

Cape Breton Regional Municipality

Council Meeting

AGENDA

TUESDAY, APRIL 24TH, 2018

6:00 P.M.

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

Cape Breton Regional Municipal Council

Tuesday, April 24th, 2018

6:00 p.m.

AGENDA ITEMS

➤ **ROLL CALL**

➤ *O' Canada*

➤ **Moment of Silent Reflection**

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

- **Special Council – Public Hearing: February 20, 2018**
- **Council – February 27, 2018**

2. **VOLUNTEER WEEK:**

2.1 **Presentation of 2018 Volunteer Awards:** (See page 6)

- a) **Gary McDonald Memorial Award** – Johnathan Penny, Recreation Program Coordinator
Awarded in recognition of an outstanding community project.
- b) **Anne Holland Memorial Award** – Charlotte MacDonald, Recreation Program Coordinator
Awarded in recognition of an outstanding community volunteer.
- c) **Youth Volunteer Award** - Joe Costello, Recreation Program Coordinator
Awarded in recognition of an outstanding youth volunteer.

3. **PROCLAMATIONS & RESOLUTIONS:**

- a) **Multiple Sclerosis Awareness Month - 2018**
Councillor Ivan Doncaster (See page 7)
- b) **Lyme Disease Awareness Month – May 2018**
Councillor Jim MacLeod (See page 8)

Continued...

Proclamations & Resolutions (Cont'd):

- c) **North American Occupational Safety and Health Week**
Deputy Mayor Eldon MacDonald (See page 9)
- d) **Annual Day of Mourning**
Councillor Earlene MacMullin (See page 10)
- e) **Motion 110 – Parents Who Have Suffered the Loss of an Infant Child**
Councillor Amanda McDougall (See page 11)

4. PUBLIC HEARING – STREET CLOSING:

- 4.1 **Request by Fred Anderson for Street Closure and Sale (PID 15723323) Portion of Road Reserve off King Street, North Sydney (File No. 07589):**

Public Hearing regarding the request for closure of a Portion of a Road Reserve off King Street, North Sydney (PID 15723323) and that the property be sold to Fred Anderson at market value. Demetri Kachafanas, Regional Solicitor. (See page 12)

5. PLANNING ISSUES:

- 5.1 **FINAL APPROVAL – Public Hearings:** N/A

- 5.2 **APPROVAL TO ADVERTISE:**

- a) **Municipal Planning Strategy and Land Use By-law Amendment Application #1038 – Mark Head, 62 Birch Grove Road, Port Morien (PID 15372089):**

Results of the Public Participation Program and staff recommendation that Council schedule a Public Hearing to consider the request from Mark Head to amend the Municipal Planning Strategy and Land Use By-law to allow for a Marine Assembly and Repair Facility at 62 Birch Grove Road, Port Morien (PID 15372089) at the May meeting of Council. Karen Neville, Planner. (See page 16)

- b) **Zoning Amendment Application #1044 - Ray Embree, Herbert Street, Sydney (PID 15092505):**

Committee recommends approval to advertise notice of a Public Hearing to be held at the May meeting of Council to consider the Zoning Amendment Application #1044 by Ray Embree to construct a four unit apartment building on Herbert Street, Sydney (PID15092505). Karen Neville, Planner. (See page 23)

Continued...

PLANNING ISSUES - APPROVAL TO ADVERTISE (Cont'd):

- c) **Land Use By-Law Text Amendment Application #1045: Keltic Drive Business Corridor (KBC) Zone - Breton Law Group:**

Committee recommends approval to advertise notice of a Public Hearing to be held at the May meeting of Council to consider the text amendment application #1045 by the Breton Law Group to allow the operation of a boarding kennel and an animal sitting establishment on PID 15199870 located in the Keltic Drive Business Corridor (KBC) Zone. Karen Neville, Planner (See page 31)

5.3 REQUEST FOR MUNICIPAL PLANNING STRATEGY AMENDMENT:

- a) **Municipal Planning Strategy Amendment Application #1042: Kent Building Supplies, Grand Lake Road (PID 15603590):**
Karen Neville, Planner (See page 37)

6. BUSINESS ARISING:

6.1 General Committee – April 3, 2018:

- a) **Library Lease Renewals - Dominion Library and Florence Library:**

Committee recommends renewal of the leases for the Dominion Library and Florence Library a further five years, and that the Mayor and Clerk be authorized to execute Lease Agreements for both Libraries. Demetri Kachafanas, Regional Solicitor (See page 43)

- b) **Engineering & Public Works Asset Management:**

Committee recommends that staff be directed to apply for funding from the Municipal Asset Management Program in the total amount of \$50,000, with a direct cost to CBRM of \$10,000, to carry out activities outlined in the staff presentation. Ray Boudreau, Public Works Central Manager. (See page 46)

- c) **Provincial Capital Assistance Program (PCAP):**

Committee recommends that staff be directed to apply for funding from the 2018 PCAP Program prior to the application deadline of April 26th in the total amount of \$500,000, with a direct cost to CBRM of \$250,000, noting that CBRM's \$250,000 portion is included in the 2018-19 capital budget under the Sanitary Sewer Inflow and Infiltration Reduction Program. Matt Viva, Manager of Wastewater Operations. (See page 50)

Continued...

BUSINESS ARISING (Cont'd):

6.2 Heritage Advisory Committee – April 9, 2018

- a) **Request for Registration as Municipal Heritage Property – Christ Church Anglican Church, 60 Church Lane, South Head:**

Committee recommends beginning the process of registering Christ Church Anglican Church, 60 Church Lane, South Head, as a Municipal Heritage Property. Rick McCready, Senior Planner / Heritage Officer. (See page 53)

7. CORPORATE SERVICES ISSUE:

- 7.1 **YMCA Enterprise Centre – Glace Bay, 106 Reserve Street, Glace Bay PID 15602576:** Demetri Kachafanas, Regional Solicitor (See page 59)

8. REPORTS:

- 8.1 **Development of Multi-year Infrastructure Plan – Investing in Canada Infrastructure Plan (ICIP):** Wayne MacDonald, Director of Engineering and Public Works (See page 61)

8.2 FINANCIAL REPORTS: For Information Only

- a) **CBRM Statements to February 28, 2018:** Jennifer Campbell, Chief Financial Officer (See page 69)
- b) **Port of Sydney Development Corporation to February 28, 2018:** (See page 71)

ADJOURNMENT



Cape Breton Regional Municipality Special Volunteer Awards Criteria



Anne Holland Memorial Award

(in recognition of an Outstanding Community Volunteer)

To recognize an individual who has made an outstanding contribution to the inception and growth of community opportunities within the field of recreation/leisure.

Nominees must have made a significant contribution in one or more of the following criteria:

- exhibited high standards of voluntary performance (e.g. dedication, commitment, time, energy, attitude and motivation)
- contributed to a broad range of activities within the field of community volunteerism
- shown a unique and original leadership approach

Gary McDonald Memorial Award

(in recognition of an Outstanding Community Project)

Presented to a volunteer group to recognize an outstanding project that improves recreation/leisure opportunities, locally or regionally.

Projects must have accomplished one or more of the following:

- increased available opportunities that have proven to be innovative or unique
- included a significant number of participants
- endeavored to encompass all-inclusive services for community members

Youth Volunteer Award

(in recognition of an Outstanding Youth Volunteer)

Students throughout the Cape Breton Regional Municipality who attend area schools or post-secondary institutions will be considered for this Youth Volunteer Award. Open to students age 25 and younger.

The award is based on the following criteria:

- demonstrated a balance between volunteering for school, community projects and/or community organizations
- shown that his/her volunteer activities have taken place in a variety of areas or for a variety of purposes
- volunteers a significant number of hours on a regular basis for specific major projects
- shown that his/her leadership has had an impact through volunteering

Proclamation

Multiple Sclerosis Awareness Month - 2018

- Whereas:** Multiple Sclerosis is a chronic, often disabling neurological disease affecting an estimated 100,000 Canadians;
- And Whereas:** Multiple Sclerosis symptoms vary widely and may lead to problems with numbness, coordination, vision and speech, as well as extreme fatigue and even paralysis;
- And Whereas:** There is no known cause or cure for Multiple Sclerosis;
- And Whereas:** The Multiple Sclerosis Society of Canada, founded in 1948 is the only national voluntary organization in Canada that supports both MS research and services for people with MS and their families;
- Whereas:** The MS Society has provided more than \$100 million for MS research in sixty years, as well as a wide range of programs and services for people with MS and social action;
- Be It Therefore Resolved:** That CBRM Mayor Cecil P. Clarke and Council hereby declare the month of May, 2018 as “Multiple Sclerosis Awareness Month” and encourage residents to attend a Flag Raising on Tuesday, May 1st at 11:00 a.m. at City Hall to raise more awareness to finding a cure.

Councillor Ivan Doncaster
District #7 - CBRM

April 24, 2018

PROCLAMATION

“Lyme Disease Awareness Month – May, 2018”

- Whereas:** Lyme disease is a serious illness caused by the bite of a black-legged tick infested with the bacterium *Borrelia burgdorferi*;
- And Whereas:** Black-legged ticks carrying a variety of diseases or illnesses can now be found in all parts of Nova Scotia;
- And Whereas:** Awareness, education and practicing preventative measures, such as daily tick checks and proper tick removal can help reduce your chances of contracting tick borne diseases;
- Be It Therefore Resolved:** That CBRM Mayor Cecil P. Clarke and Council, proclaim May, 2018 as “Lyme Disease Awareness Month” in the Cape Breton Regional Municipality.

Councillor Jim MacLeod
CBRM District #12

April 24th, 2018

PROCLAMATION

NORTH AMERICAN OCCUPATIONAL SAFETY AND HEALTH WEEK “Making Safety a Habit”

- Whereas:** The residents of the Cape Breton Regional Municipality value safe and healthy workplaces for all of our citizens; and
- And Whereas:** The majority of workplace injuries and fatalities are preventable, however more than 900 workers in Canada and 21 in Nova Scotia die each year from job related injuries, and thousands more suffer occupational injuries and illnesses; and
- And Whereas:** Businesses spend more than \$245 million a year on the costs of the most disabling workplace injuries tied to occupational injuries, health care and illnesses in Nova Scotia.
- And Whereas:** Safer organizations enjoy increased productivity, higher employee satisfaction and a better reputation, while recording less lost time, and lower workers’ compensation and healthcare costs;
- And Whereas:** During the week of May 7 -12, 2018 North American Occupational Safety and Health Week (NAOSH), Government, businesses and corporate/association partners representing businesses will mobilize in an effort to increase employer, employee and public awareness of being safe and healthy at work and encourage all industries, organizations, community leaders, employers and employees to support activities designed to increase the importance of safe workplaces for all
- Be It Therefore Resolved:** That CBRM Mayor Cecil P. Clarke and Council proclaim the week of May 7th to May 12th, 2018 as “North American Occupational Safety and Health Week” in the Cape Breton Regional Municipality.

Deputy Mayor Eldon MacDonald
CBRM District #5

April 24, 2018

CBRM PROCLAMATION

Annual Day of Mourning

Whereas: Every year, more than 1,000 Canadian workers are killed on the job;

And Whereas: Thousands more are permanently disabled;

And Whereas: Thousands of others die from cancer, lung disease, and other ailments caused by exposure to toxic substances at their workplaces;

And Whereas: April 28th of each year has been chosen by the Canadian Labour Congress as:

- A Day of Mourning for these victims of workplace accidents and disease;
- A day to remember the maximum sacrifice they have been forced to make in order to earn a living;
- A day to renew approaches to governments for tougher occupational health and safety standards, and more effective compensation;
- A day to rededicate ourselves to the goal of marking Canada's workplaces safer.

Be It Therefore Resolved: That CBRM Mayor Cecil P. Clarke & Council proclaim April 28th, 2018 as an annual Day of Mourning in recognition of workers killed, injured or disabled on the job.

