Cape Breton Regional Municipality

General Committee Meeting

AGENDA

TUESDAY, FEBRUARY 2ND, 2016

9:30 A.M.

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

REVISED Feb. 1, 2016

Cape Breton Regional Municipality

General Committee Meeting

Tuesday, February 2nd, 2016

9:30 a.m.

AGENDA ITEMS

Roll Call

1. MINUTES:

1.1 Approval of Minutes: (Previously Distributed)

- **General Committee – January 5th, 2016**

1.2 General Committee Minutes of November 2nd, 2015 – Motion to Amend something previously adopted: Deborah Campbell, Municipal Clerk (see page 7)

2. DELEGATION:

2.1 ~~**Louisbourg Motorhome Park:** Leo Carter, Louisbourg Volunteer Fire Chief (see page 11)~~ **Withdrawn**

3. REPORTS:

3.1 Cape Breton Regional Municipality – Evaluation and Analysis of Fleet Operations: Chris Hill, Grant Thornton (see page 12)

3.2 2016 Municipal and School Board Elections: Michael Merritt, Chief Administrative Officer (see page 18)

Continued….

4. <u>BUSINESS ARISING:</u>

4.1 <u>Council Meeting – October 20th, 2015:</u>

a) **<u>Request for a Formal Wildlife Control Plan:</u>** Response from the Minister of Natural Resources (See page **21**)

4.2 <u>General Committee Meeting – November 2nd, 2015:</u>

a) **<u>Wood and Coal Burning Stoves in Accessory Buildings:</u>** Response from the Minister of Environment (See page **26**)

4.3 <u>In Camera Council Meeting – January 19, 2016</u>:

a) **<u>Bob Seward Subdivision – Legal Opinion</u>**

Council recommends that the General Committee follow the advice and course of action as put forth by the Director of Planning. Demetri Kachafanas, Solicitor (see page **35**)

5. <u>PROTECTIVE SERVICES ISSUES:</u>

5.1 <u>Appeal:</u>

i. <u>Dangerous and Unsightly Premises Order and Vacant Building Order:</u>

a. <u>P. Martin Sales Limited – Property at 837 Victoria Road, Sydney - File # 9219 :</u> Paul Burt, Manager of Building, Planning, & Licensing Laws (see page **55**)
***Appeal Book distributed separately**

Continued….

Protective Services Issues Cont'd:

5.2 **Notice of Changes to the Nova Scotia Building Code Regulations and the Nova Scotia On-Site Sewage Disposal System Regulations:**
Paul Burt, Manager of Buildings, Planning & Licensing Laws (See page **56**)

5.3 **Harvest House located at 610 Main Street, Glace Bay:** Paul Burt, Manager of Buildings, Planning & Licensing Laws (See page **61**)

5.4 **Statistical Complaint Report – Dangerous and Unsightly Properties:**
Paul Burt, Manager of Buildings, Planning & Licensing Laws (See page **74**)

6. PROCLAMATIONS AND RESOLUTIONS:

6.1 **White Cane Week (for ratification)**
Councillor Eldon MacDonald (See page **77**)

6.2 **Family Literacy Day (for ratification)**
Councillor Jim MacLeod (See page **78**)

6.3 **Ann Terry Women's Employment Outreach:**

a) **Proposed Provincial Budget Cuts:** Councillor Mae Rowe (See page **79**)

b) **Letter from Mayor Clarke to the Honourable Kelly Regan, Minister of Labour and Advanced Education:** (See page **80**)

Continued….

7. **<u>FINANCIAL STATEMENTS:</u> For information only**
Marie Walsh, Chief Financial Officer (See page **82**)

- Corporate
- Protective Services:
  - EMO
  - Fire Services
- Public Services:
  - Engineering & Public Works
  - Recreation
  - Water Utility
- Planning
- Police

ADJOURNMENT

Clerk's Office

CBRM

M·E·M·O

320 Esplanade Sydney, Nova Scotia, B1P 7B9 902-563-5021

To: **Members of Council**

From: **Deborah Campbell, Municipal Clerk**

Date: **January 28, 2016**

Subject: ***Motion to Amend Something Previously Adopted* – General Committee Minutes of November 2, 2015**

At the January 19, 2016 In Camera meeting of Council, it was discovered that there is an error on page 7 of the approved Minutes of the November 2, 2015 meeting of the General Committee with respect to the Bob Seward issue (copy attached). The Minutes incorrectly state that "Mr. Seward never did submit an application until years later after the Subdivision Bylaw was rewritten to clarify intent." Planning staff has verified that Mr. Seward has never submitted an application for subdivision of the subject property.

Roberts Rules of Order, 11th Edition, addresses the issue of an error or material omission in the minutes which becomes reasonably established after their approval (page 475, paragraph 20). The minutes can be corrected by means of a motion to *Amend Something Previously Adopted.*

It is recommended that the General Committee pass a motion to amend the approved Minutes of the November 2, 2015 General Committee meeting, by deleting the words "until years later after the Subdivision Bylaw was rewritten to clarify intent" from the first sentence of the fifth paragraph on page 7, and restate that sentence as follows:

> "Mr. Seward never did submit an application for subdivision approval."

Yours truly,

ORIGINAL SIGNED BY

Deborah Campbell
Municipal Clerk

Attachment

Wood and Coal Burning Stoves in Accessory Buildings (Cont'd):

Mr. Gillis advised that his report puts the issue into context and offers alternative solutions. The report provides pertinent information associated with each option to be considered and recommended that Council consider the matter carefully before deciding to instruct staff to draft a Bylaw for the intention of adoption and enforcing it. He suggested that consideration be given to the possibility that the Province may already have regulations that could be effectively used.

After the discussion, the following motion was put forth:

Motion:
Moved by Councillor Eldon MacDonald, seconded by Deputy Mayor George MacDonald, that a letter be sent to the Minister of Health and Wellness, Minister of Environment, Minister of Municipal Affairs, with a copy to local MLAs, requesting that they engage appropriate Provincial Government officials to provide feedback to CBRM staff with information regarding any Provincial regulations that could be effectively used in regulating wood and coal burning stoves in accessory buildings.
Motion Carried.

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

Motion:
Moved by Councillor MacLeod, seconded by Councillor Rowe, approval of the Minutes from:
- **General Committee – October 6th, 2015**

Motion Carried.

2. **BUSINESS ARISING:**

2.1 General Committee February 3rd, 2015:

b) Staff Response Bob Seward's Written Submission at the September Meeting of Council's General Committee:

The Director of Planning and Development provided background information on this issue. He advised that Mr. Seward is requesting that Council consider amending the Subdivision Bylaw to allow him to subdivide a parcel of land that fronts on Lakeview Drive, Catalone.

Mr. Gillis advised that Lakeview Drive is an unlisted private road built by the MacNevin Family on MacNevin property. The drive services approximately fourteen cottages, some of which are permanent residences. Although this road is on MacNevin land, the MacNevin family is no longer maintaining the road. The former Municipality of the County of Cape Breton was

Continued…

Staff Response Bob Seward's Written Submission at the September Meeting of Council's General Committee (Cont'd):

providing some level of maintenance to Lakeview Drive which was one of more than 100 unlisted private roads which the rural municipality provided some maintenance. This despite the fact that prior to amalgamation, rural municipalities had no jurisdiction to construct and or maintain municipal roads or those on private property.

Mr. Seward indicated that he met with the Development Officer to discuss his proposal to further subdivide the lot parcel he was conveyed in 1975 from the MacNevin's. He stated that the Development Officer was satisfied that his verbally described proposal would be in compliance with the Subdivision Bylaw.

Mr. Gillis advised that the CBRM's Subdivision Bylaw and Land Use Bylaw contain provisions that do not permit the creation of new lot parcels unless they would front and be directly accessed by means of a public street / road, or in remote communities such as Catalone where Mr. Seward's subject property is located. They were accessed by means of a private road built to CBRM's engineering specifications for private roads. Lakeview Drive is a private road that does not meet this test.

The Director of Planning and Development advised that there are exceptions to the general rule. It is believed that the Development Officer used Section 19.b of the Bylaw where Mr. Seward's lot parcel met the time test provision as being created before August 1, 1987 however it did not meet the test of having to be a distance more than 500 meters from the nearest public street / road, unless you measure that distance along the private road rather than a straight line. That was apparently how the Development Officer interpreted this provision. Section 19.b lacked clarity. Mr. Gillis advised that in 2012, CBRM staff rewrote the Subdivision Bylaw not to change the intention of provisions but to provide clarity to the various provisions. The former Section 19.b was replaced with Section 13.

Mr. Seward never did submit an application until years later after the Subdivision Bylaw was rewritten to clarify intent. There is no legal obligation to respect an incorrect oral interpretation made years previously and it is a Development Officer's legal obligation to change his/her interpretation of a provision of a bylaw when it is understood that his/her original interpretation was flawed.

Mr. Seward stated in his document circulated to members of Council on September 1, that the MacNevin Land and Lakeview Drive have been improved to "standard". Engineering and Public Works staff have verified they have not been improved to the minimum standards for private roads as outlined in the Subdivision bylaw.

Continued...

