

Cape Breton Regional Municipality

Council Meeting

ADDENDUM

**THURSDAY, DECEMBER 15, 2016
1:30 P.M.**

***NOTE DATE AND TIME CHANGE**

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

Cape Breton Regional Municipal Council

Council Meeting

**Council Chambers
Second Floor, City Hall**

Thursday, December 15, 2016 – 1:30 P.M.

ADDENDUM ITEMS

2. **Harbor Port Development Partners Exclusivity Agreement Extension:**
James R. Gogan, Barrister and Solicitor (See page 3)

3. **PRESENTATION:**
 - 3.1 **“Who Plows My Road”:** Louis Ferguson, Manager, Public Works North
(See page 5)



CBRM

A Community of Communities

ISSUE PAPER

TO: CBRM Council

FROM: James R. Gogan

SUBJECT: Harbor Port Development Partners Exclusivity Agreement Extension

DATE: 015 December 2016

Background

At the June 16th CBRM Council meeting, Harbor Port Development Partners was given a two year exclusivity agreement to market and develop the Port of Sydney and mainly develop an agreement for the development of a container terminal utilizing the Sydport Greenfield Site and the backlands which at the time CBRM were in the process of securing from the federal government. It was agreed that this period could be extended if HPDP made viable progress but was unable to in good faith sign a development agreement within that time period.

Consistent with the obligations of HPDP in the 2014 Exclusivity Agreement; HPDP has achieved the following results:

- Developed a consortium of partners including port financiers, commercial real estate developers, design consultants and port operators.
- Completion of Project Feasibility Study indicating a commercially viable development potential
- Developed an extensive network of international port connections including direct relationships through a proposed terminal operator.

Over the past year and a half, HPDP pursued a number of options to obtain a development agreement on behalf of the CBRM. Through their network, hard work and development of various partnerships, HPDP have been able to reach an agreement with Ports America a major player in the world wide port market. Ports America has signed an agreement with HPDP to develop the Port of Sydney. In order to complete the development, it is imperative that HPDP obtain a five year extension to the existing exclusivity agreement. The extension is necessary to allow the Project participants time to develop a final consortium agreement as well as a final sale/lease and development agreement with the CBRM.

Key among the final agreement with CBRM will be:

- HPDP be given the option to lease the properties known as the Sydport Greenfield Site and the backlands for a period of 99 Years or to purchase the property for \$10 million which is equivalent to the purchase and other associated costs in the acquisition of these properties.
- Ports America will obtain reasonable tax concessions, tax abatements or incentives to make the Port of Sydney a viable port in the international market. These concessions may come in part from all three levels of government. The CBRM's ability to provide tax concessions or abatements will need to come from the provincial government.

CBRM have drafted these powers in the initial draft of a CBRM charter.

Recommendation:

THAT HPDP's previously granted exclusivity rights be extended for an additional five years period commencing on the date of this Motion.

THAT it is a condition of the agreement with Ports America that, in accordance with international standards, the financial return of CBRM be based upon its tax revenues as well as a market return on the Project lands.

THAT the Administration be authorized to enter into on behalf of CBRM an extension and amendment agreement leading to a final definitive agreement to effect the foregoing and that this final definitive agreement be subject to council approval.

THAT the CBRM continue to pursue a Municipal Charter, or other enabling accommodations', with the province that outlines the needs listed above.

I would request a Motion to proceed with the above-requested recommendations.

Thank you,

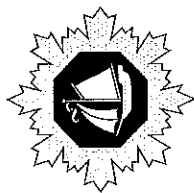
ORIGINAL SIGNED BY

James R. Gogan

Snow and Ice Control

Who plows my road?

THE STREETS LISTED BELOW ARE PLOWED BY CBRM PUBLIC WORKS



CAPE BRETON
REGIONAL MUNICIPALITY

CBRM CENTRAL DIVISION

563-5255

COMMUNITY	STREET#	STREETS *
Sydney	all streets	
Pine Tree Park	all streets	
COMMUNITY	STREETS**	
Big Pond	MacNeil Ln	
Coxheath	Knightswood Ln Noseworthy Ln	
Dutch Brook	MacDougall Dr Cranberry Lake Rd Taylor Ln	
East Bay	Blaney Rd	
Gabarus	Memory Ln	
Grand Lake Road	Old Doolans Ln	
	Burke St Bennett St	
Grand Mira North	Roberts Ln	
Howie Center	McCharles Ln Weeks Ln	
Lingan Road	Tower Ln	
Mira Road	Tower Heights Edgewood Dr Weatherbee Rd	
	Edgar St	
	Squart St	
	Chaplain Av	
	Mullers Ln	
	Melody Ln	
	Ferguson Dr	
	Parkview Dr	
Portage	Youngs Dr	
Prime Brook	Sunset Dr Ext MacArthurs Rd Ext	
	Reids Ln	
South Bar	Doncaster Dr	
	Seaview Dr	
	Fourwheel Dr	
	MacLeans Ln	
	Polar Bear Ln	
Sydney Forks	Liscomb Point Dr	
	Mackley Pt. Dr	
	Hayden Rd	
Sydney River	Oceanview Dr Ext	
	Rose St	
	Elizabeth St	
	Haymen Dr	
	Meadowood Ct	
	Hampton Dr	
	Nursery St	
Westmount	Victoria Hill	
	Corbett Ln	

SAFETY

The CBRM is committed to workplace safety for its employees and contractors. The workplace for many of our staff is the streets and sidewalks in your community.