Councillor Earlene MacMullin
CBRM District #2

April 24, 2018

RESOLUTION

Motion 110

(Parents Who Have Suffered the Loss of an Infant Child)

Whereas:

Gardens of Grace supports parents who have suffered an early loss of child, an infant child, including in cases of Sudden Infant Death Syndrome (SIDS);

And Whereas:

On April 26, 2018, Motion 110 will be presented in Ottawa by Member of Parliament Blake Richards, in support of Gardens of Grace by asking that the Standing Committee on Human Resources, Skills and Social Development and the Status of Persons with Disabilities be instructed to undertake a study of the impact on parents who have suffered the loss of an infant child; to consider ways to improve the level of compassion and support for grieving parents; and to ensure that parents do not suffer any undue financial or emotional hardship as a result of the design of government programming, particularly from Employment Insurance Parental Benefits;

And Whereas:

MP Richards will also request that the Committee hold a minimum of six meetings to hear from witnesses that include parents who have lost an infant to SIDS, organizations who advocate for SIDS families, experts in the area of grief counselling, as well as officials responsible for the Employment Insurance Parental Benefits program; and that the Committee report its findings and recommendations to the House within six months of the adoption of this motion, and that it be instructed to request a comprehensive government response to its report, pursuant to Standing Order 109;

Be It Therefore Resolved:

That CBRM Mayor Cecil P. Clarke and Council go on record in support of the efforts of the Garden of Grace and MP Blake Richards by writing to MP Mark Eyking and MP Rodger Cuzner encouraging that they support Motion 110 on April 26, 2018.

Councillor Amanda McDougall
CBRM District #8

April 24, 2018

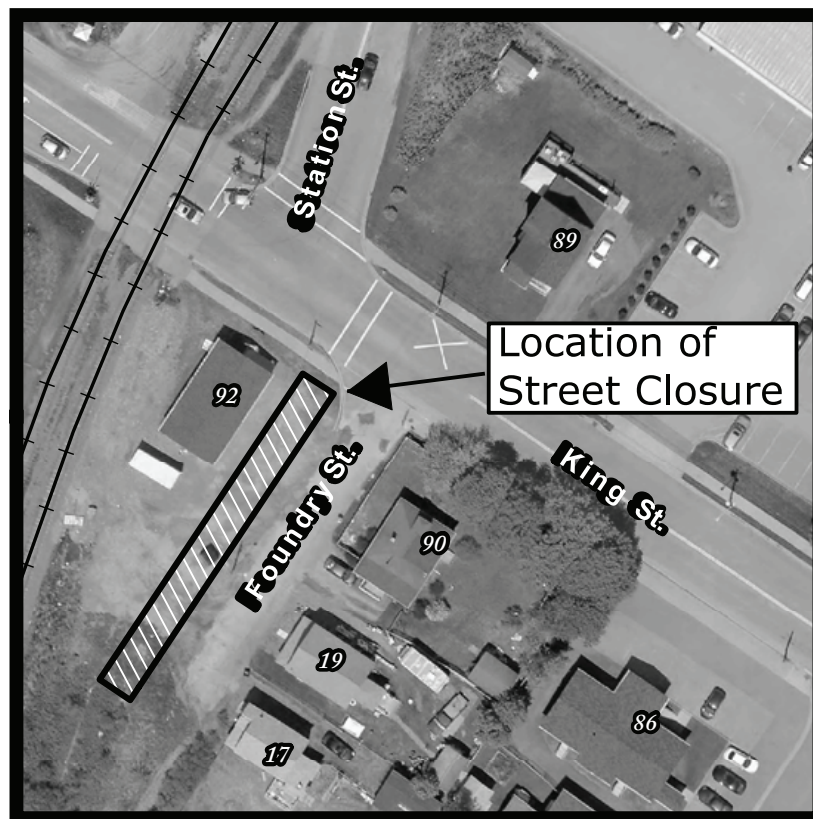


NOTICE - STREET CLOSING

Portion of Foundry Street
(or Road Reserve known as Foundry Street),
North Sydney, Nova Scotia,
Measuring Approximately 2,846 +/-

TAKE NOTICE that the Council of the Cape Breton Regional Municipality intends to close a 15 foot wide by 150 feet in depth (more or less) portion of Foundry Street (or Road Reserve known as Foundry Street), North Sydney, Nova Scotia, Measuring Approximately 2846 square feet +/- more or less, which is more particularly delineated on a plan of survey prepared by MacLean Surveying Ltd., NSLS, dated 05 February 2018.

A public hearing in relation to the closing of a portion of the said Road Reserve will be held on Tuesday, the 24th day of April, 2018, at 6:00 p.m. at the Council Chambers, 2nd Floor, Civic Centre, 320 Esplanade, Sydney, Nova Scotia, at which time Council will hear those in favour and those opposed to the closing of a portion of this alleyway.





ISSUE PAPER

TO: Mayor and Council

FROM: Demetri Kachafanas
Regional Solicitor

SUBJECT: Request for Street Closure and Sale (PID 15723323)
Portion of Road Reserve off King Street, North Sydney
(File No. 07589)

DATE: April 24th, 2018

As presented to council on December 12th, 2017, a request from Fred Anderson, owner and operator of Sam's Auto Glass located at 92 King Street, North Sydney was received for a street closing. At that time council passed a motion directing staff to begin the process required for the closure of a public street.

Pursuant to the Municipal Government Act a public hearing is required at which time Council will hear those in favour and those opposed to the closing of the said street.

Mr. Anderson's property (PID 15564313) lies adjacent to a Road Reserve identified as Foundary Street (PID 15723323). He is requesting portion of Foundary Street be closed and sold to him to allow for additional space required for access his garage and parking. Please see the attached map (Attachment "A") showing the requested property outlined in Red.

Malcolm Gillis, Director of Planning supports Mr. Anderson's request and has recommended a portion measuring 15 feet wide by 150 feet in depth (2250 sq. feet) be conveyed to Mr. Anderson. Public Works has confirmed their department has no issues with the proposed street closing and sale as depicted on the attached map.

RECOMMENDATION:

Based upon all information presented to the legal department to date, we recommend Council provide a Motion approving the partial street closure as shown on the attached map and convey the same to Fred Anderson at market value.

Thank you.

Respectfully submitted,

Originally Signed By

Demetri Kachafanas
Regional Solicitor

A

King Street

Station Street

PID 15564313
Fred Anderson

Foundry Street

PID 15723323
CBRM Lot Parcel
15ft x 150ft



Fred Anderson, Owner and Operator of Sam's Auto Glass - (PID 15723323) Portion of Road Reserve off King Street, North Sydney:

Mr. Demetri Kachafanas, Regional Solicitor, advised that the Legal Department is in receipt of a request from Fred Anderson, owner and operator of Sam's Auto Glass, located at 92 King Street, North Sydney. Mr. Anderson's property (PID 15564313) lies adjacent to the Road Reserve identified as Foundry Street (PID 15723323). He is requesting the portion of Foundry Street be closed and sold to him to allow for additional space required for access to his garage and parking.

Mr. Kachafanas noted that the Director of Planning and Development supports Mr. Anderson's request and that Public Works has confirmed their department has no issues with the proposed street closing and sale.

Motion:

Moved by Councillor MacMullin, seconded by Councillor Prince, that staff be directed to begin the street closure process for portion of a Road Reserve off King Street, North Sydney (PID 15723323) and that the property be sold to Fred Anderson at market value.

Motion Carried.

Request from Mark Head to Amend the Municipal Planning Strategy and Land Use By-law to allow for a Marine Assembly and Repair Facility at 62 Birch Grove Road, Port Morien (PID 15372089)

Motion:

Moved by Councillor McDougall, seconded by Councillor George MacDonald, to authorize the Planning and Development Department staff and the local Councillor to conduct a Public Participation Program to consider the request from Mark Head to amend the Municipal Planning Strategy and Land Use By-law to allow for a Marine Assembly and Repair Facility at 62 Birch Grove Road, Port Morien (PID 15372089); and the results of the Public Participation Program would be brought back to Council with a recommendation on how to proceed. In addition, if this application request is to proceed to a Public Participation Program, Mr. Head should be directed to submit the necessary application fee and site plan, and a decision regarding the purchase of the property should be made by Mr. Head prior to amending the Municipal Planning Strategy.

Motion Carried.



To: CBRM Council

FROM: Karen Neville

**SUBJECT: Municipal Planning Strategy and Land Use By-law
Amendment Application 1038
Mark Head
62 Birch Grove Road, Port Morien
(PID 15372089)**

DATE: April 6th, 2018

Introduction

Mark Head has expressed interest in purchasing the former Gowrie School located at 62 Birch Grove Road, Port Morien (PID 15372089) from the CBRM to house his fishery vessel and equipment repair and construction operation (Attachment A). The property in question is zoned Small Urban Community (UCS) and while the UCS zone does permit some non-residential uses, it does not permit fishery vessel and equipment repair and construction.

In addition to having to amend the Land Use By-law (LUB), the Municipal Planning Strategy (MPS) would also need to be amended to permit fishery vessel and equipment repair and construction on this property. The MPS policies associated with small urban communities and the fishery industry are both silent on fishery vessel and equipment repair and construction. According to the *Municipal Government Act*, prior to considering an amendment to the MPS, Council must complete a public participation program. On October 24th, 2017, Council passed a motion directing staff to initiate a public participation program.

Public Participation Program

Twenty five notices were mailed out to property owners in the vicinity of PID 15372089 requesting input on the proposed amendment. It should be noted that this notice included a statement that a lack of response will be interpreted as meaning that there is no objection to the proposed land use policy change. Of those that took the time to respond, six individuals expressed support and four individuals had concerns about the proposed development. Concerns raised included:

Proper disposal of refuse

- To address this, Francis Campbell, Manager of Solid Waste, has indicated that applicant will be required to submit waste management plan.

Fumes from the development

- Most of the work associated with the fishery vessel and equipment repair and construction will be contained in the building. The building will need to be equipped with a ventilation system in accordance with the Building Code.
- The Amending By-law requires the use be setback from residential dwellings and be screened from a public street/road and any residential dwelling (Attachment D).

- Mr. Head is currently operating a fishery vessel and equipment repair and construction operation within the community of Port Morien, which is located in close proximity to residential development, and no complaints have been received by CBRM.

Increase in traffic

- The traffic generated by this development will be fair less than was once generated by the Gowrie School.

Evaluation

The area surrounding the property in question is predominantly residential; however, there is a Nova Scotia Transportation and Infrastructural Renewal fleet maintenance operation, an auto-body repair business, and a legion in the area (see Attachment B). While there are 17 single detached dwellings and a fifteen unit seniors complex in the area outlined in red on Attachment B, there are no residential dwellings within 300 feet of the former school building.

The applicant initially intends on utilizing the existing school building, but may construct a new building in the future. The property currently has a good stand of tree along all of its boundaries and for the most part the building is not visible from the street. Applicant does intend on maintaining as much of the existing vegetation as possible to screen the outdoor storage of fishery equipment from adjacent properties. The proposed Amending By-law includes provisions requiring the screening of any outdoor storage.

Port Morien is a community with a history of fishery activity which continues to have a working fishery waterfront. The applicant would like to repair and build fishing vessels and equipment in a community where the fishing industry has been a main industry for generations. The property is also less than a kilometre from Federal docking facilities and boat storage area.

The majority the individuals that took the time to participate in the public participation program expressed support. The concerns that were raised have been addressed in the draft Amending By-law (Attachment D) and by the requirement to submit a waste management plan. The CBRM has not received complaints about fumes or traffic associated with Mr. Head's current fishery vessel and equipment repair and construction operation.

Due to the fact the MPS policies associated with small urban communities and the fishery industry are both silent on fishery vessel and equipment repair and construction, the history of fishing activity in the community, the proximity of a working fishery waterfront, and the fact Mr. Head is currently operating the business in the community it is reasonable to consider Mr. Head's request.

Recommendation

I recommend that Council schedule a Public Hearing to consider this amendment at the May meeting of Council.

The draft Amending By-law to the Municipal Planning Strategy can be found in Attachment C.

The draft Amending By-law to the Land Use By-law can be found in Attachment D.