Staff Response Bob Seward's Written Submission at the September Meeting of Council's General Committee (Cont'd):

The Director of Planning and Development advised that Mr. Seward is claiming that CBRM is obliging the MacNevins and every other owner of a private road to bring the road up to the urban specifications for a public street / road. This is misrepresentation of the facts. CBRM expects owners of current private roads who wish to further subdivide their property, including re-subdivision abutting their private road, to improve their roads to the much lesser standard for private roads in effect for existing and private road subdivisions. The specifications can be found on page 45 of the Subdivision Bylaw.

Mr. Gillis advised that with Mr. Seward's submission, nothing is included that would suggest that he should change his original recommendation to deny Mr. Seward's request to consider amending the Subdivision Bylaw.

After Mr. Gillis' presentation, discussion took place regarding:

- Legal obligations regarding the Development Officer advising that he is verbally satisfied after hearing a verbally described proposal;
- Other options available;
- Interpretation;
- Red circle the property;
- Cost to upgrade the road to minimum standard;
- Maintenance packages;
- Setting a precedence;
- Draft an amendment to the bylaw exclusive to Mr. Seward.

After discussion, the following motion was put forward.

Motion:
Moved by Deputy Mayor George MacDonald, seconded by Councillor Eldon MacDonald, that staff be directed to obtain a formal legal opinion and recommendation regarding Bob Seward's request for an amendment to the CBRM Subdivision Bylaw, prior to further Council consideration.
Motion Carried.

Grant Thornton
An instinct for growth™

Cape Breton Regional Municipality

Evaluation and Analysis of Fleet Operations
February 2016

Situation and Target

- 450 cars, trucks, buses and off-road equipment. Fire not in scope.
- Decentralized operation with 6 garages, 23 FTE in Fleet section.
- 2014-2015 repair cost of $1,478,000 (+20% from previous year).
- Target savings of 20% ($289,000).
- **Need to re-invest savings** in replacement of obsolete vehicles and equipment to bring the fleet into a state of good repair.

3 Ways to Reach Target

- Reduce the number of vehicles in service.
- Have a newer fleet.
- Execute an effective preventive maintenance program
- CBRM is capable of doing all of this. And it is not expensive. Requires a shift in the way Fleet is managed.

Priority 1 – Effective Maintenance Program

- Progress made but not able to complete because of missing data and history.
- Solution is to complete the implementation of fleet management software ("Dossier"). Now at 60% of fleet vehicles.
- Have a knowledgeable mechanic who is working part-time on it. Not sufficient to get the job done.
- Need to devote more resources here without reducing mechanic labour force.
- Otherwise, little chance of reducing repair expense.

Priority 2 – Put Budget in Same Place as Control

- Fleet Manager is accountable for all expense for fuel, repair labour and parts - $2.7 million in 2014-2015.
- Fleet cost is driven by factors that Fleet Manager *cannot* control:
  - Number of vehicles in service.
  - Number of kilometers driven.
  - Type of vehicles in the fleet.

"Budget-based relationship" provides challenges to inter-departmental accountability or work for economy.

"Transaction-based relationship" is more effective. Need to add line items for fleet expense to user budgets.

Priority 3 – Improve Management of Fleet Staff

- Supervision was extremely light. Interpersonal conflicts not contained. Shop output not effectively monitored.
- New Manager and Supervisor doing a good job of improving fleet operations.
- More attention being paid to Commercial Carrier Fleet Safety Rating.
- Seeing improvement in following "best practices". Our review indicated 50% of best practices are followed, and this is beginning to increase.

Information Technology

- Critical to finish implementing Dossier as soon as possible.
- Establish Key Performance Measures that matter to users.
  - Reliability
  - Affordability
  - Suitability
  - Availability
  - Safety
  - Fuel-efficient
  - Environmentally-friendly
  - Compliant

Finance

- Realign control and accountability so that this is transferred from the Fleet Manager to the users.
- Implement line items in user budgets to enable users to control expenses and *rationalize the number of units in service*.
- Develop an internal billing process through Dossier. Create a "normal" business procedure.

Operations

- Focus shift from control to customer service.
- Examine centralizing garages and adding service "after-hours".
- Labour rate is set too low. Municipal survey average in 2014 was $93/hour. Rate includes facilities, supervision, shop supplies, uniforms – complete recovery of fleet expenses.
- Maintain Nova Scotia Commercial Carrier Fleet Safety record.

Human Resources

- Add a planning position to complete implementation of Dossier system, create Key Performance Measurement reports, and develop a billing system.
- Improve labour relations and internal communications through increased interaction between management and mechanics.
- Develop a succession plan for Fleet Manager and Supervisor.

Cape Breton Regional Municipality - Fleet Strategic Plan

Situation, Objective and Strategy

The CBRM fleet has a diverse variety of equipment including cars, medium and heavy trucks, trailers and specialized off-road units used for maintaining municipal property and infrastructure. Fleet operates 5 garages and 5 fuel sites.

Objective

The *mission* of Fleet is to acquire, repair, maintain and dispose of light, medium and heavy duty mechanized equipment used in municipal operations.

Fleet Management's *objective* is to create a high performance service operation to carry out the mission and enable user departments to deliver their services at peak efficiency.

	Strategy	Opportunity Assessment
Recommended Strategy	Focus and Manage	Lowest Cost / Least Disruptive / Fastest
Strategy Alternatives	Outsource	More costly and split among many suppliers.
	Return to users	Disruptive for users, can't focus on main job.

Key Characteristics
- *Customer service model.*
- *Proactive management.*
- *Centralized service management.*
- *User accountability.*
- *Accurate and [illegible] cost recovery.*

Tactics by Management Function

The implementation of the "focus and manage" strategy to use the existing fleet service to enhance the productivity of municipal departments.

Finance

1. Switch from a budget-based relationship to a transaction price-based relationship.
2. Develop an internal billing process through Dossier, so users are aware of transaction costs.
3. Implement line-items in user budgets to enable users to control expenses and rationalize the number of units in service.
4. Transfer control and accountability for fuel and repairs from the Fleet Manager to the users.
5. Increase the annual capital budget for replacement vehicles with savings in Repair budget.
6. Investigate leasing as an alternative to reduce the need for capital reserve funds.
7. Adjust fleet shop labour rate.

Information Technology Management

1. Implement and tailor the Dossier system for Fleet.
2. Use real time labour capture on all work orders.
3. Build an interface between SAP and Dossier.
4. Establish key performance measures that matter to users and align with the strategic vision of the CBRM.
5. Develop a status report to inform users of repair wait times.
6. Develop internal and external benchmark reports.

GrantThornton
An instinct for growth™

Tactics by Management Function (continued)

Operations

1. Consider service "after-hours" to perform scheduled maintenance when trucks are not needed.
2. Improve and shorten the procurement process.
3. Review use of contracted-out suppliers.
4. Maintain the Nova Scotia Commercial Carrier safety record.
5. Manage bulk fuel and multiple fuel sites.
6. Establish fleet accounts to obtain fleet discounts.

Human Resources

1. Realign the duties of the Fleet Operations Supervisor to provide closer daily supervision and coaching of mechanics.
2. Add a planning position to complete the implementation of the Dossier system.
3. Have monthly meetings with all fleet employees,
4. Find technical training for mechanics.
5. Develop a succession plan for Fleet supervisors.

Marketing and Communications

1. Create a Fleet Advisory Committee .
2. Prepare a Green Fleet Plan for consideration by Council to include an affordable and sustainable approach to new vehicle and fuel technologies.
3. Participate in organizations that give the municipality an opportunity to demonstrate leadership.
4. Update this evaluation annually and re-evaluate in 3 years.

CAO's Office

CBRM

M▪E▪M▪O

320 Esplanade Sydney, Nova Scotia, B1P 7B9 902-563-5009

To: General Committee

From: Michael Merritt, Chief Administrative Officer

Date: January 29, 2016

Subject: 2016 Municipal and School Board Elections

Municipal and school board elections will be held in Nova Scotia on the third Saturday of October this year (October 15th). There are a number of initial decisions that Council must make to commence the election planning process, including:

1. Appointment of RO and ARO
2. Election Budget – Tariff of Fees and Expenses
3. Voters' list - preliminary and final
4. Alternative Voting (E-vote) via Internet and Telephone

1. Appointment of Returning Officer and Assistant Returning Officer:

One of the first decisions a municipality must make according to Section 4 of the *Municipal Elections Act* (MEA) is the appointment of a Returning Officer and Assistant Returning Officer.

In all elections since amalgamation, municipal staff have been appointed to these positions. The CBRM Council, under Section 4(1) of the MEA, has the option to contract this task out to an external person. It is my recommendation that CBRM staff administer the 2016 election and that the Municipal Clerk be appointed Returning Officer and the Regional Solicitor be designated as Assistant Returning Officer.

2. Election Budget (Setting of Tariff of Fees & Expenses):

The experience at CBRM is that a municipal election will cost in the vicinity of \$ 325,000 – \$350,000. CBRM annually reserves funds on a prorated basis for the administration of the election. We will also recover a small portion of these costs (approximately \$20,000 – \$25,000) from school boards to which we offer election services.

