parish Board as people and positions change.

Submitted By: Allan Clarke

Allan Clarke
Manager, Building & Parks

THIS INDENTURE made this 13 day of March, A.D. 1995.

BETWEEN: THE CATHOLIC EPISCOPAL CORPORATION OF ANTIGONISH

(hereinafter called the "LANDLORD")

OF THE ONE PART

AND: THE MUNICIPALITY OF THE COUNTY OF CAPE BRETON, a body corporate and politic;

(hereinafter called the "TENANT")

OF THE OTHER PART

WHEREAS The Municipality of the County of Cape Breton wishes to enter into an agreement with the Catholic Episcopal Corporation of Antigonish for the operation of Golden Horseshoe Park, in cooperation with the Golden Horseshoe Park Association.

WITNESSETH that in consideration of the rents, covenants and agreements hereinafter reserved and contained on the part of the Tenant to be paid, observed and performed, the Landlord hereby demises and leases unto the Tenant all those premises situate at Kings Road, Sydney River, in the County of Cape Breton, Province of Nova Scotia, as described in Schedule "A" attached hereto, hereinafter called the "demised premises".

TO HAVE AND TO HOLD the demised premises unto the Tenant for a term of twenty (20) years commencing on the 1st day of April, A.D. 1995 YIELDING AND PAYING THEREFOR unto the Landlord yearly and every year, in advance, during the term hereby created, the sum of One Dollar (\$1.00), the first of such yearly rental payment to be due and payable on the day of April, A.D. 1995, and the subsequent rental payments hereunder to continue to be due and payable on the 1st day of April, in each and every year thereafter during the continuance of this Lease.

THE TENANT covenants, promises and agrees to and with the Landlord in the following manner:

1. THAT the demised premises will be used for recreational purposes only.
2. THAT the Tenant shall have the right to construct on the property such structures as it deems necessary or required for the operation of recreational facilities and programs. This includes (but is not limited to) sporting facilities, light standards, seating, fences, service buildings and such other as the Tenant deems appropriate for its recreational purposes.
3. THAT the Tenant will be responsible for the maintenance of the grounds and any buildings erected thereon and shall be responsible for the installation of equipment and the payment of any utility charges incurred in the use of the property or its associated equipment.
4. THAT the official of the Landlord will have the right to inspect the grounds and the buildings at all reasonable times.
5. THAT the Tenant shall not assign the Lease without written consent of the Landlord.
6. THAT the Tenant shall agree to indemnify and save harmless the Landlord from any and all claims of liability arising out of the use of the demised premises by or on behalf of the Tenant.
7. THAT during the term of this Agreement should Our Lady of Fatima Parish require additional lands for parking or related church activities, the Tenant agrees to reopen negotiations with the Landlord for the release of portions of the property leased hereunder.

THE LANDLORD reserves the right to terminate this Lease in the event that the Tenant fails to use the lands solely for the stated purposes, upon serving the Tenant with a notice of such termination, such notice to be served three (3) months prior to the date of such termination.

UPON EXPIRATION of the initial term of this Lease, the Tenant shall have the right to renew this agreement for an additional period upon similar terms as contained herein.

THIS AGREEMENT and everything herein contained, shall enure to the benefit of and be binding upon the parties hereto and their respective heirs, successors, administrators and assigns.

TIME shall be of the essence of this Agreement.

IN WITNESS WHEREOF the said Catholic Episcopal Corporation of Antigonish has duly executed this Indenture by the signatures of its duly authorized signing officers in that behalf and the Municipality of the County of Cape Breton has hereunto affixed its corporate seal authenticated by the signatures of its duly authorized signing officers as of the day and year first above written.

SIGNED, SEALED AND DELIVERED)

in the presence of:

THE CATHOLIC EPISCOPAL
CORPORATION OF ANTIGONISH

Original Signed

Original Signed

Original Signed

WITNESS

THE MUNICIPALITY OF THE
COUNTY OF CAPE BRETON

Original Signed

WARDEN

Original Signed

Original Signed

WITNESS

CLERK

PROVINCE OF NOVA SCOTIA
COUNTY OF

ON THIS day of , A.D. 199 , before
me, the subscriber personally came and appeared
✓ ^{PETER MURPHY}
a subscribing witness to the foregoing Indenture, who having been by me
duly sworn, made oath and said that the **The Catholic Episcopal Corporation**
of Antigonish, one of the parties thereto, caused the same to be executed
in its name and on its behalf and its corporate seal to be thereunto
affixed in his presence.

PROVINCE OF NOVA SCOTIA
COUNTY OF CAPE BRETON

ON THIS day of , A.D. 199 , before
me, the subscriber personally came and appeared
✓ ^{PETER CURRIE}
a subscribing witness to the foregoing Indenture, who having been by me
duly sworn, made oath and said that **The Municipality of the County of Cape**
Breton, one of the parties thereto, caused the same to be executed in its
name and on its behalf and its corporate seal to be thereunto affixed in
his presence.