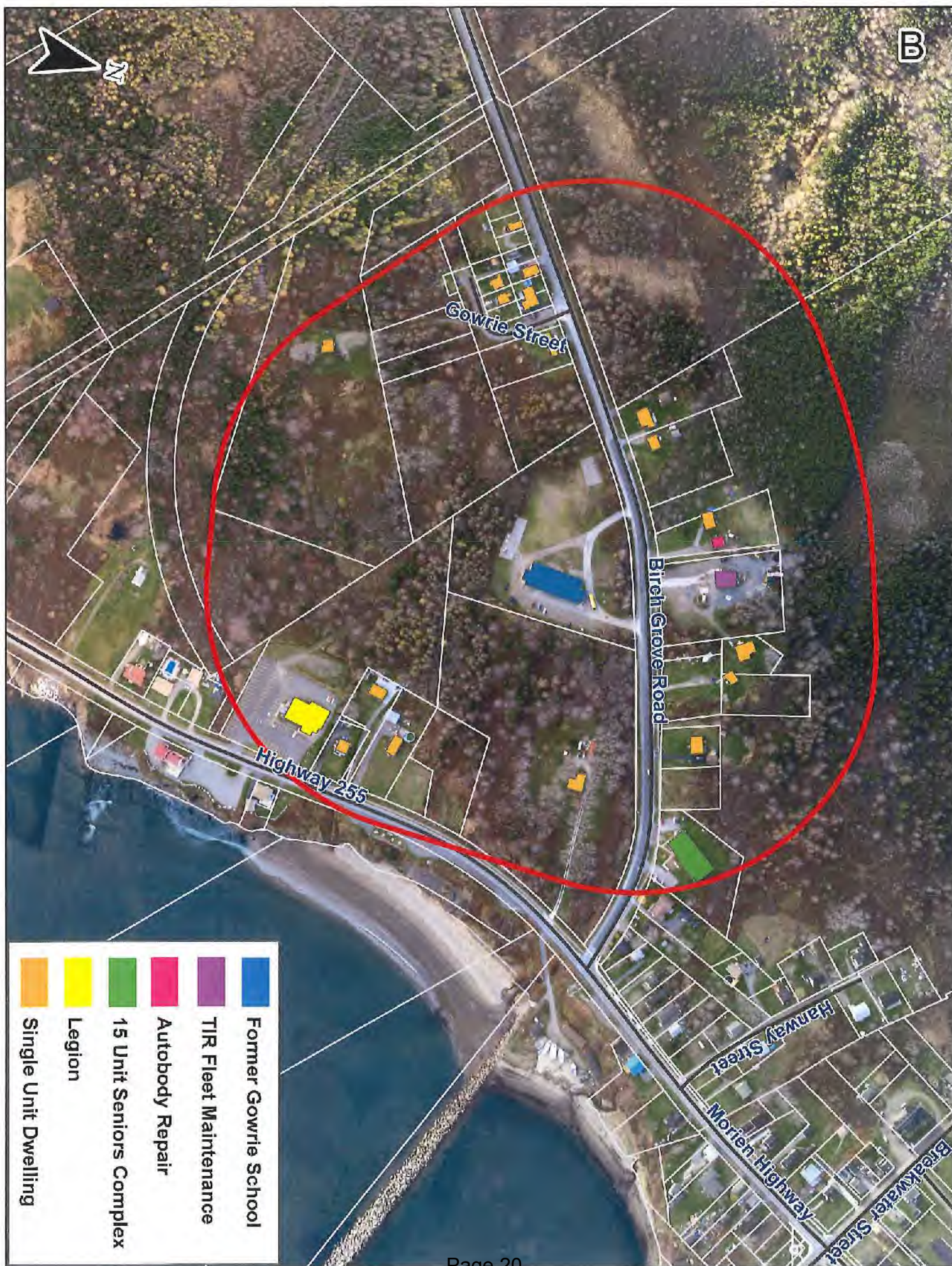
Submitted by:

Originally Signed by

Karen Neville

Planning and Development Department





B

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 of the Municipal Planning Strategy is hereby amended by adding the following:

- 3 k It shall be a Policy of Council to permit the repair and construction of vessels and equipment used in the fishery anywhere in any small urban community with an economic base of which had a significant fishery component subject to zoning provisions in the Land Use By-law.

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 40 Small Urban Communities (UCS) Zone, Section 1 UCS Uses Permitted of the Land Use By-law is hereby amended by adding the following under 'service – only the following':

- fishery vessel and equipment repair and construction *subject to Section 9*

THAT: Part 40 Small Urban Communities (UCS) Zone of the Land Use By-law hereby amended by adding the following:

Section 9 Fishery Vessel and Equipment Repair and Construction

- All land uses, buildings and structures subject to this Section shall be a minimum of 300 feet from a residential dwelling.
- Outdoor storage of equipment shall be screened from a public street/road and any residential dwelling to soften their starkness by opaque vegetative, or topographic screen, or combination thereof.

THAT: Part 98 Definitions of the Land Use Bylaw is hereby amended by adding the following:

Fishery Vessel and Equipment Repair and Construction means a service use associated with the restoration of a vessel used in the fishery, or equipment used in the fishery, or the construction of a vessel or equipment used in the fishery which is not conducted under assembly line conditions. The construction and repair of marine recreational vessels could be considered an ancillary use.

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

Approval to Advertise: Zoning Amendment Application #1044: Ray Embree – Herbert Street, Sydney (PID 15092505):

Motion:

Moved by Councillor Paruch, seconded by Councillor MacLeod, that a recommendation be made to Council for approval to advertise notice of a Public Hearing to be held at the May meeting of Council, to consider the Zoning Amendment Application #1044 by Ray Embree, to construct a four unit apartment building on Herbert Street, Sydney (PID15092505).

Discussion:

During discussion, some of the issues raised included:

- Attendance by area residents at the Public Hearing;
- Staff recommendation to reject the application;
- Building footprint of the proposed four-unit apartment building (i.e. one story).

Motion Carried.



TO: CBRM Council

FROM: Karen Neville

**SUBJECT: ZONING AMENDMENT APPLICATION – 1044
Ray Embree
Herbert Street, Sydney
PID 15092505**

DATE: March 26th, 2018

Introduction

The Planning and Development Department has received a zoning amendment application from Ray Embree requesting permission to construct a four unit apartment building on Herbert Street, Sydney (PID 15092505) [Attachment A]. The property is zoned Residential Urban C (RUC) which only permits one and two unit residential dwellings; as a result, Mr. Embree has requested the zoning on the property be amended.

The area surrounding the property in question is predominantly low density residential. According to CBRM records, the immediate area, which is outlined in blue on Attachment A, is comprised of 62 single detached dwellings, 15 two-unit dwellings, the Centennial Complex and a church. With the exception of the Cape Breton Housing Authority development located on Terrace Street, the neighbourhood is comprised of low density one and two unit dwellings. Only 15% of the homes in this area (11 out of 72) are owner unoccupied, which means the majority of the property owners in this area actually live in the neighbourhood. It would appear the current zoning evidently fits the streetscape.

What Does the Municipal Planning Strategy Say?

The Land Use By-law defines an apartment building as a residential building containing three or more dwelling units. Less than 16% of the dwelling units in the CBRM are within an apartment building. For this reason there are very few urban residential neighbourhoods with a concentration of high density development that would warrant permitting apartment building development as-of-right. That being said there are several statements and policies in the Municipal Planning Strategy (MP5) which outline the circumstances where higher density residential developments like apartment buildings should be considered.

In the Part of the MPS devoted to residential development, the introductory policy statement focused on apartment building development reads as follows...

"The degree of acceptance within any given neighbourhood shall be based on four broad suppositions:

- 1. apartment building developments are essentially an urban type of land use with urban service needs (the rare exceptions are primarily public housing for seniors or the conversion of former community service buildings);*

2. *the majority of apartment building tenants often have different service needs than those of our constituency who own their own homes;*
3. *the larger scale of apartment building development has a likely potential to conflict with smaller scale low density residential development in cloistered neighbourhoods (i.e. residential neighbourhoods only accessible via local streets that are overwhelmingly used by neighbourhood traffic); and*
4. *apartment building development can contribute to the vitality of our downtowns if allowed to proliferate within, in proximity to, or along the major routes leading to, our central business districts."*

Evaluation of this development proposal's compliance with each of the above mentioned policy statements:

1. This is a fully serviced urban neighbourhood (i.e. both CBRM water and sanitary sewer is available).
2. Tenants of an apartment building are often less likely to own a car and are more inclined to want to be close to the amenities and services found in the center of urban communities or in proximity to regional shopping centers.
3. While the apartment building proposed is only one storey (Attachment C) it will be more than two times the footprint of the average residential building on Herbert Street (between Terrace Street and High Street)
4. The subject property is more than a kilometre away from downtown Sydney.

The next pertinent policy statement in the MPS says...

"The following hierarchy of site and situation criteria shall influence where apartment building development is most encouraged to occur, and to what degree it is to be regulated:

1. *Within the central business districts of the major urban concentrations of the CBRM;*
2. *Within neighbourhoods in proximity to the central business districts;*
3. *Along the higher level public streets/roads linking our central business districts with the surrounding neighbourhoods and communities;*
4. *In proximity to other concentrations of sales/service/ business developments;*
5. *In other locales where they are already prevalent; and*
6. *All other urban service areas."*

The property is more than a kilometre away from downtown Sydney. Herbert Street is a Level 5 street with a very low traffic volume. Other than a convenience store located on Terrace Street, there are no other business developments within the neighbourhood. The neighbourhood is predominantly comprised of low density developments of one and two unit dwellings. Based on the above criteria, this is not the most ideal location for higher density residential development.

When the current zoning does not permit the scale of a proposed residential development it is a policy of the MPS that Council may consider a zoning amendment. If a zoning amendment is considered, the MPS provides a list of six criteria Council must use to evaluate the merits of the zoning amendment application. The criteria are listed below along with an evaluation of the proposed application.

- The development proposal must include a landscaping plan to buffer and screen low density residential uses from the starker ancillary components of the site (e.g. parking spaces, driveways, utility facilities, etc.)

Other than showing a landscaped area between parking spaces, the site plan does not indicate the applicant's plan for landscaping (Attachment B). Mature vegetation borders the property, provisions for the retention of existing vegetation could be included in a site specific zone.

- an on-site parking and vehicular maneuvering plan which does not exacerbate traffic movement problems along any public street/road abutting the site shall be included;
- traffic emanating to and from the site shall not significantly increase the volume of traffic along any public street/road it will be accessing;

Four parking spaces must be provided to be in compliance with the parking standards of the Land Use Bylaw. The proposed site plan depicts the location of the proposed parking (Attachment B). The criteria to evaluate increased traffic is more relevant when considering a zone amendment for a much larger apartment building.

- The development proposal must mitigate the potential adverse effects any significant buildings will have on much smaller scale low density residential buildings.
- The site plan and building design must respect any aesthetic aspects of the streetscape that are easily discernable;
- Any adverse effects such as bulk and height resulting from a significantly greater scale than existing residential development in proximity shall be mitigated.

The proposed four unit building will be more than double the footprint of the average residential buildings along Herbert Street. While landscaping on the surrounding properties is modest, the applicant has not provided a landscaping plan for the property. A site specific zone could include requirements for retention of existing vegetation or the installation of screening to mitigate impacts on surrounding development.

When considering a proposed amendment for an apartment building the MPS states that the purpose of zone amendment is to ensure that the apartment building does not adversely affect low density residential development in the vicinity. The MPS also states that the allowable density and scale of an apartment development within a neighbourhood shall be correlated based on:

- the level of the public street/road accessing the site;
- the variety of land use types in the vicinity; and
- the existing development densities in a given neighbourhood;

Development aspirations of those who invested in the immediate area and the above mentioned zoning provisions have provided a level of consistency which has resulted in the low density residential development in this area. Herbert Street is Level S Street in the CBRM street network hierarchy (i.e. a street with a very low traffic volume) which only serves local traffic. With the exception of the Cape Breton Housing Authority development located on Terrace Street, the area immediately surrounding Herbert Street is comprised of low density residential development majority of which are single unit dwellings. Planning Department staff believe approving this zoning amendment sets a precedent for all low density residential neighbourhood comprised of exclusively one and two unit dwellings that may require a Planning Strategy policy change to support it.

Recommendation

Based on the reasons explained in this issue paper, there are justifiable reasons according Municipal Planning Strategy policy to reject this zoning amendment application and that is my recommendation. However, at this stage of the legal process Council is only being asked to schedule a Public Hearing. If you want to hear what the residents and property owners of the neighbourhood have to say a Public Hearing

would be their forum. A site specific, use specific zone would be created to regulate this development if Council approves it.

Council's choices are to:

Reject this application without conducting a Public Hearing.

Pass a Motion to conduct the Public Hearing and render a decision afterwards.