The MEA authorizes Council, in Section 139 (1A), to delegate authority to the CAO or Clerk to set the "tariff of fees and expenses" for the election. This would give Election Administrators sufficient flexibility to set the stipends for election workers, rental rates for polling stations, etc.

It is my recommendation that the CAO and his designate (Clerk/Returning Officer) be granted authority to set tariffs and fees as per Section 139(1A) of the MEA.

3. Preparation of Preliminary and Final Voters' List:

The production of a list of electors (voters' list) is a major task and commences early in the election process. The CBRM, in the past six (6) elections, has opted to work with the Provincial Election Officials to create its electoral lists. Our CBRM Planning and IT Departments are noted as leaders in electronic list maintenance and updating.

There will be a requirement for CBRM to sign a Data Sharing Agreement as outlined in Section 30B of the MEA. There are strict privacy and security issues related to the personal information of voters on these lists and we are careful to comply with our statutory obligations.

There is an option for Council to order a physical enumeration of the municipality, however very few units use that process anymore and the CBRM staff strongly recommend that that we utilize an existing list and aggressively revise it to get the most accurate final voters' list possible.

4. Alternative Voting Methods – E-Voting:

Staff will be proposing that we utilize electronic voting again this year (i.e. the internet or telephone) as it was well received by the electorate during the 2012 general elections and 2014 by-election in District 10.

Last summer the NS Association of Municipal Administrators, through the Halifax Regional Municipality (HRM), issued a Request for Proposals (RFP) for the "bulk purchase" of e-voting services for those Nova Scotia Municipalities interested in utilizing e-voting services during the 2016 Municipal and School Board Elections. At that time, CBRM indicated an interest in joining the RFP, noting that it **in no way commits** the Municipality to implement e-voting unless directed by Council. We are awaiting receipt of the final report on the RFP from HRM and once it has been received and analyzed by our staff, a report will be brought to this Council for consideration. At this point, we would ask that Council pass a motion approving, in principle, the use of electronic voting during the 2016 Municipal and School Elections. Amendments to the CBRM Alternative Voting By-law will also be required should we proceed with e-voting this year.

To summarize, today we are presenting recommendations listed below for consideration by the General Committee and hopefully they will be recommended to Council for approval.

Recommendations:

1. Appointment of RO and ARO – That the Municipal Clerk and Regional Solicitor be appointed as the Returning Officer and Assistant Returning Officer for the 2016 Municipal and School Board Elections.

2. Election Budget – Tariff of Fees and Expenses - That the CAO and his designate (Clerk/Returning Officer) be granted authority under Section 139(1A) of the MEA to establish a tariff of fees and expenses for various election services.

3. Voters' List - That staff be authorized to utilize the permanent electoral lists as outlined in Section 30(1)(c) of the MEA and that the Mayor and Clerk be authorized to sign the required Data Sharing Agreement as per Section 30B of the MEA.

4. Alternative Voting Methods (E-voting) - To approve, in principle, the use of electronic voting (i.e. internet and telephone) during the 2016 Municipal and School Elections, with a final report to be presented at a later date.

ORIGINAL SIGNED BY

Michael Merritt
Chief Administrative Officer

/dc

NOVA SCOTIA

Natural Resources
Office of the Minister

PO Box 698, Halifax, Nova Scotia, Canada B3J 2T9 • Telephone 902 424-4037 Fax 902 424-0594 • www.gov.ns.ca

JAN 0 5 2016

Cape Breton Regional Municipality
Received
JAN 14 2016
CLERK'S OFFICE

Ms. Deborah Campbell, Municipal Clerk
Cape Breton Regional Municipality
320 Esplanade
Sydney NS B1P 7B9

Dear Ms. Campbell:

I am responding to your letter regarding your interest in helping residents within the Cape Breton Regional Municipality to deal with nuisance wildlife.

Wildlife populations and human wildlife conflict continue to be important issues for many residents in urban and rural areas within the province, as well many other jurisdictions in North America. Species like raccoons, foxes, coyotes, bobcats, as well as white tailed deer continue to take up residency and even thrive within these urban environments better than the more rural areas. In some cases, wildlife are dispersed when development takes place but many species are attracted to, and move into these developed areas, because of the newly created habitat and food which is abundant in these neighborhoods.

During the late 1980s and early 1990s, it was clear that nuisance wildlife was a growing concern and had the potential to consume manpower and budgets within the department. As a result the department initiated a nuisance wildlife program where private industry would take the lead on direct response to nuisance wildlife issues. Individuals who offer a service to remove and or help mitigate damages caused by wildlife are required to be licensed through the department.

This license allows the Nuisance Wildlife Operators to capture and, if necessary, euthanize raccoons without additional permits from the department. These operators must acquire the appropriate permit to deal with all other species prior to engaging in the business of nuisance wildlife.

The Department of Natural Resources takes the threat from aggressive wildlife very seriously and continues to monitor all reports of sick, injured, diseased, aggressive, bold, and abnormal behavior of wildlife. In some such instances the department must be proactive and physically remove and in some cases euthanize wildlife before they become a problem.

. . . /2

When dealing with wildlife issues with species like bear, coyote, and moose, the department retains the sole responsibility and licensed Nuisance Wildlife Operators are not engaged to deal with them.

Nuisance Wildlife Operators are free to set the fees for removing wildlife. Some operators must travel every day and may travel a considerable distance to operate their business. The department does not get involved with determining or setting the fee structure for Nuisance Wildlife Operators. This is best left to the individuals who are providing the service. When asked, the department does provide a list of licensed operators in a given area and may provide advice on preventative measures to help deal with problem wildlife. It is then up to the individual to contact and hire a Nuisance Wildlife Operators at their own discretion.

One of the reoccurring issues with urban wildlife and damage associated with increases in wildlife populations in and around developed areas, is the intentional and unintentional feeding of wildlife. Education and preventative measures can be invaluable information for public when dealing with any wildlife species. The department provides useful information on living with wildlife at the following link: http://novascotia.ca/natr/wildlife/living-with-wildlife/ .

Staff have been working with some municipalities on developing bylaws which should help municipalities deal with residents who continue to feed wildlife. This targeted approach should not only discourage residents from feeding wildlife but also help reduce nuisance issues relating to some of the more problematic wildlife populations and thereby reduce conflict, disease, and aggressive wildlife issues overall within the urban landscape.

Staff from our Eastern Region office in Coxheath are willing to discuss and advise on the aspects of human-wildlife conflict that may be specific to your area to help empower residents and the municipality with the tools and information to help manage these issues.

Sincerely,

ORIGINAL SIGNED BY

Lloyd P. Hines
Minister

bc Jon Porter
Bob Petrie
Steven Delorey

CBRM *A Community of Communities*

Cape Breton Regional Municipality

Office of Deborah Campbell, BBA, MPA
Municipal Clerk

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October 30, 2015

Honourable Lloyd Hines,
Minister of Natural Resources
P.O. Box 698
Halifax, NS B3J 2T9

RE: Request for a Formal Wildlife Control Plan

Dear Minister Hines:

At its October 20th, 2015 meeting, the Council of the Cape Breton Regional Municipality (CBRM) passed a motion directing that a letter be forwarded to you requesting that the Province endorse a "Wildlife Control Plan" to assist residents of Nova Scotia in dealing with nuisance wildlife.

Raccoons, coyotes and other wildlife are increasingly becoming a nuisance to residential property owners in Nova Scotia, and particularly in both the rural and urban areas of CBRM. There are growing numbers of wildlife in our neighborhoods and every day citizens, especially small children, are put at risk due to these wild animals as they are steadily becoming more aggressive and are not showing any fear of humans.

The dangers associated with nuisance wildlife are not only limited to property damage and the threat of being attacked, but include the potential health risks through exposure to excrement and the diseases these animals are known to carry such as rabies, roundworm and giardia.

It is challenging for the average resident to deal with these unwanted nuisance animals on their own. It can be quite expensive and often very difficult to engage the services of a private trapper to remove an animal only to have it return or another animal take its place. Thus CBRM Council is requesting that the Province adopt a program that would enable residents to access the services of wildlife control specialists who could provide a quick and effective solution.

Thanking you in advance for your consideration of this matter and we await your response.

Yours truly,

ORIGINAL SIGNED BY

Deborah Campbell
Municipal Clerk

/db
Attachment

CBRM RESOLUTION

Request for Province to Adopt a Wildlife Control Plan to Eradicate Raccoons

WHEREAS:	When wildlife, such as raccoons show up on your property, it can cause more than just a nuisance, as in some cases unwanted wildlife can constitute a health hazard and put people at risk for injury;
AND WHEREAS:	There have been incidents when residents try to tackle a wildlife invasion and as a result were seriously injured;
AND WHEREAS:	Raccoon feces and urine are associated with known diseases, including roundworm, giardia and more;
AND WHEREAS:	When a property is invaded, a team of experienced professionals should be on hand to provide a quick and effective solution to the problem;
AND WHEREAS:	There are provinces in Canada where municipalities have adopted policies to protect their citizens and have used the services of "Canadian Wildlife Control" that have the tools and skills to rid property owners of wildlife problems;
BE IT THEREFORE RESOLVED:	That CBRM Mayor & Council request Paul Burt, CBRM Manager of Planning, By-Laws and Unsightly Premises to undertake the following:

- Write to the Honourable Lloyd Hines, Minister of National Resources to endorse a "Wildlife Control Plan" that would keep all residents in Nova Scotia from serious risk when raccoons wander onto residential properties putting our residents and especially, small children in danger;

Councillor Darrell Flynn – District #10 - CBRM

October 20th, 2015

Request for Province to Adopt a Wildlife Control Plan to Eradicate Raccoons

Motion:
Moved by Councillor Flynn, seconded by Deputy Mayor George MacDonald, that the CBRM Manager of Planning, By-Laws and Unsightly Premises be requested to undertake the following:

- Write to the Honourable Lloyd Hines, Minister of National Resources, to endorse a "Wildlife Control Plan" that would keep all residents in Nova Scotia from serious risk when raccoons wander onto residential properties putting our residents, and especially small children, in danger.