EMERGENCIES

If an emergency arises, resources are allocated to the situation through the 911 protocol.

YOU CAN HELP

Do not put snow from your property onto the street or sidewalk. Unexpected piles of snow and ice are extremely dangerous to snow removal activities and it is prohibited by CBRM Traffic By-laws and the Nova Scotia Highways Act.

FOR MORE INFORMATION

CBRM has a Winter Operations Strategy guiding efficient and cost effective winter maintenance services within the capability of available resources for infrastructure under the operational jurisdiction of the CBRM. This document can be viewed on the CBRM website at www.cbrm.ns.ca

CBRM EAST DIVISION

842-1171

COMMUNITY	STREETS *
Glace Bay	all streets
New Waterford	all streets
Dominion	all streets
Louisbourg	all streets
COMMUNITY	STREETS **
Albert Bridge	Island View Ln Pleasant Walk Mason Pt. Rd Mason Rd.
	Malcolms Rd Paradise Rd Sangaree Rd
	Oyster Cove Rd Sangaree Rd. Ext. Hanson Rd
	Gessner Point Rd Waterpark Dr
Donkin	Shore Ln
Homeville	Briffett Ln
Marion Bridge	Ferguson Ln
New Victoria	MacGillivray Ln Webbs Ln
Port Caledonia	Waterford Lake Rd Sampson Ln
Port Morien	Arbuckle St MacLeods Ln
River Ryan	Queen St Ext Christy Ln
Round Island	MacQueen Ln
Scotchtown Area	Scottsdale Ln
Tower Road	all streets except May Street.
	Campbell Ln

* Plowing can be expected within 12 hours after the end of the storm
 ** Plowing can be expected on these roads AFTER the Department of Transportation has plowed the connecting road or highway.

For snow removal and ice control on provincial roads and highways and any road or community not listed above, call Nova Scotia Department of Transportation and Infrastructure Renewal 563-2245

CBRM NORTH DIVISION

794-5692

COMMUNITY	STREETS*
North Sydney	all streets
Sydney Mines	all streets
COMMUNITY	STREETS**
Alber Point	Arsenault Ln Stubberts Shore Rd
Boisdale:	Stagecoach Rd
Bras d'Or	MacLeod Ln Laffin Ln
	MacDonald Ln Mormac St Rodan St
	Meadowbrook Dr Barshelmar Dr
Florence	Simpson Ln Highball St Fifth Av
	2nd Av Ext. Gears Ln
Frenchville	Keagan Ln
Georges River	Jessome Ln Almond Rd
	Riverside Dr
Groves Point	Howley Rd Off Marsh Ln Boutiller Dr
Little Pond	Bonar Ln
Upper North Sydney	Lemolnes Ln Farm Rd

CBRM Winter Operations Strategy

The general operating priority for winter conditions is as follows:

1. Plowing and de-icing of streets

During a storm snow plowing efforts will be focused on Arterial Routes. Arterials are major roads carrying approximately 10,000 cars per day, and includes emergency routes for hospitals, police and fire services.

Divisional Examples Arterial Routes
 CENTRAL EAST NORTH
 Kings Rd Reserve St King St

As the storm subsides plowing will begin on Collector Routes, which are larger streets carrying less than 10,000 vehicles per day.

Divisional Examples Collector Routes
 CENTRAL EAST NORTH
 Whitney Av Beacon St Regent St

Following the storm plowing will begin on all remaining Residential Streets, after major Arterial and Collector streets are passable.

Divisional Examples Residential Streets
 CENTRAL EAST NORTH
 Henry St Lake Rd Vickers Ln

2. Plowing designated sidewalks
 Public Works will maintain designated sidewalks. Priorities will be given to areas with high volumes of traffic or those close to schools, hospitals and commercial districts. You are encouraged to clear the sidewalk around your property.

3. Clearing Hydrants
 Snow clearing around hydrants will take place as quickly as resources can be made available. You can help by clearing the snow away from a hydrant on your street.

4. Snow removal and clearing
 Snow clearing will take place when accumulation warrants and as soon as time, equipment and materials allow. Snow clearing activities are prioritized by safety concerns and high volume intersections and streets in commercial areas.