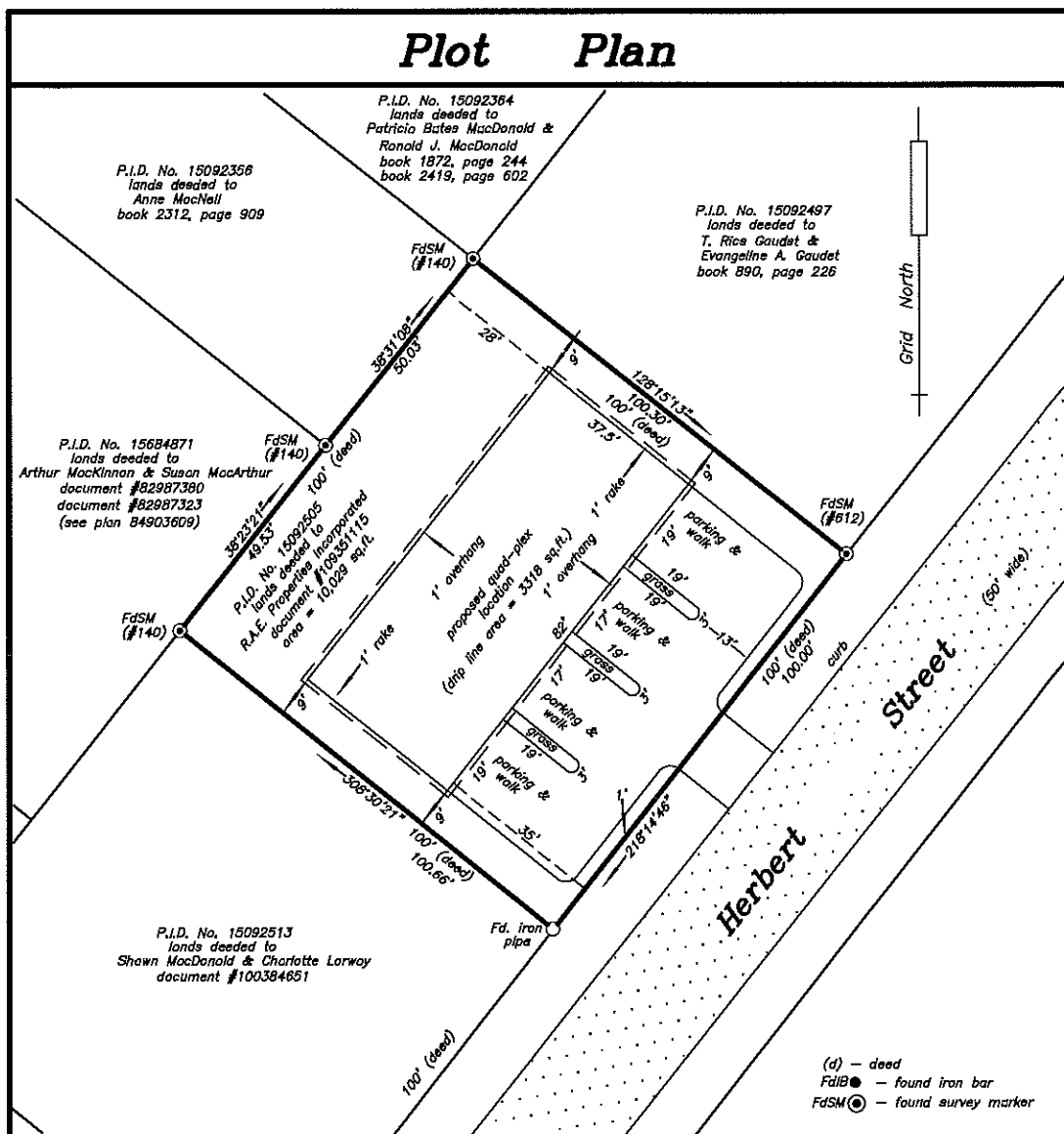
Submitted by:

Originally Signed by

Karen Neville

Planning and Development Department





Certified to: R.A.E. Properties Incorporated
169 Herbert Street, Sydney
Cape Breton Regional Municipality, Nova Scotia

NOTE: Clearances shown are perpendicular to the boundary and are to the closest corners of the facing of the structure. Clearances are defined to a tolerance of 1'.

I, David Attwood, Nova Scotia Land Surveyor, hereby certify that this Surveyor's Location Certificate was prepared under my supervision and in accordance with the Land Surveyors Act, Regulations and Standards made there under.

Dated _____

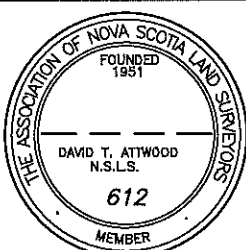
I have supervised an inspection of the subject lands and have caused such measurements to be made as I deemed necessary to certify that:

(1) The proposed quad-plex shown hereon is located entirely within the boundaries of the subject lands as said boundaries are defined by deed: see document #109351115

(2) Cultural features shown hereon are located to plotting accuracy unless specifically dimensioned.

(3) All easements, documented in the deed recorded in n/a in the County of Cape Breton, are reflected hereon.

No further certification or assurance is implied by or to be inferred from this document. This Surveyor's Location Certificate is not to be used for boundary definition or as a reference document for the preparation of legal descriptions.



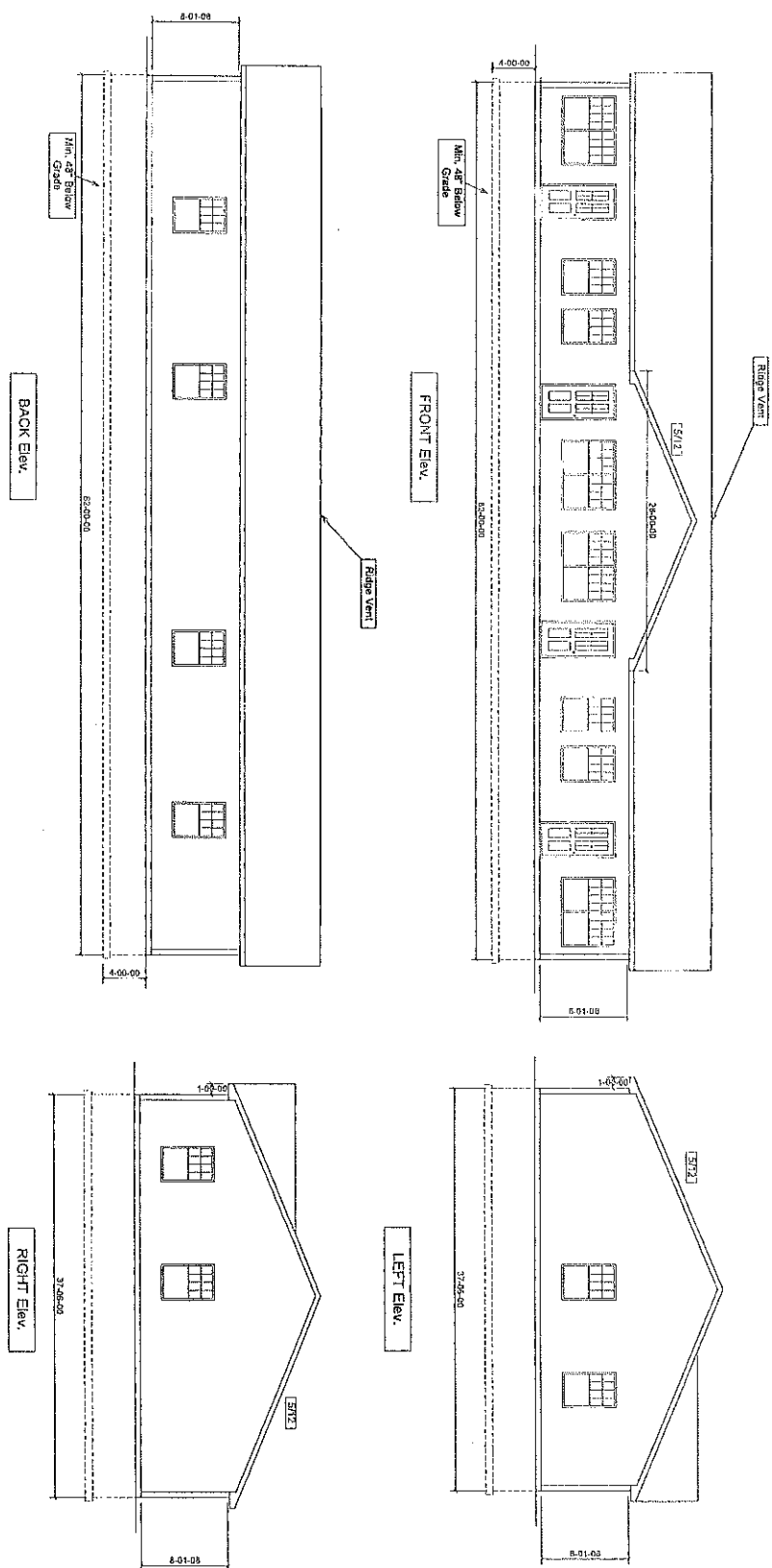
Attwood
Surveys
Limited

441 MORRISON ROAD, SYDNEY
CAPE BRETON, NS B1M 1B7
PHONE: 564-9183 FAX: 564-9066
E-mail: attwoods-surveys@seasidehighspeed.com

field:
DATE: office:

SCALE: 1"=30'

SLC#:



Approval to Advertise: Land Use By-Law Text Amendment Application #1045 – Keltic Drive Business Corridor (KBC) Zone - Breton Law Group:

Motion:

Moved by Councillor Gillespie, seconded by Councillor Coombes, that a recommendation be made to Council for approval to advertise notice of a Public Hearing to be held at the May meeting of Council, to consider the text amendment application #1045 by the Breton Law Group to allow the operation of a boarding kennel and an animal sitting establishment on PID 15199870 located in the Keltic Drive Business Corridor (KBC) Zone.

Motion Carried.



TO: General Committee Council

FROM: Karen Neville

**SUBJECT: LAND USE BY-LAW TEXT AMENDMENT
APPLICATION – 1045
Keltic Drive Business Corridor (KBC) Zone
Breton Law Group**

DATE: March 26th, 2018

Introduction

The Planning and Development Department has received a text amendment application from the Breton Law Group on behalf of their client. Breton Law Group is representing an individual that would like to operate a boarding kennel and an animal sitting establishment on a property on Keltic Drive (PID 15199870) [Attachment A].

Why an amendment is necessary for this development?

The property in question (PID 15199870) is located in the Keltic Drive Business Corridor (KBC) Zone (Attachment A). The KBC zones permits a range of manufacturing, recreational, residential, sales, service, and transportation uses. That being said, the KBC zone specifically identifies kennels, animal shelters, and animal sitting establishments as not permitted in areas with municipal water and sewer. PID 15199870 is located in an area of the KBC Zone serviced by municipal water and sewer; as a result, the applicant is requesting Council consider a text amendment to permit the proposed uses.

Evaluation

Since only a small percentage of the area zoned KBC is serviced by municipal water and sewer, the proposed uses would be permitted as of right in the majority of the area zoned KBC. In fact, the area of the KBC zone serviced by both municipal water and sewer is comprised predominantly of sales and service uses. It is reasonable to locate a kennel and animal sitting establishment in a sales and service area away from residential development (Attachment B).

The commercial self-storage facility located on the property will continue to operate and it is the applicant's intention to construct a new building for their boarding kennel operation to the rear of the existing buildings. The applicant also plans on planting trees to screen the new operation from adjacent sales and service businesses.

In addition to complying with the provisions of the Land Use By-law, boarding kennels and animal sitting establishment are regulated under the CBRM's Dog By-law and must be licenced in accordance with this By-law.