Motion Carried.

NOVA SCOTIA
Environment
Office of the Minister

PO Box 442, Halifax, Nova Scotia, Canada B3J 2P8 • www.novascotia.ca/nse

Our File number:
10700-40-49441

JAN 0 7 2015

Deborah Campbell
Municipal Clerk
Cape Breton Municipality
320 Esplanade
Sydney NS B1P 7B9

Dear Ms. Campbell:

Thank you for your letter of November 5, 2015 to myself as well as the ministers of Health and Wellness and Municipal Affairs regarding provincial regulations associated with wood and coal burning stoves in accessory buildings. I am responding on behalf of all three ministers.

Nova Scotia Environment does not regulate the use of wood or coal burning stoves. However the Department of Energy regulates some types of appliances from an efficiency perspective. More efficient stoves are also cleaner burning. They are regulated by an efficiency standard found in Schedule 1, No. 45 of the ***Energy-Efficient Appliances Regulations*** maintained by the Department of Energy. There are exceptions for some appliances and applications, as stated in the regulation.

The Nova Scotia ***Health Protection Act*** and ***Health Hazard Regulations*** are designed to facilitate public health intervention where activities or conditions exist that are deemed to pose a risk to the health of the broader public, and only in the absence of legislation or regulation designed specifically to control or regulate the activity.

Finally, the ***Municipal Government Act*** states the issues for which Nova Scotia's municipalities have the power to make by-laws (Section 172 of the *MGA*). Municipalities have the power to make by-laws on issues regarding the "health, well-being, safety and protection of persons" and, "respecting... burning, odours, fumes..." To assist municipalities in developing by-laws regarding wood-burning appliances, the federal department of Environment and Climate Change published a model municipal by-law that can be found at Publications.gc.ca

I trust that you will find this summary helpful.

Sincerely,

ORIGINAL SIGNED BY

Randy Delorey, MLA
Minister of Environment

c: Leo Glavine, Minister of Health
Zach Churchill, Minister of Municipal Affairs

CBRM *A Community of Communities*

Cape Breton Regional Municipality

Office of Deborah Campbell, BBA, MPA
Municipal Clerk

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November 5, 2015

Honourable Leo Glavine
Minister of Health and Wellness
17th Floor, Barrington Tower
1894 Barrington Street
Halifax, NS B3J 2A8

Honourable Zach Churchill
Minister of Municipal Affairs
14th Floor North, Maritime Centre
1505 Barrington Street
P.O. Box 216
Halifax, NS B3J 2M4

Honourable Randy Delorey
Minister of Environment
Barrington Tower
1894 Barrington Street
Suite 1800
P.O. Box 442
Halifax, NS B3J 2P8

Re: Wood and Coal Burning Stoves in Accessory Buildings

Dear Honorable Minister Glavine, Minister Churchill and Minister Delorey:

At the November 2nd, 2015 meeting of the General Committee, the Council of the Cape Breton Regional Municipality passed a motion directing that a letter be sent to you, asking that you engage your staff to provide feedback to CBRM staff regarding any Provincial regulations that could be effectively used in regulating wood and coal burning stoves in accessory buildings.

Periodically, members of Council have received complaints from residents throughout CBRM alleging both the smoke and the fumes emanating from the stack chimney is wafting over to their property as a result of wood and coal burning stoves in accessory buildings.

The complainants are nearby residents and they are alleging the smoke and fumes adversely affect their health by aggravating their medical conditions. It was noted during the Committee's deliberations that there may currently be regulations under an Act, or Acts of the Province, (e.g. the Health Hazards Regulations of the Province under the Nova Scotia Health

Continued…

Protection Act) which already address such matters. CBRM Council is thereby requesting that you ask your staff to review pertinent legislation and any pursuant regulations to determine if there is Provincial authority to mitigate such health concerns by regulating this activity and to contact staff of the Clerk's office of the CBRM with their findings so that we can report back to Council.

Thanking you in advance for your time and consideration of this matter. We look forward to your response.

Yours truly,

ORIGINAL SIGNED BY

Deborah Campbell
Municipal Clerk
/slm

Copy: Pam Eyking, MLA Victoria-The Lakes
Geoff MacLellan, MLA Glace Bay
Alfie MacLeod, MLA Sydney River-Mira-Louisbourg
Derek Mombourquette, MLA Sydney-Whitney Pier
Eddie Orrell, MLA Northside-Westmount
Michel P. Samson, MLA Cape Breton-Richmond
David Wilton, MLA Cape Breton Centre

Wood and Coal Burning Stoves in Accessory Buildings:

Motion:
Moved by Councillor Eldon MacDonald, seconded by Deputy Mayor George MacDonald, that a letter be sent to the Minister of Health and Wellness, Minister of Environment, Minister of Municipal Affairs with a copy to local MLAs, requesting that they engage appropriate Provincial Government officials to provide feedback to CBRM staff regarding Provincial regulations that could be effectively used in regulating wood and coal burning stoves in accessory buildings.
Motion Carried.

TO: **CBRM Council**

FROM: **Malcolm Gillis**

SUBJECT: **COAL AND WOOD BURNING STOVES IN ACCESSORY BUILDINGS**

DATE: **October 28th, 2015**

Introduction

At the request of Councillor Eldon MacDonald, Council's General Committee passed a Motion instructing staff "... to reexamine the issue regarding smoke emitting from outdoor furnaces housed in sheds/garages in CBRM neighbourhoods and bring forth an issue paper to Council." This Issue Paper is written in response to that Motion.

Councillor MacDonald's request was made after he received a complaint from a constituent in the North End neighbourhood of Sydney alleging smoke emanating from the chimney of a neighbour's accessory building was adversely affecting his breathing. The neighbour is using a wood stove in an accessory building to heat his house via a pipe connecting both buildings. There currently is no Bylaw or Policy of the CBRM which can be enforced to stop such practices.

Heating the house using a coal or wood burning stove from within an accessory building linked to the house by a hot water pipe is a common enough phenomenon throughout CBRM. The primary reason people do it is to keep this relatively dirty appliance, and the fuel it uses, in a building other than the house, especially if the house has no basement. Periodically, however, councillors get complaints from neighbours alleging both the smoke and fumes emanating from the stack chimney is wafting over to their property sullying clothes drying on the line and seeping into the windows of their house. In sparsely developed rural communities this is not an issue. The complaints always come from within an urban neighbourhood.

This happens primarily for the following reasons:

- the furnace and its stack chimney are not being properly maintained;
- the accessory building the furnace is kept in is usually a short, one storey building and the stack/chimney is not elevated enough so that smoke and fumes don't dissipate above people and their homes;
- the coal or wood they are burning is inferior (e.g. a high sulphur content or the wood is wet).

What has been done to date.

This is not the first time a CBRM councillor requested a Motion from Council or one of its committees to look into this after receiving complaints from constituents. Back in 2009, Councillor Tom Wilson lobbied Council to instruct staff to investigate the matter and come back with a report. The original Motion was made by the Protective Services Committee. The staff response was an Issue Paper from Manager of Inspections and Bylaws Rick Fraser. His report provided three options:

1. **Council passes a Motion requesting the Province amend the Building Code Act.** Rick didn't recommend this option because it can be a long and difficult process and he questioned if this was an issue that could be effectively regulated by the Code. The Committee did not pursue this option.
2. **The CBRM do nothing and** let people exercise **their** right **to take legal action against their neighbours**, and hopefully, before that happens, neighbours attempt to work it out between themselves. While the Committee was fine with this approach, they wanted to learn more about the possibility of the next (3rd) option made in his report.
3. **Council adopts an amendment to CBRM's two land use bylaws** essentially imposing a significant setback on accessory buildings with such a furnace appliance in urban areas in hopes it would curtail their use. This led to a report by me dated October 1st, 2009.

My report did not advocate using the zoning provisions of a Land Use Bylaw to regulate such developments for two reasons.

1. Such a provision as a significant setback would be the equivalent of a ban in urban neighbourhoods. That, in my mind, is too heavy handed and punishes everyone because of a few and I didn't recommend it.
2. Any provision implemented would be based on the naïve assumption people will actually even think to apply for a Development Permit when contemplating the installation of a coal or wood burning furnace in a tiny accessory building. That just doesn't happen. CBRM would be essentially reacting to complaints after it was installed and in operation. In circumstances like that there is no remedy other than the removal of the furnace, because these complaints originate from densely developed urban residential neighbourhoods where in just about every case, no one will have the land to relocate both the furnace and the accessory building it will be in. People most likely simply would not comply because the By-law wouldn't provide any reasonable alternative and we'll be left to take court action. The prospect of taking court action regarding such matters would not be well accepted by the judiciary and would be a misuse of the scant development control and legal resources at the CBRM's disposal. Imagine the Regional Municipality taking someone to court over the installation and operation of a stove.