Cape Breton Regional Municipality

"A Community of Communities"

Office of Robin B. Campbell, QC
Regional Solicitor

320 Esplanade
Sydney, Nova Scotia
B1P 7B9
Tel: (902) 563-5048
Fax: (902) 564-0481

November 13, 1996
Mr. Jim O'Neil
Diocesan Burser
69 King's Road
Sydney, Nova Scotia
B1S 1A2

Dear Jim: Re: **Our Lady of Fatima, Sydney River**
 Lease to Golden Horseshoe Park - Mass Hours

The Cape Breton Regional Municipality received a request from the Parish Priest of Our Lady of Fatima Parish and Peter Currie of the Parish Council to schedule ballfield activities so as not to conflict with Mass hours. They are expressed to be:

Saturday ☒ 3:20 p.m. to 5:30 p.m.
Sunday ☒ 9:00 a.m. to 12:30 p.m.
 3:30 p.m. to 5:30 p.m.

I have reviewed this schedule with the Recreation Department and, in particular with Bill Murphy, Manager of Parks and Grounds, and they have no problem with scheduling so as not to conflict with the Mass hours.

Please consider this as formal recognition and you may accept this as Tenant's covenant No. 8 to the 1995 lease entered into between the parties. ☒

I trust this is sufficient but, if you require more please do not hesitate to contact me. I trust, also you will advise the Parish Priest and Peter Currie accordingly.

Thank you.

Sincerely,

Original Signed By

Robin B. Campbell, Q.C.
RBC:ib

c.c. Jerry Ryan, CAO
 John Fraser, Director Recreation
 Bill Murphy, Parks and Grounds



A Community of Communities

Issue Paper

DATE: November 16, 2018
TO: Mayor & Council
FROM: Bill Murphy, Director Parks, Recreation, and Buildings & Facilities
Re: Permission to apply for planning funds for Phase 6 Sydney Boardwalk

Background

During 2018 capital budget deliberations, Council made it their intention to seek funding to continue the expansion of the boardwalk south to Wentworth Park. A budget of 3 million, funded over 2 years beginning in 2019 and conditional on external funding was approved during the Capital budget process. In advance of the capital budget deliberations, an application requesting funding from ACOA was submitted in June 2017.

As follow up, ACOA officials inquired about the possibility of doing some planning work in advance of the 2019 funding. With no budget approved, it was not possible for CBRM to fund the 100k required as our portion of the required planning work. As a result, ACOA advise in December 15, 2017 that it was closing the file on the project. It further encouraged the submission of a new application when the applicant funding would be available.

This paper is requesting permission to resubmit an application to ACOA and the Province of Nova Scotia for the expansion work of the boardwalk south to Wentworth Park in advance of budget deliberations. This application will enable this part of the project to be completed at the same time as the 2nd birth expansion allowing for both projects to be publically available at the same time.

Recommendation

That Council ask the CAO to submit an application to ACOA and the Province of Nova Scotia for 1/3, 1/3, 1/3rd funding for the expansion of the Sydney Boardwalk south to Wentworth Park.

ORIGINAL SIGNED BY

Bill Murphy, Director
Parks, Recreation, Buildings & Facilities



LOCATION PLAN



Arrival Arch Portal

Wentworth Park

CONCEPTUAL GENERAL PLAN PROPOSED PHASE 6 SYDNEY BOARDWALK

November 2016

SYDNEY BOARDWALK PHASE 6 - CONCEPTUAL PLAN

ESPLANADE

EXISTING FIRE STATION

Future Development

PROPOSED PRIVATE DEVELOPMENT

PROPOSED PRIVATE DEVELOPMENT

Small Vessel Dock

PEDESTRIAN LUNNEL

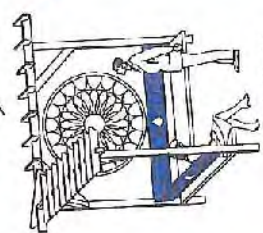
KINGS ROAD

First Nations Animation Location

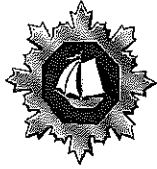
Sydney Harbour



Aboriginal Inspired Water Feature



Decorative Shade Structure



CBRM

A Community of Communities

Demetri Kachafanas
Regional Solicitor
320 Esplanade
Sydney, NS B1P 7B9

M E M O R A N D U M

TO: Mayor and Council

FROM: Demetri Kachafanas
Regional Solicitor

SUBJECT: In Camera meetings regarding
Council remuneration

DATE: November 14, 2018

I was asked by the Mayor and CAO to review and comment on this matter.