Recommendation

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

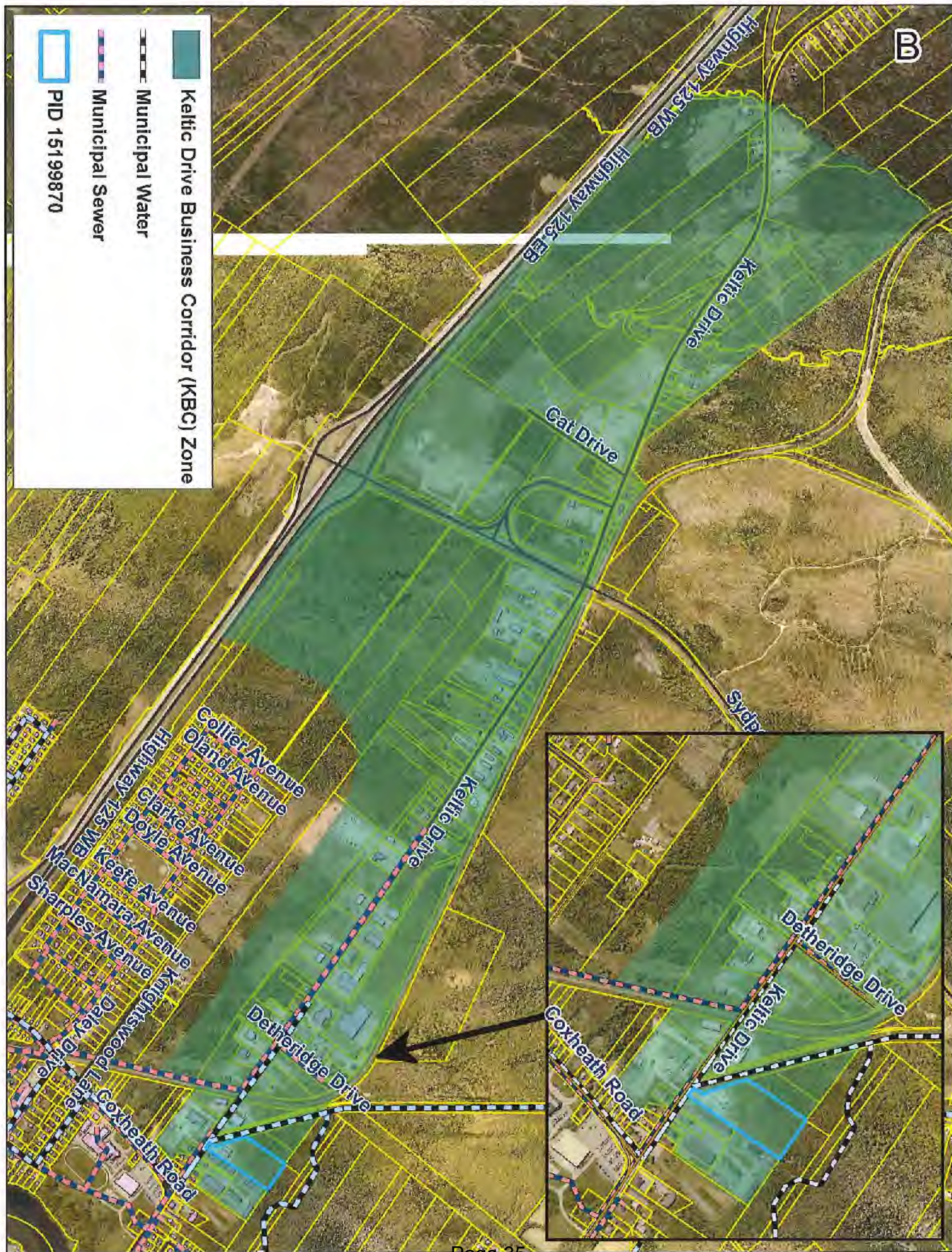
A draft of the Amending By-law can be found in Attachment C.

Submitted by:

Originally Signed by

Karen Neville
Planning and Development Department





By-law
of the Cape Breton Regional Municipality
amending the

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

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

THAT: Part 10 Keltic Drive Business Corridor (KBC) ZONE, Section 1 KBC Uses Permitted of the Land Use By-law is hereby amended by deleting the following:

kennels are not permitted in areas serviced with both Municipal water and sewer

THAT: Part 10 Keltic Drive Business Corridor (KBC) ZONE, Section 1 KBC Uses Permitted of the Land Use By-law is hereby amended by deleting the following:

animal shelters and animal sitting establishments are not permitted in areas serviced with both Municipal water and sewer

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



TO: CBRM Council

FROM: Karen Neville

**SUBJECT: MUNICIPAL PLANNING STRATEGY
AMENDMENT APPLICATION – 1042
Kent Building Supplies Ltd
GRAND LAKE ROAD, GRAND LAKE ROAD
PID 15603590**

DATE: April 13th, 2018

Introduction

The Planning and Development Department has received an amendment request from WSP on behalf of Kent Building Supplies Ltd for PID 15603590 located adjacent to Grand Lake Road (Attachment A). Kent Building Supplies Ltd. is looking to purchase a 100 acre property (PID 15603590) to construct a Kent Building Supplies store and possibly future commercial and residential phases (Attachment B).

Why Amend the Land Use By-law?

The property in question is zoned Arterial Business Corridor (ABC) and Residential Urban C (RUC) [Attachment C]. While the ABC zone would does permit a building supplies dealership, the RUC zone does not. Part 10, Policy 17, of the Municipal Planning Strategy Policy (MP5) indicates Council may consider a zone amendment to a zone immediately adjacent. In this case, the proposed zone requested is the ABC zone is immediately adjacent to the RUC zone, and therefore the request is in keeping with the Part 10, Policy 17.

Why Amend the Municipal Planning Strategy?

In addition to having to amend the Land Use By-law (LUB), the Municipal Planning Strategy (MPS) would also need to be amended to permit a new sales and service use on this property. The CBRM and the Nova Scotia Department of Transportation and Infrastructure Renewal (TIR) jointly commissioned a traffic study of Grand Lake Road/Sydney Road. The purpose of the corridor study was to make recommendations on how the both levels of Government can manage the flow of motor vehicle traffic along Grand Lake Road between Sydney and Glace Bay because of the two conflicting uses of this corridor i.e.

- as a commuter route between the two largest urban communities in the CBRM; and
- as a highly sought out business development corridor because of its significant volumes of motor vehicle traffic.

Based on the recommendation of this study, the MPS contains a policy that states no new business developments on previously undeveloped sites, or sites unoccupied with business development, shall be permitted along this corridor, unless the site can be accessed via a signalized intersection (Part 2, Policy 5.b.3). The applicant is proposing that a new business development be located within this corridor which will be accessed by a roundabout. Since roundabout is not listed as an option to manage traffic flow, the applicant is requesting roundabout be added to Part 2, Policy 5.b.3.

Because Part 2, Policy 5.b.3 was the result of a joint study between CBRM and TIR, a change in policy should be supported by TIR. In a letter dated March 28th, 2018, TIR confirmed their support for an amendment to the MPS to include roundabout as an acceptable option to access new development along this corridor (Attachment D). It should be noted that an amendment to Part 2, Policy 5.b.3. would not just apply to the proposed location of Kent Building Supplies, but that it would apply to any new business development along this sector of Grand Lake Road/Sydney Road with a speed limit greater than 60 kilometres per hour.

Next Steps

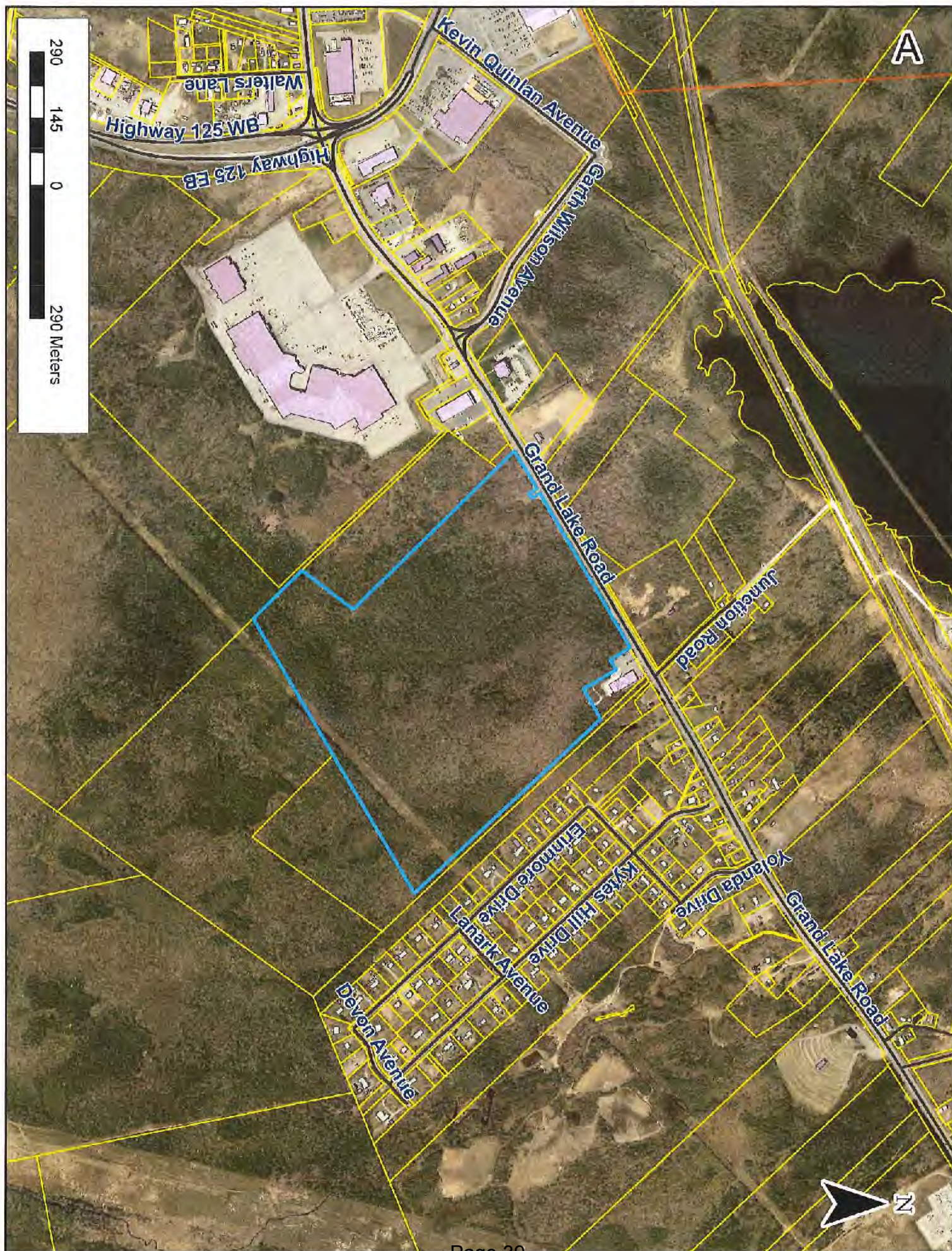
When an individual requests an amendment to the Municipal Planning Strategy policy, Council has two options, either reject the applicants' request outright or ask staff to undertake a public participation program in accordance with the *Municipal Government Act*. A roundabout is an acceptable option to manage traffic flow, especially since it is an option supported by TIR; therefore, it is reasonable to proceed with a public participation program.

If Council chooses to proceed with a public participation program, staff will bring the results back to Council along with a detail evaluation of the request and a recommendation on how to proceed.