Neither report (i.e. Rick Fraser's or mine) were acted upon.

What realistic legal options are available?

There are three alternative options consider. The first 2 do not involve the CBRM. CBRM's By-law Enforcement staff contingent is thin (it was 3 and is now down to 2 with a greater range of responsibilities than when there were 3) and because of CBRM's precarious financial situation, an expansion of the workforce to enforce more and more Bylaws must be considered prudently.

1. Rick Fraser's option to advise and encourage people to resolve their disputes between themselves (there are examples in which this has worked) or personally take legal (civil) action in the courts when the actions of their neighbours become an intolerable nuisance. Using Provincial Legislation like the Protection of Property Act or common nuisance laws are always an option available to anyone. People are reluctant to do this because they fear it will be expensive. Successful litigation can include some reimbursement for the legal costs incurred.
2. As I understand it, the person who complained to Councillor MacDonald was suffering from a medical condition which was allegedly aggravated by the smoke and fumes from a neighbour's stove. That is a health matter. The Health Hazards Regulations of the Province under the Nova Scotia Health Protection Act states that a medical officer of the Province could investigate a report of a health hazard caused by a "... solid, liquid, gas, or heat emanating from premises". If a medical health officer is convinced a health hazard does exist he/she can issue an Order to remedy.
3. Section 172 (1) of the Municipal Government Act enables municipalities to adopt a Bylaw "... respecting the health ... and protection of persons ... the safety and protection of property ... nuisances ... that, in the opinion of Council, may be or cause nuisances including burning, odours, fumes ...".

Having the authority under the enabling legislation is one thing, choosing to exercise it is another matter. It is my opinion that there are three things to consider:

- do we want such a Bylaw;
- what is it that we want to regulate; and
- who will administer and enforce it?

1. Do we want such a Bylaw?

With the staff resources we currently have, CBRM has a difficult enough time attempting to regulate development let alone regulate how people maintain appliances within their accessory buildings. Knowing that neighbours always have the legal right to take civil action against their neighbours, plus when neighbours actually bring the matter up with their neighbour, the matter sometimes gets resolved between them. Should the Regional Municipality attempt to adopt a Bylaw when quite possibly the legal tools are already available under Provincial legislation? This does beg the question ... how big a problem is this?

2. What is it that we would want to regulate, and how would it be enforced?

What causes the problem is either one or more of three possibilities. Drafting a Bylaw focusing on these three causes would not be difficult. Enforcing it would be another matter.

a. A poorly maintained furnace and/or its stack chimney, or a stack chimney that is not high enough. Only a plumbing and heating specialist would be qualified to determine if the furnace and its component parts, including the chimney are the cause of the problem. A By-law Enforcement Officer would have to engage the services of someone with those skills to conduct an inspection along with them.

b. Inferior fuel (e.g. coal with a high sulphur content, wet wood). Again, if we are to be expected to enforce such a provision (i.e. defend ourselves in a court of law) we would need the services of an expert to confirm that.
c. Inappropriate fuel (e.g. plastics, tires). You may not need an expert to determine this, but we will most likely be expected to respond very quickly when this happens.

3. Who will administer and enforce it?

The prospective enforcers which are usually put forth by proponents of enforcement are:

- The Police;
- The Bylaw Enforcement Officers;
- Building Officials; or
- The Property Maintenance Officers responsible for the dangerous and unsightly premises provisions of the Municipal Government Act.

The Police certainly would have the jurisdictional authority and the Police Department has the largest staff complement by far. However, the Police also have, by far, the widest range of enforcement responsibilities. There is a general understanding that the Police should focus on protecting our communities from criminals and that any violator of such a Bylaw would be less of a criminal and more of an irresponsible, and possibly inconsiderate, violator. The Police also may not be the best enforcement resource to determine the nature of such violations (e.g. is it a poorly maintained furnace, the chimney is too low, the wood is wet etc.).

The Bylaw Enforcement Officers are appointed as Special Constables to enforce only very specific Bylaws of the CBRM. The logic behind this is to have staff which are not making the salary of a Police Officer to enforce regulatory Bylaws of the Regional Municipality which are really not so much about enforcement against criminal behaviour. The range of such Bylaws currently includes the Parking Meter Bylaw, the Taxi Bylaw, the Vending Machines Bylaw, and the Vendors Bylaw. And when there is criminal activity involved (e.g. breaking into parking meters for the money) the Police are called in. But as with the Police, CBRM's Bylaw Enforcement Officers do not have the special skills to make the necessary determinations of a violation of such a Bylaw. As well, CBRM's current complement of two Bylaw Enforcement Officers is a reduction down from three several years ago without any reduction in responsibilities.

The Building Officials probably would be the most appropriate to determine the nature of any violation under such a Bylaw. However, theirs is a very specific appointment i.e. under the Building Code Act. And their former Manager, Rick Fraser, already determined in his report a few years back, that there is no provision under the Building Code to regulate this use. Other municipalities use their Building Officials to multi-task in the enforcement of other Bylaws, but they are small municipalities with workload responsibilities which do not warrant having a full time Building Officials. Probably their most appropriate role would be in support of the staff person with the responsibility to enforce this nuisance Bylaw by providing technical advice to determine what most likely is the cause of the complaint.

The Property Maintenance Officers responsible for enforcing the dangerous and unsightly premises provisions of the Municipal Government Act may be a good fit because there are clauses in the Act that are related to the issue which is the focus of the complaints about these furnaces.

Fire Services Department staff could be considered. This is, after all, about the adverse effects of a fire and the smoke billowing out from it. The Chief of each Fire Department currently has the authority to demand that open fires in urban areas be extinquished. The more than subtle difference here though is that these are fires burning from within an appliance in a building.

Recommendation:

The Council Motion does not ask for a recommendation in the Issue Paper. I see the purpose of this report as a document that puts the issue in context, offers alternative solutions and provides the pros and cons associated with each of the options to be considered. But I am prepared to at least recommend that Council consider this matter carefully before deciding to instruct staff to draft a Bylaw for the intention of adopting and enforcing it. I would at least first ask that consideration be given to the possibility that the Province may already have regulations that could be effectively used. The Province's regulations referenced in this paper are not specific to this issue, but if a person's health is the reason why Council would consider regulating this activity, then we may be assuming a responsibility already governed by another level of Government.

Submitted by:

ORIGINAL SIGNED BY

Malcolm Gillis
Planning Department

Legal Opinion – Bob Seward Subdivision:

Motion:
Moved by Councillor Paruch, seconded by Councillor Cormier, that a recommendation be made to the General Committee to follow the advice and course of action as put forth by the Director of Planning.
Motion Carried

2. BUSINESS ARISING:

2.1 General Committee February 3rd, 2015:

b) Staff Response Bob Seward's Written Submission at the September Meeting of Council's General Committee:

The Director of Planning and Development provided background information on this issue. He advised that Mr. Seward is requesting that Council consider amending the Subdivision Bylaw to allow him to subdivide a parcel of land that fronts on Lakeview Drive, Catalone.

Mr. Gillis advised that Lakeview Drive is an unlisted private road built by the MacNevin Family on MacNevin property. The drive services approximately fourteen cottages, some of which are permanent residences. Although this road is on MacNevin land, the MacNevin family is no longer maintaining the road. The former Municipality of the County of Cape Breton was providing some level of maintenance to Lakeview Drive which was one of more than 100 unlisted private roads which the rural municipality provided some maintenance. This despite the fact that prior to amalgamation, rural municipalities had no jurisdiction to construct and or maintain municipal roads or those on private property.

Mr. Seward indicated that he met with the Development Officer to discuss his proposal to further subdivide the lot parcel he was conveyed in 1975 from the MacNevin's. He stated that the Development Officer was satisfied that his verbally described proposal would be in compliance with the Subdivision Bylaw.

Mr. Gillis advised that the CBRM's Subdivision Bylaw and Land Use Bylaw contain provisions that do not permit the creation of new lot parcels unless they would front and be directly accessed by means of a public street / road, or in remote communities such as Catalone where Mr. Seward's subject property is located. They were accessed by means of a private road built to CBRM's engineering specifications for private roads. Lakeview Drive is a private road that does not meet this test.

The Director of Planning and Development advised that there are exceptions to the general rule. It is believed that the Development Officer used Section 19.b of the Bylaw where Mr. Seward's lot parcel met the time test provision as being created before August 1, 1987 however it did not meet the test of having to be a distance more than 500 meters from the nearest public street / road, unless you measure that distance along the private road rather than a straight line. That was apparently how the Development Officer interpreted this provision. Section 19.b lacked clarity. Mr. Gillis advised that in 2012, CBRM staff rewrote the Subdivision Bylaw not to change the intention of provisions but to provide clarity to the various provisions. The former Section 19.b was replaced with Section 13.