I note that the topic of Council remuneration was discussed in camera on four occasions. It was an agenda item in only two of these meetings. In the other two meetings the matter came up as a topic of discussion by Council during discussions on other in camera agenda items.

Staff has treated the matter of Council salaries/remuneration as if they were staff or employees and the matter has been discussed in camera as personnel issues. The reasoning appears to be that Council is tied to or has the same or similar benefits of municipal employees in many instances. It is important to note that no decisions were made in camera and the report from the CFO was presented in an open meeting. Nevertheless, the Department of Municipal Affairs has provided an opinion that these types of discussions should not be held in camera and on a go forward basis all meetings regarding Council remuneration, pension and expenses should be held in open council meetings.

With respect to releasing the Audio tapes, I advise against releasing the audio tapes of an in camera meeting. Separate and apart from the fact the issue should not have been discussed in

With respect to releasing the Audio tapes, I advise against releasing the audio tapes of an in camera meeting. Separate and apart from the fact the issue should not have been discussed in camera, it remains that the discussions occurred at an in camera meeting and Councillors and staff participated in discussions with an expectation that the discussions were private and confidential. Releasing the tapes now would be a breach of that expectation of privacy. In camera minutes and audio recordings, if they are less than 10 years old, are not even released if requested in a FOIPOP application. In addition, the Council Audiotapes Policy approved by Council stipulates that Audiotapes of in camera sessions will not be made available.

If Council still wants to release the minutes or a portion thereof of the in camera meetings they would have to make a motion at an open meeting of Council.

Thank you,

ORIGINAL SIGNED BY

Demetri Kachafanas

Regional Solicitor

DK/

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



City Hall
320 Esplanade
Sydney, NS - B1P 7B9



Item No.

Council Agenda Request Form		
☒ Included on Agenda (Submitted to Municipal Clerk's Office by 4:30 pm seven days before the meeting)	☐ Late Item (Submitted to Municipal Clerk's Office by Noon the day before the meeting)	☐ Request from the Floor: (New Business) - Announcement - Referral - Submit Petition - Notice of Motion
Date of Council Meeting: Tuesday, November 20 th , 2018		
Subject: Water Bill Charges – Dominion & CBRM Community Arenas		
Motion for Council to Consider: I am requesting that staff prepare an Issue paper for the next scheduled Council meeting with suggestions as how to relieve the financial burden on the Dominion Arena as well as all local arenas within the CBRM. Reason: I have had many discussions over the years with Arena Management in Dominion and I am suggesting that the Issue Paper include all arenas within the CBRM to address their concerns as well. The average water bill for the Dominion Arena is \$12,000.00 per year. They do their very best and have been noted for the great job keeping their facility updated and at times they need support from the CBRM. This \$12,000.00 a year, they feel could be used to assist them with some maintenance in the building and I agree it has to be a hardship. Outcome Sought: Staff Issue Paper on this particular item with suggestions as to what we can do to financially assist the Dominion Arena as well as all arenas located within the CBRM.		
Councillor Darren Bruckschwaiger		District #10 - CBRM

Summary

Statement of Revenue

September 30, 2018

Revenue	Year To Date Assigned	6 Month Budget	6 Month Budget Variance	Annual Budget	Annual Budget Remaining
Total Taxes	\$ 54,137,161	\$ 53,905,796	\$ 231,365	\$ 107,811,592	\$ 53,674,431
Total Federal Government	1,550,000	1,550,000	(0)	3,100,000	1,550,000
Total Transit	424,471	388,750	35,721	792,500	368,029
Total Environmental Development Services	140,458	123,000	17,458	246,000	105,542
Total Licenses & Permits	78,316	75,250	3,066	150,500	72,184
Total Fines & Fees	312,262	286,426	25,836	572,852	260,590
Total Rentals	263,843	251,815	12,028	503,630	239,787
Total Concessions & Franchises	182,400	182,500	(100)	365,000	182,600
Total Interest on Taxes	797,254	807,002	(9,747)	1,614,003	816,749
Total Finance Revenue	12,400	15,000	(2,600)	30,000	17,600
Total Solid Waste Revenue	1,354,016	1,225,000	129,016	2,300,000	945,984
Total Recreation & Cultural Service Programs	379,522	413,863	(34,341)	2,065,000	1,685,478
Total Water Utility Charges	2,475,755	2,475,755	(0)	4,951,510	2,475,755
Total Unconditional Transfers	7,982,665	7,930,141	52,524	15,860,282	7,877,617
Total Conditional Transfers	-	-	-	-	-
Year To Date Assigned	73,338,483	72,879,265	459,218	146,860,803	73,522,320