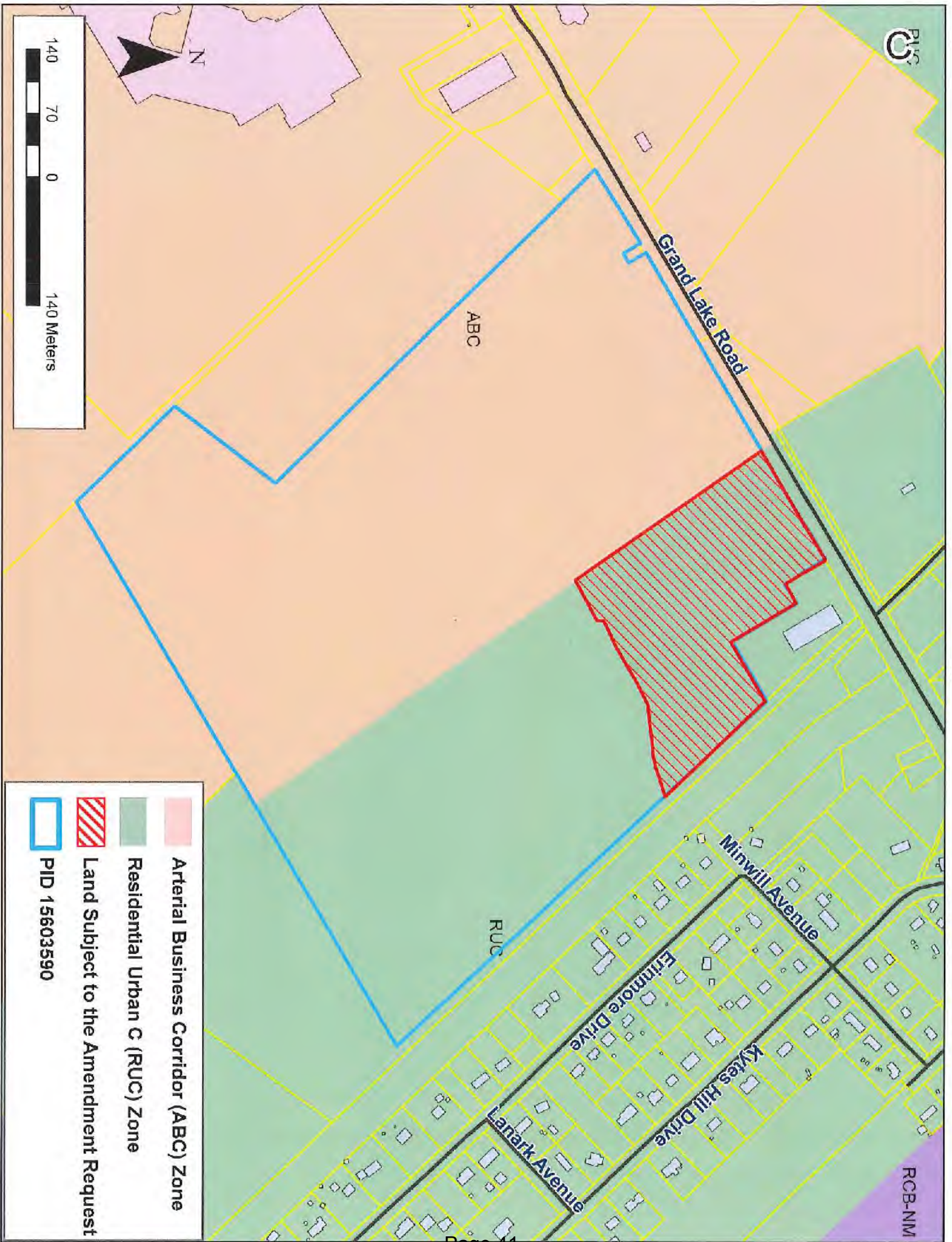
Submitted by:

Originally Signed by

**Karen Neville
Planning and Development Department**







March 28, 2018

Karen Neville, MCIP
Planner
Planning and Development Department
Cape Breton Regional Municipality
Suite 200, 320 Esplanade
Sydney, Nova Scotia B1P 7B9

Dear Ms. Neville,

This letter is to confirm the support of the Nova Scotia Department of Transportation and Infrastructure Renewal (TIR) for an amendment of the Municipal Planning Strategy policy to include full-movement signals or roundabout roadway intersections as a possibly acceptable option to access new business developments on previously undeveloped sites, or sites unoccupied with business development, along the Grand Lake Corridor.

Please contact me if you have any questions.

Regards,

Robyn Homans, P. Eng.
Area Manager - Cape Breton County

cc. Dwayne Cross, P. Eng., Access Management Engineer, NSTIR
Gerard Jessome, P.Eng., District Director - Eastern
Malcolm Gillis, Director Planning and Development, CBRM
Rick McCready, Senior Planner, CBRM

Library Lease Renewals - Dominion Library and Florence Library:

Motion:

Moved by Councillor Bruckschwaiger, seconded by Councillor Prince, that a recommendation be made to Council to renew the leases for the Dominion Library and Florence Library a further 5 years, and that the Mayor and Clerk be authorized to execute Lease Agreements for both Libraries.

Motion Carried.



CBRM

A Community of Communities

Legal Department
563-0865

ISSUE PAPER

TO: Mayor and Council

FROM: Demetri Kachafanas

SUBJECT: Library Lease Renewals
Dominion Library and Florence Library

DATE: April 24th, 2018

BACKGROUND INFORMATION:

The existing Leases for the Dominion Library and the Florence Library are up for renewal. In keeping with the terms of the current leases, we are seeking to renew for an additional five (5) years on both leases.

1. DOMINION LIBRARY – Dominion, NS

Currently renting 1,125 square feet from V&D Holdings Limited for the Dominion Library located at 78 Commercial Street, Dominion.

Previous Lease – Term: 5 years

Yearly Rent: \$12,741.24 plus HST based on \$11.33 per square feet (plus utilities)

*2% cost of living increase each year during the term of the Lease

Landlord has agreed to lease under the same terms and conditions subject to a 2% cost of living increase each year as committed in the prior lease.

2. FLORENCE LIBRARY – Florence, NS

CBRM presently rents 650 square feet from Edward J. MacDonald for the Florence Library situated at 676 Bras D'or Florence Road, Florence, NS.

Previous Lease – Term: 5 years

Yearly Rent: \$5,845.80 plus HST based on approx. \$9.00 per sq. ft. (plus electricity)

*2% cost of living increase each year during the term of the Lease

Landlord has agreed to lease under the same terms as conditions subject to a 2% cost of living increase each year as committed in the prior lease.

We have sought input from both CAO, Marie Walsh and Director of Buildings, Bill Murphy and have been advised that they have no issues with granting a renewal for these lease agreements.

RECOMMENDATION:

It is a recommendation of staff to renew both leases for a further 5 years. Therefore, I ask that a Motion be granted for the Mayor and Clerk to execute Lease Agreements for both Libraries.

Thank you.

Respectfully submitted

Original signed by

Demetri Kachafanas
Regional Solicitor

Engineering & Public Works Asset Management:

Motion:

Moved by Councillor Bruckschwaiger, seconded by Councillor MacLeod, that a recommendation be made to Council to direct Staff to apply for funding from the Municipal Asset Management Program in the total amount of \$50,000 with a direct cost to CBRM of \$10,000, in order to carry out the following activities:

- Complete a data collection Pilot Project in AutoCad Map, and
- Compile asset attributes on EPW assets from existing engineering drawings and GIS information (desktop exercise);

noting that CBRM's portion of the funding (\$10,000) is included in the Engineering and Public Works 2018/2019 Operating Budget.

Discussion:

During discussion, some of the matters raised included:

- Software requirements;
- Historical Data on file.

Motion Carried.



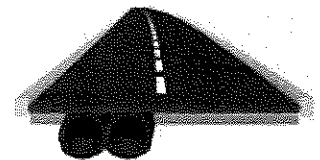
CBRM

ENGINEERING & PUBLIC WORKS

ASSET MANAGEMENT



EPW – ASSET MANAGEMENT



Purpose of the Presentation

- 1. Introduce the topic of Asset Management? (FCM Video)**
- 2. Request that Council pass a motion for staff to apply to the Municipal Asset Management Program (MAMP)**





EPW – ASSET MANAGEMENT

- **Vintage Infrastructure (Installed in 50s & 60s)**
 - This means increased operating, maintenance, and replacement costs now and into the future
- **2012 Canadian Infrastructure Report Card Findings**
 - Canada's core public infrastructure requires sustained funding
 - The state of Asset Management across the country has to be improved
- **Initiatives to Improve Asset Management in Canada**
 - % of Federal Gas Tax Program to be spent on Asset Management
 - Funding to assist municipalities develop Asset Management Plans (MAMP)



EPW – ASSET MANAGEMENT

- **Municipal Asset Management Program Fund (MAMP)**
 - Will provide 80% of the cost of an asset management related project up to \$50,000
- **EPW Project to Consolidate Asset Data into an Asset Register**
 - The purpose of the project being proposed is to collect and consolidate data on existing assets. (size, quantity, material, elevation, etc..)
 - Existing data would be consolidated in an AutoCad based Mapping software (AutoCad Map 3D)
 - The funding would be used to pay for some specific software training as well as the salaries for coop students to help with the data acquisition.
- **The Funding Application Requires a Motion by Council**



EPW – ASSET MANAGEMENT

Staff Recommendation:

That council passes a motion which directs staff to apply for funding from the Municipal Asset Management Program in the total amount of \$50,000 with a direct cost to CBRM of \$10,000, in order to carry out the following activities:

- Complete a data collection Pilot Project in AutoCad Map
- Compile asset attributes on EPW assets from existing engineering drawings and GIS information (desktop exercise)

CBRM's portion of the funding (\$10,000) is included in the Engineering and Public Works 2018/2019 Operating Budget.

.....
Questions

Provincial Capital Assistance Program (PCAP):

Motion:

Moved by Councillor MacLeod, seconded by Deputy Mayor Eldon MacDonald, that a recommendation be made to Council to direct staff to apply for funding from the 2018 PCAP Program prior to the application deadline of April 26th in the total amount of \$500,000 with a direct cost to CBRM of \$250,000, noting that CBRM's \$250,000 portion is included in the 2018-19 capital budget under the Sanitary Sewer Inflow and Infiltration Reduction Program.

Motion Carried.



Cape Breton Regional Municipality

DISCUSSION PAPER

April 3rd, 2018

To: Mayor and Council

Re: Provincial Capital Assistance Program (PCAP)

Background:

Over the last few years, a large number of sanitary sewer improvement projects focusing on storm water separation have been identified through CBRMs stormwater inflow and infiltration (I/I) reduction program. The purpose of this program is to identify and carry out infrastructure improvement initiatives that will reduce treatment and pumping costs. Generally, stormwater (I/I) reduction is established by a number of techniques including pipe repairs, manhole replacements, disconnecting catch basins from sanitary sewers and redirecting stormwater flow via the installation of designated stormsewer systems.

Objective:

During the 2018 construction season, EPW will continue to improve the condition and function of underground sewer infrastructure through stormwater separation work. To date, projects have been identified in areas of Sydney, Dominion and Glace Bay. Considering the age of our sewer systems and historical installation techniques, stormwater separation work will be an ongoing endeavor for CBRM for many years to come. It is our objective to obtain financial assistance from the Provincial PCAP program to perform stormwater separation work this construction season.

Recommendation:

That council passes a motion directing staff to apply for funding from the 2018 PCAP Program prior to the application deadline of April 26th in the total amount of \$500,000 with a direct cost to CBRM of \$250,000. CBRMs \$250,000 portion is included in the 2018-19 capital budget under the Sanitary Sewer Inflow and Infiltration Reduction Program.

ORIGINAL SIGNED BY

Matt Viva, P.Eng
Manager of Wastewater Operations

Cc. Wayne MacDonald, P.Eng., Director of Engineering and Public Works.

Request for Registration as Municipal Heritage Property - Christ Church Anglican Church, 60 Church Lane, South Head:

Motion:

Moved by Deputy Mayor Eldon MacDonald, seconded by Councillor Coombes, that a recommendation be made to Council to begin the process of registering Christ Church, Anglican Church, 60 Church Lane, South Head, as a Municipal Heritage Property.

Motion Carried.



CBRM

A Community of Communities

Cape Breton Regional Municipality

Rick McCready
Planning Department

April 12, 2018

MEMO TO: Chairman and Members, Heritage Advisory Committee

FROM: Rick McCready, Senior Planner/Heritage Officer

RE: Requests to register Christ Church Anglican Church, 60 Church Lane, South Head

A request (attached) has been received to register the following property as a municipal heritage property:

PID # 15607914 Christ Church Anglican Church, South Head (owned by the Anglican Diocese of Nova Scotia and Prince Edward Island)

Background Information

This small church is reported to have been built in the 1846, making it one of the oldest churches in the Municipality. Staff have visited the site and have noted that there are a number of pre-Confederation headstones in the cemetery. Also, there is documentation confirming that the church was consecrated in 1856. As a result, staff is confident that the church was built prior to 1856, and quite likely dates back as far as 1846.

Simple in design, the church has retained its original character, including wooden shingles on the exterior. Unique stained glass windows in the church constitute a character defining element of the property.

Although not used on a regular basis, services are held at Christ Church each year. The church is located in an isolated area off the South Head Road, about 3.6 km. from Route #255, the Marconi Trail.

At its meeting held on April 9, 2018, the CBRM Heritage Advisory Committee agreed to recommend that Council initiate the process of registering Christ Church as a municipal heritage property.

Recommendation

The attached photographs demonstrate that the church requires considerable work, including a new roof and repainting of the exterior shingles. However, given its age and the fact that it has not been substantially altered since its construction more than 150 years ago, staff has no difficulty in recommending that the property be registered. If Council wishes to proceed, a motion should be passed at the April 24 Council meeting to initiate the process of registration.