Continued...

Staff Response Bob Seward's Written Submission at the September Meeting of Council's General Committee (Cont'd):

Mr. Seward never did submit an application until years later after the Subdivision Bylaw was rewritten to clarify intent. There is no legal obligation to respect an incorrect oral interpretation made years previously and it is a Development Officer's legal obligation to change his/her interpretation of a provision of a bylaw when it is understood that his/her original interpretation was flawed.

Mr. Seward stated in his document circulated to members of Council on September 1, that the MacNevin Land and Lakeview Drive have been improved to "standard". Engineering and Public Works staff have verified they have not been improved to the minimum standards for private roads as outlined in the Subdivision bylaw.

The Director of Planning and Development advised that Mr. Seward is claiming that CBRM is obliging the MacNevins and every other owner of a private road to bring the road up to the urban specifications for a public street / road. This is misrepresentation of the facts. CBRM expects owners of current private roads who wish to further subdivide their property, including re-subdivision abutting their private road, to improve their roads to the much lesser standard for private roads in effect for existing and private road subdivisions. The specifications can be found on page 45 of the Subdivision Bylaw.

Mr. Gillis advised that with Mr. Seward's submission, nothing is included that would suggest that he should change his original recommendation to deny Mr. Seward's request to consider amending the Subdivision Bylaw.

After Mr. Gillis' presentation, discussion took place regarding:

- Legal obligations regarding the Development Officer advising that he is verbally satisfied after hearing a verbally described proposal;
- Other options available;
- Interpretation;
- Red circle the property;
- Cost to upgrade the road to minimum standard;
- Maintenance packages;
- Setting a precedence;
- Draft an amendment to the bylaw exclusive to Mr. Seward.

After discussion, the following motion was put forward.

Motion:
Moved by Deputy Mayor George MacDonald, seconded by Councillor Eldon MacDonald, that staff be directed to obtain a formal legal opinion and recommendation regarding Bob Seward's request for an amendment to the CBRM Subdivision Bylaw, prior to further Council consideration.
Motion Carried.

CBRM *A Community of Communities*

Cape Breton Regional Municipality

Malcolm Gillis
Director Planning and Development Department
Email:mggillis@cbrm.ns.ca
Tel: 902-563-5027

320 Esplanade, Sydney, N.S.
B1P 7B9
Fax

MEMO TO: Council

FROM: **Malcolm Gillis**

SUBJECT: **Staff response Bob Seward's written submission at the September meeting of Council's General Committee**

DATE: **October 21st, 2015**

To support his request that Council consider amending the Subdivision Bylaw, Mr. Seward presented a written submission at the September 1st General Committee meeting which he read at that meeting. The Motion of the Committee was that staff be given time to respond to it and submit our own written rebuttal. This memo is that response.

Although Bob didn't number them, I took the liberty of numbering the pages of his written submission for easy reference.

Page 1 is a table of contents. Staff have no comments regarding this page.

Page 2 is a list of 3 definitions. These are definitions that Bob used in his written submission. They are not the legal definitions from the Municipal Government Act which municipalities must refer to when drafting and interpreting its Subdivision Bylaw. Actually, the words "division" and "parceling" are not defined in the Municipal Government Act. The Act's definition for "subdivision" is any division of land into two or more parcels, and includes a re-subdivision or a consolidation of two or more parcels.

In paragraph 1 on page 3 under the title "Introduction" Mr. Seward indicates that he met Development Officer Brian Spicer to discuss his proposal to further subdivide the lot parcel he was conveyed back in 1975 from the MacNevin family. He states that Brian Spicer was satisfied his verbally described proposal would be in compliance with the Subdivision Bylaw.

At the time (and still today), the Regional Municipality's Subdivision Bylaw (its Bylaw regulating the division of property) and its Land Use Bylaw (its Bylaw regulating the development of property) had provisions which generally did not permit the creation of new lot parcels unless they would front and be directly accessed by means of a public street/road, or in remote communities like Catalone where Mr. Seward's subject property is located, they were accessed by means of a private road built to CBRM's engineering specifications for private roads. Lakeview Drive is a private road that does not meet this test.

However, there were exceptions to this general rule. It is my understanding Mr. Spicer used Section 19.b of the Bylaw which read as follows:

"19.b. Notwithstanding the requirements of Section 12 and the lot frontage requirements of Section 13, a maximum of one lot that does not meet the requirements of Section 12 and/or the lot frontage requirements of Section 13 may be created within any area of land as it existed on August 1, 1987. Any lot created pursuant to this sub-section shall have access to a public street/road by means of an easement granted by deed, registered at the Registry of Deeds, or, in the case of lots alienated from a public street/road by a railway, access to a public street/road by means of an easement granted by deed, registered at the Registry of Deeds, over all lands other than the railway for which no proof of access is required and shall:

- be located such that an extension to the nearest public street/road at least 500 meters in length would be required in order for any portion of the lot to be created to access a public street/road; or
- be located between a navigable water body and a railway line where no public street/road exists on the side of the railway within 500 meters of where the lot is to be created."

Mr. Seward's lot parcel met the time test of this provision (i.e. created before August 1st, 1987) because it was first submitted into the Land Registry in 1975. His deed references an easement across the MacNevins property to the Catalone Gut Road and it was conveyed to him by Archibald MacNevin. However, it did not meet the test of having to be a distance more than 500 meters from the nearest public street/road, *unless you measure that distance along the private road rather than a straight line*. That was apparently how Mr. Spicer interpreted this provision. At the same time I learned this was not how our other Development Officer was interpreting the same provision. If two Development Officers could interpret the same provision in such a different way the provision obviously lacked clarity.

In 2012 CBRM staff undertook a re-write of the Subdivision Bylaw. The objective was not to <u>change</u> the intention of its provisions. It was intended to *<u>clarify</u>* what the provisions meant. This project was undertaken because too many provisions were being interpreted in different ways by the professionals who work with our Development Officers on subdivision projects (e.g. surveyors, lawyers, realtors) and even our Development Officers would come up with more than one interpretation of the same clause (as I pointed out in the above paragraph).

When the above referenced Section 19.b came up for review, after Department staff debated the matter, including representatives of the staff committee which drafted the Bylaw back in 1998, it was determined the reason for the provision was to **permit a single lot parcel to be created in a remote location well beyond a reasonable distance to ever construct a public street/road or private road to access it** (that's why the 500 meter distance was chosen). That is, it was agreed the intention was not for this provision to be used to allow for a subdivision on a lot parcel currently accessible via an unlisted road. First of all, it contradicted a General Provision that stated no new lot parcels should be created on unlisted roads. And secondly, to interpret this provision to be in effect for lot parcels on unlisted roads would mean the Development Officer can grant subdivision approval to Bob Seward at 60 Lakeview Drive but can't grant subdivision approval to the MacKeigans at 70 MacNevin Lane because their lot parcel was within 500 ft. of a public street/road. How can we defend that? Consequently, since the Subdivision Bylaw was re-written for clarity it now reads ...

"Section 13 Division Creating Landlocked Lot Parcel

The Development Officer may approve a plan of subdivision creating a maximum of one additional lot parcel with no public street/road frontage provided:

- the lot parcel subject to the plan of subdivision is not the result of a subdivision, as defined by this Bylaw, since August 1st, 1987;
- no public street/road exists within 500 meters of the lot parcel created (other than the remainder lot parcel);
- the lot parcel subject to the plan of subdivision does not front along, or will not have access to an unlisted road (as defined by this Bylaw) to provide motor vehicle access to a public street/road.
- any lot parcel created pursuant to this Section shall have access to a public street/road by means of an easement granted by deed and shown on the Final plan of subdivision, registered at the Registry of Deeds, over all necessary lands."

This Section 13 replaced Section 19.b of the former Subdivision Bylaw. It clearly articulates the original intention that this provision is not to be used to approve a plan of subdivision from lot parcels serviced by an unlisted road.

It is very unfortunate that Mr. Seward was advised by a Development Officer his discussed subdivision proposal could be approved if he submitted an application. But he never did submit an application. Years later (after the Subdivision Bylaw was re-written to clarify intent) he makes the same inquiry and learns that what was orally promised years previously was an incorrect interpretation of a provision of the Bylaw which has since been revised to clarify its intended purpose. A Development Officer's legal obligation is to change his interpretation of a provision of a Bylaw when it is understood that his/her original interpretation was flawed. There is no legal obligation to respect an incorrect <u>oral interpretation</u> made years previously.

Mr. Seward ends the paragraph by stating "it's important to note no personal or public notice as to these proposed changes was made known." The first part of that sentence is correct i.e. he was not personally notified. However, the direction of the Bylaw was not changed. Staff agreed on a consistent interpretation of this provision after discussing the matter with representatives of the staff which drafted the Bylaw. The entire Bylaw was eventually re-written and the revised version which clarified this interpretation was adopted by Council. But staff already agreed with our current interpretation before the Bylaw amendments were adopted. In other words the Bylaw was not changed to prevent Mr. Seward's subdivision proposal. There were conflicting interpretations of the same provision. This could not continue. The result was an interpretation that now prevents us from granting subdivision approval if Mr. Seward was to submit a formal application.