ORIGINAL SIGNED BY

Departmental

ORIGINAL SIGNED BY

Reviewed

Summary

Statement of Expenditures

September 30, 2018

Expenditures	Year to date Expended	6 Month Budget	6 Month Budget Variance	Annual Budget	Annual Budget Remaining
Legislative	\$ 632,448	\$ 741,134	\$ 108,686	\$ 1,455,969	\$ 823,521
Administration	382,855	396,149	13,294	1,083,980	701,125
Finance	1,289,831	1,440,215	150,384	2,860,330	1,570,499
Legal	308,607	319,395	10,788	676,601	367,994
Human Resources	506,518	615,712	109,194	1,374,144	867,626
Technology & Communications	527,967	529,695	1,728	1,301,881	773,914
Municipal Clerk	193,243	206,166	12,923	536,755	343,512
Fiscal Services	11,042,519	11,001,582	(40,937)	31,894,505	20,851,986
Police Services	13,087,369	13,260,746	173,377	26,994,915	13,907,546
Fire Services (Incl EMO)	9,524,088	9,778,504	254,416	18,201,998	8,677,910
Engineering & Public Works	22,082,914	22,413,496	330,582	45,577,824	23,494,910
Planning	1,246,983	1,275,844	28,862	2,656,806	1,409,823
Facilities C200 & Arenas	1,577,004	1,624,605	47,601	3,398,410	1,821,406
Parks & Grounds	1,498,941	1,435,906	(63,035)	2,832,660	1,333,719
Buildings	1,586,797	1,599,568	12,771	3,374,564	1,787,767
Recreation	1,791,489	1,855,014	63,525	2,639,461	847,972
Total expended to date	\$ 67,279,573	\$ 68,493,732	\$ 1,214,159	\$ 146,860,803	\$ 79,581,230

ORIGINAL SIGNED BY

ORIGINAL SIGNED BY

Departmental

Reviewed

Port of Sydney Development Corporation
Income Statement for 6 Month Period Ended September 30, 2018

	YTD Actual	YTD Budget	Variance to Budget	Annual Budget
Wharfage & Berthage	300,609.84	251,816.64	48,793.20	475,529.08
Event Revenue	28,950.01	31,950.00	(2,999.99)	57,450.00
Miscellaneous Revenue	16,828.38	4,000.00	12,828.38	5,500.00
Storage & Rental	184,371.23	178,303.66	6,067.57	258,817.72
Passenger tax	641,136.00	567,072.00	74,064.00	936,080.00
Security/Traffic Control	97,984.40	97,671.18	313.22	160,212.21
Craft Market Revenue	46,052.20	53,515.00	(7,462.80)	83,780.00
Transport Canada Marketing Rev.	0.00	35,000.00	(35,000.00)	35,000.00
	1,315,932.06	1,219,328.48	96,603.58	2,013,169.01
Wages & Salaries	390,250.23	446,395.74	(56,145.51)	846,816.13
Professional Fees	50,131.46	55,000.00	(4,868.54)	78,500.00
Advertising & Promotions	20,454.16	28,580.00	(8,125.84)	54,680.00
Cruise Activities	43,660.88	31,650.00	11,910.88	54,105.00
Dues & Membership Fees	19,265.10	25,204.00	(5,938.90)	45,591.00
Event Expense	8,969.03	12,240.00	(3,270.97)	14,085.00
Insurance	46,113.98	30,311.00	15,802.98	67,311.00
Interest & Bank Charges	3,486.68	3,220.00	266.68	6,220.00
Office & Admin	4,555.75	23,173.00	(18,617.25)	36,165.00
Miscellaneous	2,206.77	4,500.00	(2,293.23)	7,500.00
Repairs & Maintenance	98,421.00	128,964.00	(29,543.00)	212,398.00
Capital Repairs	16,776.49	40,000.00	(23,223.51)	100,000.00
Travel	7,290.97	21,599.97	(14,309.00)	38,000.00
Utilities	80,535.54	87,714.00	(7,178.46)	200,464.00
Bad Debts	0.00	250.00	(250.00)	500.00
Security Expense	115,496.98	116,866.03	(1,369.05)	168,988.33
Business Development - Harbour	797.50	60,000.00	(59,202.50)	0.00
Transport Ca	12,433.96	0.00	12,433.96	0.00
Office Rent	10,191.00	18,000.00	(7,809.00)	36,000.00
Fuel for Truck	499.50	1,020.00	(520.50)	2,040.00
Propane for Forklift	1,584.24	0.00	1,584.24	0.00
Leasehold Improvements	629.00	10,000.00	(9,371.00)	10,000.00
	934,650.22	1,144,687.74	(210,037.52)	1,979,363.46
	381,281.84	74,640.74	306,641.10	33,805.55
ACOA Marina Proceeds	150,446.00	0.00	150,446.00	0.00
Less Amortization	(147,204.00)	(147,204.00)	0.00	(294,405.00)
Net Income (Loss)	384,523.84	(72,563.26)	457,087.10	(260,599.45)