Yours very truly,

Rick McCready, MCIP, MURP
Senior Planner/Heritage Officer

Rick McCready

From: R Cutler [REDACTED]
Sent: February-02-18 4:13 PM
To: Rick McCready
Cc: [REDACTED]
Subject: Christ Church, South Head

Dear Mr. McCready,

I am writing in connection with a request from The Anglican Parish of the Collieries to permit the designation of Christ Church, South Head as a municipal heritage building. The structure of the Anglican Church requires that the bishop give permission before any transaction takes place with respect to the real property of the church. On behalf of the Anglican Diocese of Nova Scotia and PEI I am giving permission for the parish to proceed with this process. Please let me know if I am required to sign off on any documentation.

Yours sincerely,
+Ron

The Most Rev. Ron Cutler
Archbishop of Nova Scotia and Prince Edward Island
1340 Cathedral Lane
Halifax, Nova Scotia
B3H 2Z1
(902) 420-0717
Email: bishopsoffice@nspeidiocese.ca
Website: www.nspeidiocese.ca

Christ Church, Anglican Church, 60 Church Lane, South Head (Port Morien)



Christ Church, Anglican Church, 60 Church Lane, South Head



Christ Church, Anglican Church, 60 Church Lane, South Head



Christ Church, Anglican Church, 60 Church Lane, South Head





CBRM

A Community of Communities

Regional Solicitor
(902)563-0547

ISSUE PAPER

TO: Mayor and Council

FROM: Demetri Kachafanas

SUBJECT: YMCA Enterprise Centre – Glace Bay
106 Reserve Street, Glace Bay
PID 15602576

DATE: April 24th, 2018

INTRODUCTION:

The legal department received a letter of request from Andre Gallant, CEO for the YMCA of Cape Breton asking CBRM to waive its right to repurchase the YMCA Enterprise Centre property located in Glace Bay.

BACKGROUND INFORMATION:

The Cape Breton Regional Municipality sold property located at 106 Reserve Street, Glace Bay to the Cape Breton Family Young Men's Christian Association (YMCA) back in 1996 for \$90,000.00. At that time the conveyance was subject to a right of first refusal in favor of CBRM should the property be sold by the YMCA.

REVIEW:

Mr. Gallant has stated in his letter that the YMCA Board of Directors has concluded it is not in the best interest to continue to own and operate the Enterprise Centre. It is their intention to sell the building.

We have sought input from CAO, Marie Walsh and was advised that it would not be in the best interest of the municipality to repurchase the building.

RECOMMENDATION:

Based on the foregoing, I am prepared to recommend to Council not to exercise CBRM's right of repurchase the property and request a Motion to direct staff to provide written notice to the YMCA that CBRM does not wish to exercise its right to repurchase the property.

Thank you.

Respectfully submitted

Original Signed By

Demetri Kachafanas
Regional Solicitor



A Community of Communities

Discussion Paper

TO: *Mayor and Council*

April 19, 2018

RE: “Development of Multi-year Infrastructure Plan – Investing in Canada Infrastructure Plan (ICIP)”

CBRM is no different than most urban areas in North America, infrastructure is aging. This is further enhanced by the financial constraints within CBRM and the availability of sustainable Infrastructure funding. To better position CBRM to the Provincial and Federal funding streams, and to provide a global view of reinstatement and construction works, CBRM continues to develop, and work within Capital Prioritization Plans. We have seen in the past that a well communicated multi-year infrastructure plan allows CBRM to react to opportunities for funding.

Infrastructure funding is considered one of the most important investments that Governments can make which provides immediate economic benefits. A long term fund, such as this can provide sustainable, multi-year funding, that can provide an excellent opportunity to plan for infrastructure upgrades and replacements.

Staff has been working across all departments on the development of an updated infrastructure plan in anticipation of the next round of infrastructure funding. Although this is currently in a draft stage, it is anticipated that the new updated infrastructure plan will be brought back to Council for approval in the near future.

Allocations by Funding Stream

On April 10, 2018, the bilateral agreement between Canada and Nova Scotia was signed for long-term infrastructure funding under the “*Investing in Canada Infrastructure Plan*”. The objective of these investments is to transform the way Canadians live, move and work in four (4) priority areas:

- Public Transit;
- Green Infrastructure;
- Community, culture, and recreation Infrastructure; and,
- Rural and Northern Communities.

Nova Scotia will receive a total of \$828,493,161 from 2018-2029 through this agreement.

On the attached background information, suggested project types are provided. For each funding stream, the allocations are as follows:

Funding Stream	Allocation	Expected Outcomes at Project Completion*
Public Transit	\$289,589,324 to build new urban transit networks and service extensions that will transform the way Canadians live, move and work.	• Improved capacity of public transit infrastructure • Improved quality and safety of existing and future transit systems • Improved access to public transit systems Possible projects might include, "rolling stock" replacements, updated bus shelters, technology upgrades to improve ridership, possible downtown transit hub.
Green Infrastructure	\$381,914,606 to support greenhouse gas emission (GHG) reductions; enable greater adaptation and resilience to the impacts of climate change and climate-related disaster mitigation, and ensure that more communities can provide clean air and safe drinking water for their citizens.	• Increased capacity to manage more renewable energy • Increased access to clean energy transportation • Increased energy efficiency of buildings • Increased generation of clean energy • Increased structural capacity and increased natural capacity to adapt to climate change impacts, natural disasters and extreme weather events • Increased capacity to treat and manage wastewater and stormwater • Increased access to potable water • Increased capacity to reduce or remediate soil and air pollutants Possible projects might include, investments into water, wastewater, and stormwater infrastructure; Regulatory required projects Glace Bay and Port Morien Wastewater Treatment Plants, Stormwater Management, and Active Transportation

Community, Culture and Recreation Infrastructure	\$51,245,475 towards community, culture and recreation infrastructure to build stronger communities and improve social inclusion.	Improved access to and increased quality of community, cultural and recreational infrastructure for Canadians, including Indigenous Peoples and vulnerable populations Possible projects might include Arena Upgrades (Bayplex, C200, County), Sydney Boardwalk Development, Downtown Revitalization infrastructure
Rural and Northern Communities Infrastructure	\$105,743,756 to support projects that improve the quality of life in rural and northern communities by responding to rural and northern specific needs.	- Improved food security - Improved and more reliable road, air and marine infrastructure - Improved broadband connectivity - More efficient and reliable energy - Improved education and health facilities that benefit Indigenous peoples (specific to Truth and Reconciliation Commission) Possible projects might include CBRM's Arterial/Collector Road Rehabilitation Projects

Discussion

Currently there has not been an official "Call for Applications" by the Province of Nova Scotia. Although we await the specific details associated with the fund, we continue to work with the Provincial Department of Municipal Affairs, on any information that they require. It is expected that additional information, fund specifics, fund allocations and a call for applications will be received over the next number of months.

Respectfully submitted:

Wayne MacDonald, P.Eng.
Director of Engineering and Public Works

Backgrounder

Canada and Nova Scotia to make significant investments that will improve the lives of Canadians

Over \$828 million available for projects that build prosperous communities and transition to a clean growth economy

Under the \$180 billion *Investing in Canada* infrastructure plan, the Government of Canada is signing new bilateral agreements with all provinces and territories, which will see more than \$33 billion in federal investment in infrastructure projects across the country. The objective of these investments is to transform the way Canadians live, move and work in four priority areas:

- Public transit;
- Green infrastructure;
- Community, culture, and recreation infrastructure; and
- Rural and northern communities.

Nova Scotia will receive a total of \$828,493,161 from 2018-2028 through this agreement.

Allocations by funding

Funding Stream	Allocation	Expected Outcomes at Project Completion*
Public Transit	\$289,589,324 to build new urban transit networks and service extensions that will transform the way Canadians live, move and work.	• Improved capacity of public transit infrastructure • Improved quality and safety of existing and future transit systems • Improved access to public transit systems
Green Infrastructure	\$381,914,606 to support greenhouse gas emission (GHG) reductions; enable greater adaptation and resilience to the impacts of climate change and climate-related disaster mitigation, and ensure that more communities can provide clean air and safe drinking water for their citizens.	• Increased capacity to manage more renewable energy • Increased access to clean energy transportation • Increased energy efficiency of buildings • Increased generation of clean energy • Increased structural capacity and increased natural capacity to adapt to climate change impacts, natural disasters and extreme weather events • Increased capacity to treat and manage wastewater and stormwater • Increased access to potable water • Increased capacity to reduce or remediate soil and air pollutants
Community, Culture and Recreation Infrastructure	\$51,245,475 towards community, culture and recreation infrastructure to build stronger communities and improve social inclusion.	• Improved access to and increased quality of community, cultural and recreational infrastructure for Canadians, including Indigenous Peoples and vulnerable populations

Rural and Northern Communities Infrastructure	\$105,743,756 to support projects that improve the quality of life in rural and northern communities by responding to rural and northern specific needs.	• Improved food security • Improved and more reliable road, air and marine infrastructure • Improved broadband connectivity • More efficient and reliable energy • Improved education and health facilities that benefit Indigenous peoples (specific to Truth and Reconciliation Commission)
---	---	---

** Outcomes will be obtained through projects which will be communicated in more details as they are announced.*

The bilateral agreements will allow the Government of Canada and the provinces and territories to agree on shared results as well as a method of reporting on results on a regular basis. The bilateral agreements support the following long-term results:

- Increase the rate of economic growth in an inclusive and sustainable way;
- Improve environmental quality, reduce greenhouse gas emissions and increase resiliency of communities;
- Improve mobility in Canadian communities;
- Make Canadian communities more inclusive and accessible; and
- Manage infrastructure in a more sustainable way.

Under these new bilateral agreements, the Government of Canada will not only make significant investments in Canadian communities, but also open the door to unique and innovative project ideas that meet the agreed-upon outcomes. These new ideas will contribute to the long-term sustainability of our infrastructure.

To ensure our partners consider opportunities to mitigate greenhouse gas emissions or better adapt to climate change during the project development stage, a new climate lens will be applied for certain projects. Partners will also report on how larger projects are creating job opportunities for a broader array of Canadians in the construction industry and related sectors through a new Community Employment Benefits framework.

For information on cost-sharing, please see [Infrastructure Canada's website](#).

News release

For immediate release

Canada and Nova Scotia to make significant investments that will improve the lives of Canadians

Over \$828 million available for projects that build prosperous communities and transition to a clean growth economy

Halifax, Nova Scotia, April 10, 2018—The governments of Canada and Nova Scotia are working together to make long-term infrastructure investments that will create economic growth and jobs for the middle class, build inclusive communities and support a low carbon, green economy—leading to a higher quality of life for all Canadians.

Today, the Honourable Scott Brison, Member of Parliament for Kings—Hants, and President of the Treasury Board, on behalf of the Honourable Amarjeet Sohi, Minister of Infrastructure and Communities, and the Honourable Stephen McNeil, Premier of Nova Scotia, announced the signing of a new bilateral agreement under the *Investing in Canada* plan that will provide more than \$828 million in federal funding over the next decade for infrastructure projects in Nova Scotia. The projects supported through this agreement will be cost-shared with the provincial government, municipalities and other partners.

The *Investing in Canada* plan will see the Governments of Canada and Nova Scotia make unprecedented investments in public transit, green infrastructure, recreational and cultural infrastructure, and rural and northern communities infrastructure.

These investments will make a positive difference in communities across the province, including:

- faster commute and travel time for more people, and easier movement of goods for businesses
- cleaner air and water
- reduced greenhouse gas emissions
- smarter and more efficient cities
- sustainable water management
- enhanced public parks, recreational facilities and other spaces that make communities great places to live
- better transportation and digital infrastructure for people living in remote communities

Across Canada, more than \$33 billion in federal funding will be invested through these new bilateral agreements with provinces and territories. Provinces and territories will develop three-year plans that will provide information on how they will implement their infrastructure projects.

Quotes

“Long-term investments in infrastructure are key to building a strong Canada—connecting people, creating good jobs for the middle class, and building our economy and our communities for the future. We are pleased to reach a new agreement with Nova Scotia to invest in infrastructure projects that will provide further growth and economic opportunities for cities and smaller rural communities for years to come. Collaboration and partnership have been at the heart of the success of our *Investing in Canada* plan and we will continue to work with provinces, territories, municipalities, Indigenous communities, stakeholders, and Canadians from coast to coast to coast.”