Even if there was a deliberate attempt to change the direction of the Bylaw with an amendment adopted by Council, there is no legal obligation to notify each and every person who came into the office in the past to discuss a subdivision proposal that may, or may not be adversely affected by that change. Not only is there no legal obligation it is unrealistic to expect a member of staff to notify someone regarding an issue years since he last met the person. In the time I have spent writing this document Development Officer Brian Spicer has met with at more than a dozen people with a broad range of development and subdivision proposals with a varied list of questions and it is our experience that many of these proposals will never materialize as a formal application.

Under the title "Stewardship and Ownership" Mr. Seward claims the owners of the private roads (i.e. MacNevin Lane and Lakeview Drive) servicing his lot parcel asked the former Municipality of Cape Breton County and the CBRM to take over these roads. I'm not sure what he means by that, but if he means accept ownership of course we didn't and nor should we. It would be a slap in the face to every developer who complies with our Subdivision Bylaw in the construction of their public street/road or private road to the CBRM's specifications.

Also in that paragraph he says these two private roads have been improved to "standard". Although Public Works East have conducted improvements to these private roads Engineering and Public Works staff have verified they have not been improved to the minimum standards for private roads in our Subdivision Bylaw that would allow for further subdivision and nor should they. Public Works provides limited maintenance service afforded all unlisted private roads which were qualified in a decision of the former Municipality of Cape Breton County back in 1994. It is not the responsibility of the rest of the taxpayers of the Regional Municipality to pay for upgrades to a private road development to bring it to even our private road minimum standards.

Also on page 4, under the title "Fairness and a Double Standard" Mr. Seward claims the CBRM is obliging the MacNevins and every other owner of a private road to bring the road up to the urban specifications for a public street/road (e.g. storm sewers, pavement, curb and gutter etc.). That is a misrepresentation of the facts. We are expecting the owners of current private road subdivisions who wish to further subdivide their property, including re-subdivision by owners abutting their private road, to improve their roads to the much lesser standard for private roads in effect for existing and new private road subdivisions. These specifications are found on page 45 of the Subdivision Bylaw and are included at the end of this memo.

In the 2nd paragraph under the above referenced title he says "... to link my proposal to the CBRM Subdivision Bylaw is inaccurate...". Actually, the opposite is true. If we were to consider that his proposal was not subject to the requirements of the Subdivision Bylaw it would be illegal. What he is proposing meets the Province's legal test of a subdivision.

On page 5, under the title "Summary and Conclusions" he states that four lot parcels with frontage on Lakeview Drive were created since the Subdivision Bylaw came into effect. That is correct. However, 3 were the result of a lot parcel consolidation and/or boundary adjustment that either resulted in less lot parcels or the same number. The Subdivision Bylaw gives the Development Officer the authority to approve a plan of subdivision creating new building lots only accessed by means of a private road if the number of lot parcels created does not exceed the number that existed prior to the subdivision. The 4th was approved incorrectly using the previously referenced Section 19.b. That is unfortunate. But you correct a wrong interpretation by stop making it rather than perpetuating it.

In the 3rd paragraph from the bottom on page 5 he says denying his proposed amendment "... will result in a mass exodus from these lands." Such a statement is fear mongering that has no basis in reality. With the referenced rare mis-interpretation of an ambiguous provision (that has long since been rectified for clarity) the current provisions regulating subdivision development serviced by private roads has been in effect for many years and there is no evidence whatsoever to support such an allegation.

Recommendation:

Nothing which Mr. Seward purports in his written submission suggests to me that I should change my original recommendation i.e. to respectfully deny his request to consider amending the Subdivision Bylaw.

Submitted by:

ORIGINAL SIGNED BY

Malcolm Gillis
Director of Planning

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TO: **CBRM Council**

FROM: **Malcolm Gillis**

SUBJECT: **REQUESTED AMENDMENT TO THE CBRM SUBDIVISION BYLAW – from Bob Seward**

DATE: **August 5th, 2015**

Introduction

Before you read this report it is important that you understand the definition of three terms.

1. Public street/road means a street or road either owned and maintained by CBRM or by the Province's Department of Transportation and Infrastructure Renewal (DTIR).
2. Private road approved in a plan of subdivision means a privately owned road servicing lot parcels in a plan of subdivision approved by a CBRM Development Officer. This category of private road can only be approved in relatively remote locales of the CBRM beyond a 20 kilometer commute along the public street/road network from the center of the major urban communities. A map of the CBRM showing where private road subdivisions are permitted colored greed is included with this report. These private roads must also:
   - be built to certain minimum construction specifications, although not the same standards as for a public street/road;
   - they must have a defined right-of-way boundary; and
   - they are not to be maintained by the Regional Municipality. These specs are in the CBRM Subdivision Bylaw.
3. **Unlisted private** road means a privately owned road servicing building lot parcels that was never in a plan of subdivision approved by the Development Officer and which is not constructed to any minimum specification.

Bob Seward owns a 2.75 acre lot parcel with water frontage along Catalone Lake in the community of Catalone. Access to this property from the nearest public street/road (i.e. the Catalone Gut Road) is by means of two unlisted, privately owned roads; MacNevin Lane intersects the Catalone Gut Road and, approximately 0.5 kilometers down this Lane it intersects Lakeview Drive. Mr. Seward's lot parcel begins approximately 0.3 kilometers down the Drive. The Map titled "MacNevin Lane and Lakeview Drive" illustrates the situation as described in this paragraph.

Mr. Seward would like to further subdivide his lot parcel to create up to an additional 2 lot parcels. The Province's on-site sewage disposal system regulations under the Environment Act may allow for this if the soil conditions are ideal. However, although both Lakeview Drive and MacNevin Lane are in the part of the CBRM where private road subdivisions are permitted, neither the Lane or the Drive are constructed to the minimum specifications for private roads in the Subdivision Bylaw. Our Development Officers spoke to a representative of the owner of both the Lane and Drive to ascertain if they would be interested in constructing improvements to both unlisted private roads to bring them to CBRM private road construction specifications, but they were not interested, apparently because there is little market to sell further building lots as most of the water frontage has already been conveyed.

There are 320 private roads in the CBRM. Only 24 were approved in a plan of subdivision and constructed to CBRM's private road construction standard. The remaining 296 are unlisted private roads which were generally created before municipalities began to effectively regulate subdivisions. Consequently, they were built with:

- a wide range of construction standards;
- ownership issues ranging from one owner (like MacNevin Lane and Lakeview Drive); to several owners; and
- a wide range of boundary issues from a defined boundary to no defined boundary at all.

129 of those unlisted private roads are receiving at least some level of service from a Public Works division of the CBRM. This is a practice that was inherited from the former municipalities prior to amalgamation. At one time there were over 300 unlisted private roads receiving at least some level of service from their Municipality. This number was eventually culled down to the current 129 based on criteria that considered the number of dwellings along the road and whether or not the Municipality had invested in any infrastructure on the road (e.g. water or sewer mains, or asphalt surface). 13 of the 129 are paved and receive full maintenance service. 97 are gravel roads receiving full maintenance service (i.e. gravel, grading and winter plowing). Both MacNevin Lane and Lakeview Drive receive this level of service. The remaining 19 gravel roads do not receive winter plowing.

The reasons for reducing the number of unlisted private roads which were receiving maintenance from the Municipality and the eventual prohibition on private road subdivisions unless they were built to certain standards, albeit lesser than public street/road standards, are as follows.

- Municipalities have no business spending tax payer's money maintaining privately owned roads.
- Money spent on maintaining unlisted private roads either results in less money spent on public streets/roads or results in higher taxes for all because no specific levy is imposed on properties serviced by unlisted privately owned roads which are maintained by the Municipal taxpayer.

- The ban on private road subdivisions within 20 kilometers of the major urban communities is in effect because it is understood people investing in the purchase of building lots in a newly approved plan of subdivision have high expectations the road network servicing the subdivision will be to a certain minimum standard, including asphalt.
- The reason why there is still a minimum standard of road construction where private road subdivisions are permitted is that, even in relatively remote areas of the Regional Municipality people are still expecting a minimum standard of construction to be used to access their property, even in cottage country.

If the Subdivision Bylaw is to be amended to permit Mr. Seward's request, at the very least all subdivisions and neighbourhoods serviced with an unlisted privately owned road with the same specifications as the Lane and Drive servicing his lot parcel should be expected to have the same privileges. Both MacNevin Lane and Lakeview Drive have the following characteristics.

- Gravel service
- Full maintenance
- Under one ownership (i.e. although there is no defined right-of-way, both are within the boundary of lot parcels owned by the MacNevin family)

Based on these characteristics, if the Subdivision Bylaw were to be amended to permit subdivisions creating new building lots along MacNevin Lane and Lakeview Drive at least 63 unlisted privately owned roads would also be eligible. However, the line prohibiting subdivision *on any* unlisted privately owned road is a thicker line to defend than a prohibition *on some* unlisted private roads when one of the criteria is that CBRM provides full maintenance to the road. Think of it this way. We would have a policy that permits subdivisions on lot parcels fronting along unlisted privately owned roads that the Regional Municipality maintains but not on unlisted privately owned roads that we don't maintain. How can that be interpreted as a fair and equitable way of providing service using taxpayer's money? Realistically, if the Subdivision Bylaw is to be amended to allow the creation of new building lots on unlisted roads like MacNevin and Lakeview then we better allow it on just about every other unlisted private road.