The Honourable Scott Brison, Member of Parliament for Kings—Hants, and President of the Treasury Board, on behalf of the Honourable Amarjeet Sohi, Minister of Infrastructure and Communities

“Participation in the Investing in Canada infrastructure program is a great opportunity to enhance our province’s public infrastructure. From building a better transportation system to improving our water systems to supporting arts and culture, this investment will create good jobs and build our economy and communities for the future. We look forward to working closely with our federal partners to make strategic investments that will benefit Nova Scotians.”

Quick facts

- Under the *Investing in Canada* plan, the Government of Canada is investing more than \$180 billion over 12 years in public transit projects, green infrastructure, social infrastructure, trade and transportation routes, and Canada's rural and northern communities.
- Under the first phase of the plan, Infrastructure Canada has approved nearly 3,500 projects across Canada worth a combined investment of more than \$8.4 billion.
- As part of the Plan, Infrastructure Canada will deliver \$33 billion over the next decade through new bilateral agreements with provinces and territories under four funding streams:
 - \$20.1 billion for public transit;
 - \$9.2 billion for green infrastructure;
 - \$1.3 billion for community, cultural and recreational infrastructure; and
 - \$2 billion for wide-ranging infrastructure needs in rural and northern communities.
- This marks the seventh new long-term infrastructure agreement the Government of Canada has signed with provincial and territorial partners.

Related product

Backgrounder

Associated links

Government of Canada's \$180-billion+ *Investing in Canada* plan:

<http://www.infrastructure.gc.ca/plan/about-invest-a-propos-eng.html>

New – *Investing in Canada* plan project map: <http://www.infrastructure.gc.ca/gmap-gcarte/index-eng.html>

Federal infrastructure investments in Nova Scotia: <http://www.infrastructure.gc.ca/map-carte/ns-eng.html>

Contacts

Brook Simpson

Press Secretary

Office of the Minister of Infrastructure and Communities

613-219-0149

brook.simpson@canada.ca

Marla MacInnis

Communications Advisor

Nova Scotia Department of Transportation and Infrastructure Renewal

902-499-6428

marla.macinnis@novascotia.ca

Infrastructure Canada

613-960-9251

Toll free: 1-877-250-7154

Email: infrastructure@canada.ca

Twitter: [@INFC_eng](https://twitter.com/INFC_eng)

Web: [Infrastructure Canada](http://www.infrastructure.gc.ca)

Infrastructure Canada

Home > Investing in Canada plan: Infrastructure Canada Bilateral Agreements > Nova Scotia

Investing in Canada plan: Infrastructure Canada Bilateral Agreements - Nova Scotia



Public Transit



Green



Community, Culture,
and Recreation



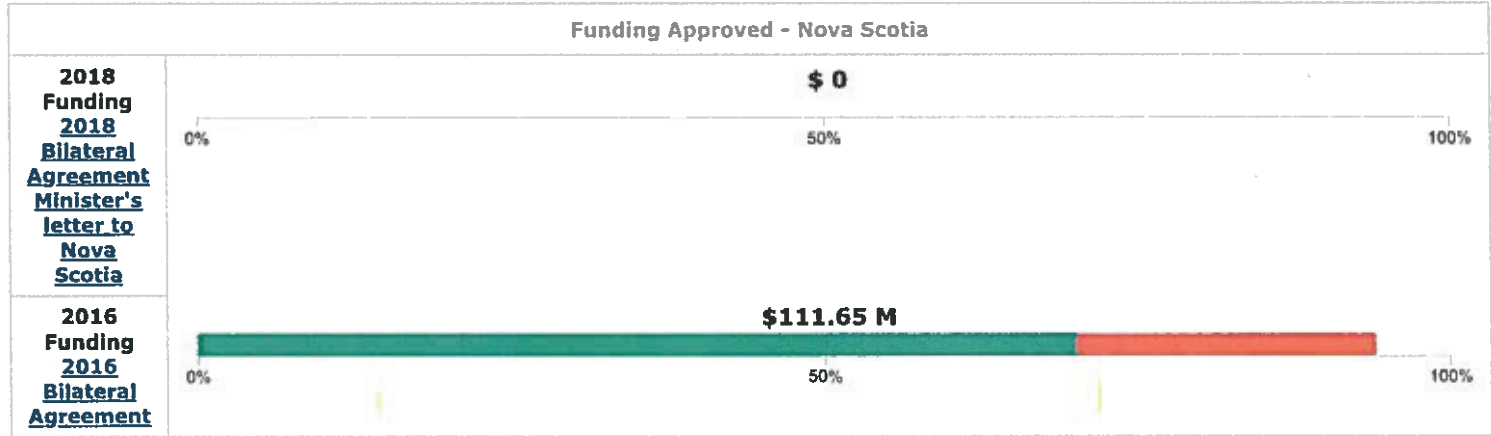
Rural and Northern
Communities

Nova Scotia

The Government of Canada is making an historic \$180 billion investment in infrastructure through the *Investing in Canada* plan to build the communities of the 21st century. As part of this plan, the Government of Canada is signing new bilateral agreements with all provinces and territories that will see more than \$33 billion in federal investment towards significant infrastructure projects across the country under four priority areas:

- Public transit;
- Green infrastructure;
- Community, culture, and recreation infrastructure; and
- Rural and northern communities.

On April 10, 2018, the Honourable Scott Brison, Member of Parliament for Kings-Hants, and President of the Treasury Board, on behalf of the Honourable Amarjeet Sohi, Minister of Infrastructure and Communities, and the Honourable Stephen McNeil, Premier of Nova Scotia, signed the bilateral agreement between Canada and Nova Scotia for long-term infrastructure projects. This agreement will provide more than \$828 million over the next decade in federal funding under the Investing in Canada plan. The projects supported through this agreement will be cost-shared with the Nova Scotia government, municipalities and other partners.



Date modified: 2018-03-29

Summary

Statement of Revenue

February 28, 2018

Revenue	Year To Date Assigned	11 Month Budget	11 Month Budget Variance	Annual Budget	Annual Budget Remaining
Total Taxes	\$ 97,563,073	\$ 98,145,272	\$ (582,198)	\$ 107,067,569	\$ 9,504,496
Total Federal Government	2,821,362	2,821,362	0	3,077,849	256,487
Total Federal Government Agencies	705,818	705,818	0	769,983	64,165
Total Provincial Government	1,841,423	1,841,428	(5)	2,008,825	167,402
Total Provincial Government Agencies	2,798,657	2,667,316	131,341	2,909,799	111,142
Total Services to Other Local Government	559,238	559,238	(0)	610,078	50,840
Total Transit	614,276	608,667	5,609	684,000	49,724
Total Environmental Development Services	222,506	190,089	32,417	207,370	(15,136)
Total Licenses & Permits	146,921	135,667	11,254	148,000	1,079
Total Fines & Fees	505,971	507,256	(1,284)	553,370	47,399
Total Rentals	506,333	475,099	31,234	680,079	173,746
Total Concessions & Franchises	350,819	335,422	15,397	365,915	15,096
Total Interest on Taxes	1,540,724	1,212,840	327,885	1,323,098	(217,626)
Total Finance Revenue	26,845	30,698	(3,853)	33,489	6,644
Total Solid Waste Revenue	2,062,785	2,108,333	(45,548)	2,300,000	237,215
Total Recreation & Cultural Service Programs	1,436,940	1,597,820	(160,880)	1,862,000	425,060
Total Water Utility Charges	4,538,884	4,538,884	(0)	4,951,510	412,626
Total Unconditional Transfers	14,538,592	14,524,538	14,053	15,844,951	1,306,359
Total Conditional Transfers	3,174,380	3,174,380	-	3,512,960	338,580
Year To Date Assigned Before Cost Recovery 2016 Flood Claims	\$ 135,955,548	\$ 136,180,126	\$ (224,578)	\$ 148,890,845	\$ 12,935,297
Cost Recovery 2016 Flood Claim	189,810	-	189,810	-	(189,810)
Year To Date Assigned After Cost Recovery 2016 Flood Claims	\$ 136,145,357	\$ 136,180,126	\$ (34,768)	\$ 148,890,845	\$ 12,745,488

ORIGINAL SIGNED BY

Departmental

ORIGINAL SIGNED BY

Reviewed

Summary

Statement of Expenditures

February 28, 2018

Expenditures	Year to date Expended	11 Month Budget	11 Month Budget Variance	Annual Budget	Annual Budget Remaining
Legislative	\$ 1,279,606	\$ 1,345,095	\$ 65,490	\$ 1,470,936	\$ 191,330
Administration	1,117,044	1,131,837	14,793	1,237,093	120,049
Finance	2,202,512	2,588,688	386,176	2,897,017	694,505
Legal	676,928	619,523	(57,405)	664,515	(12,413)
Human Resources	1,419,490	1,515,391	95,901	1,650,262	230,772
Technology & Communications	781,603	814,489	32,886	1,244,587	463,084
Municipal Clerk	354,702	365,922	11,219	527,594	172,892
Fiscal Services	33,468,604	33,951,465	482,861	35,570,603	2,101,999
Occupational Health & Safety	190,281	200,820	10,539	222,183	31,902
Police Services	23,849,135	24,169,677	320,542	26,231,264	2,382,129
Fire Services (Incl EMO)	15,723,765	16,373,878	650,114	17,977,844	2,254,079
Engineering & Public Works	40,113,681	40,496,448	382,767	44,367,637	4,263,956
Planning	2,419,144	2,197,828	(221,316)	2,599,518	180,374
Facilities C200 & Arenas	3,533,742	3,125,643	(408,099)	3,306,912	(226,830)
Parks & Grounds	2,559,249	2,668,086	108,837	2,893,786	334,537
Buildings	2,963,123	3,138,697	175,574	3,346,211	383,088
Recreation	2,527,130	2,503,784	(23,346)	2,686,533	159,403
Total expended to date excluding 2016 Flood Costs	\$ 135,179,740	\$ 137,205,272	\$ 2,025,532	\$ 148,894,595	\$ 13,714,855
2016 Flood Costs	189,810	-	(189,810)	-	(189,810)
Total expended to date including 2016 Flood Costs	\$ 135,369,550	\$ 137,205,272	\$ 1,835,722	\$ 148,894,595	\$ 13,525,045

ORIGINAL SIGNED BY

Departmental

ORIGINAL SIGNED BY

Reviewed

Port of Sydney Development Corporation
Income Statement for 11 Month Period Ended February 28, 2018

	YTD Actual	YTD Budget	Variance to Budget
Wharfage & Berthage	449,202	443,761	5,441
Event Revenue	72,477	65,030	7,447
Miscellaneous	21,255	4,600	16,655
Storage & Rental	252,136	234,714	17,424
Passenger tax	944,540	936,691	7,849
Security/Traffic Control	144,628	136,169	9,459
Craft Market Revenue	90,389	102,300	(11,911)
Business Development - Harbour	203,968	187,000	16,968
Government Funding	75,187	-	75,187
	<u>2,253,785</u>	<u>2,109,266</u>	<u>144,519</u>
Wages & Salaries	617,358	767,606	(150,147)
Professional Fees	88,409	57,666	10,743
Advertising & Promotions	47,395	48,899	(1,504)
Cruise activities	42,487	34,086	8,402
Dues & Membership Fees	37,011	44,527	(7,516)
Event Expense	3,822	3,685	237
Insurance	57,952	48,659	11,293
Interest & Bank Charges	5,450	4,380	1,070
Office & Admin	31,639	28,115	3,524
Miscellaneous	15,131	34,400	(19,269)
Repairs & Maintenance	265,563	282,809	(2,764)
Travel	26,188	55,940	(29,752)
Business Development - Harbour	203,968	187,000	16,968
Transport Ça	18,962	-	18,962
Office Rent	10,576	-	10,576
Utilities	188,066	182,760	5,306
Leasehold Improvements	51,057	50,000	1,057
Security	153,189	150,119	3,070
	<u>1,844,233</u>	<u>1,958,449</u>	<u>(114,217)</u>
Surplus Before Amortization	409,552	150,816	258,736
Less Amortization	(327,828)	(327,828)	-
Surplus	<u>\$81,924</u>	<u>(176,812)</u>	<u>\$258,738</u>