There is another issue with this request that staff has a problem with. If this requested amendment is granted we are implementing a double standard. We are saying CBRM will grant subdivision approval to create additional building lots serviced by unlisted privately owned roads *which we maintain* that are built to a standard less than the standard imposed for new subdivisions. However, we will not grant subdivision approval for a new subdivision (which could be nearby) unless it is built to our specifications *plus* we will not maintain it. At least, with our current practice we are continuing to provide a service which was started generations ago, but we will not permit further subdivision on these unlisted privately owned roads unless and until they are built up to our private road construction specifications.

Recommendation:

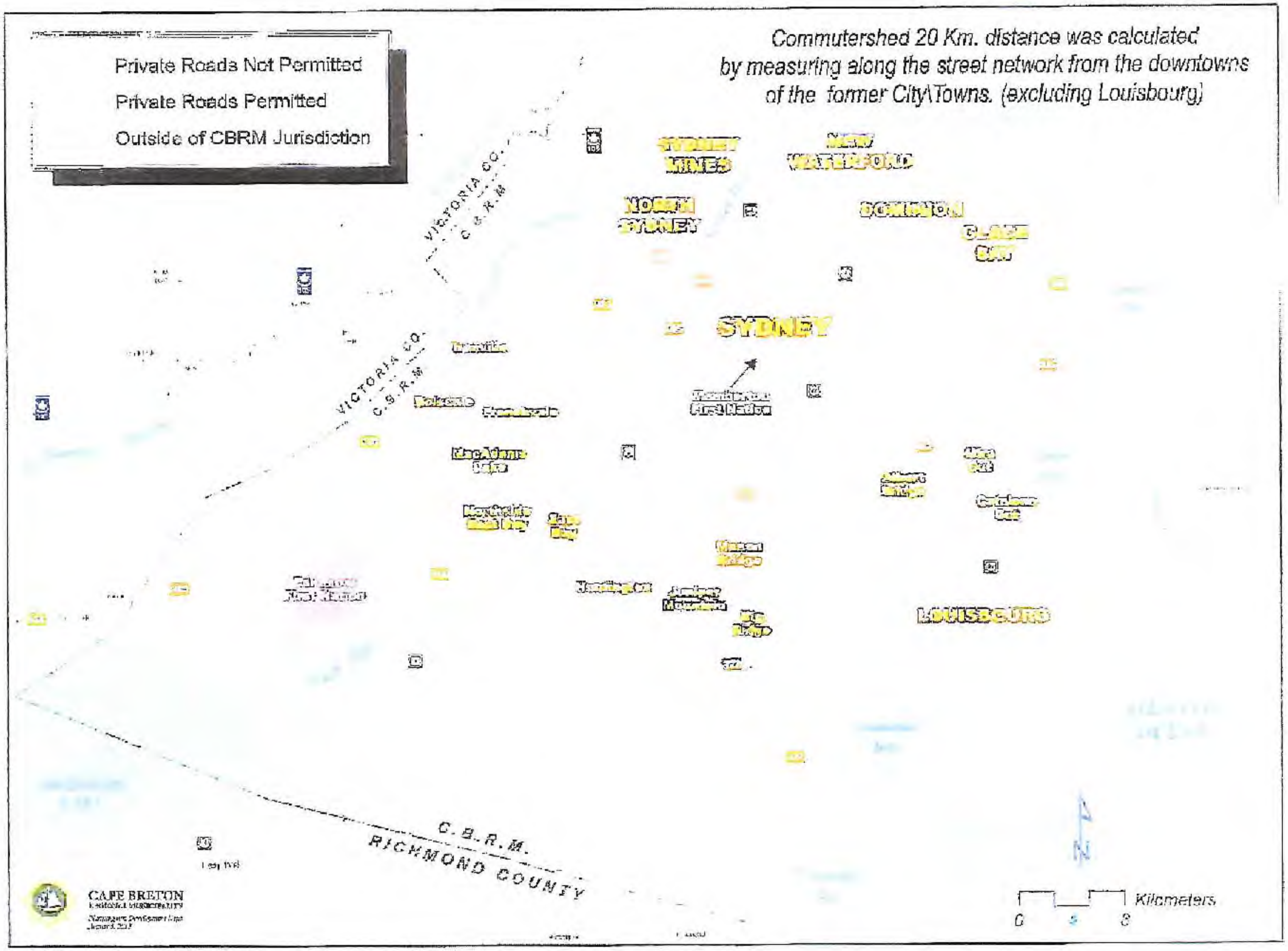
Staff recommends that Council does not amend the Subdivision Bylaw to allow for Mr. Seward's requested subdivision. It would introduce a double standard that supports further subdivision development on private roads which were not built to our specifications while demanding a higher standard for new private road subdivisions.

Submitted by:

ORIGINAL SIGNED BY

Malcolm Gillis
Planning and Development Department


MacNevin Lane and Lakeview Drive
Catalone Gut Road
Seward property
Catalone Lake
Lakeview Drive
MacNevin Lane
N
0
0.125
0.25
0.5
0.75


Commutershed 20 Km. distance was calculated by measuring along the street network from the downtowns of the former City\Towns. (excluding Louisbourg)
Private Roads Not Permitted
Private Roads Permitted
Outside of CBRM Jurisdiction
SYDNEY MINES
NEW WATERFORD
NORTH SYDNEY
DOMINION
GLACE BAY
SYDNEY
LOUISBOURG
VICTORIA CO.
C.B.R.M.
RICHMOND COUNTY
CAPE BRETON
Kilometers
0
8

Request from Peter Seward – Proposed Subdivision in Catalone Lake Area:

Motion:
Moved by Deputy Mayor George MacDonald, seconded by Councillor Cormier, that staff be directed to prepare an Issue Paper to explain the implications of allowing Mr. Peter Seward permission to subdivide property on an unlisted private road that does not meet CBRM construction specifications.
Motion Carried.

CBRM
A Community of Communities
Cape Breton Regional Municipality

Malcolm Gillis
Director Planning and Development Department
Email mggillis@cbrm.ns.ca
Tel: 902-563-5023

320 Esplanade, Sydney, N.S
B1P 7B9
Fax

MEMO TO: COUNCIL

FROM: Malcolm Gillis

SUBJECT: THE REQUEST FROM Mr. PETER SEWARD

DATE: June 10th, 2015

Mr. Peter Seward has submitted a formal request asking that Council give staff the authority to approve a proposed plan of subdivision which would front along an unlisted road in the community of Catalone. New building lot parcels only accessed by a private road (i.e. one which is not owned and listed by the Province or by the CBRM) are only permitted in the remote locales of the Regional Municipality, provided the private road is constructed in compliance with a minimum standard for private roads described in the Subdivision Bylaw. This private road minimum construction standard is well below the construction standard for a public street/road.

Mr. Seward wants to be permitted to subdivide property on an unlisted private road that does not meet our construction specifications for private roads. To allow for this would require an amendment to the CBRM Municipal Planning Strategy and its two implementing Bylaws the Land Use Bylaw and Subdivision Bylaw. Council has the option to outright reject such a request, and Mr. Seward would have no grounds for an appeal to the Nova Scotia Utility and Review Board, or you can request that staff prepare an issue paper to explain the implications of allowing this to happen.

Submitted by:

ORIGINAL SIGNED BY

Malcolm Gillis
Planning and Development Department

Bob Seward
19 Bathgate Street
Glace Bay, Nova Scotia
B1A 1A3

February 24th, 2015

Attn: Deborah Campbell
Clerk's Office (CBRM)
320 Esplanade
Sydney, Nova Scotia
B1P 7B9

Dear Ms. Campbell:

During the days of my youth, the concept of "the bungalow" and subsequent acquisition of such an ideal had always been a dream of mine. As an adult, with my family established, I finally engaged in the process of satisfying this dream. Ultimately, I was directed to a parcel of land on Catalone Lake. In 1975, through consultation with my lawyer, I was successful in satisfying my dream of acquiring my own piece of "bungalow country". This parcel, which spans 3.5 acres, includes a deeded, 66 foot uninterrupted right of way to the Catalone Gut Road. This property is outlined in red on the enclosed map.

Initially, Lakeview Drive, which leads to Catalone Lake, was privately developed to meet the basic requirements of service from utility providers, such as power, communication, sanitation and oil/gas. However, since the early days of establishing this summer residence, the area surrounding our property has grown to some 28 residential properties. Many of these residences are not summer retreats, but rather full time dwellings that would rival homes in many residential Cape Breton neighborhoods. For the past 20 years, the CBRM and the Provincial Department of Transportation has undertaken the responsibility of upgrading and maintaining the roads that service these residences.

In 2006, I personally began the process of subdividing my property for family members. At this time, Mr. Brian Spicer, a development officer with the CBRM, began the process of application for subdivision. After a number of meetings, it was determined that the proposal would be given the "green light". When my family was ready to proceed, our surveyor met with the development office to initiate the formal process of subdividing the property. Unfortunately, I was unaware of the proposed change in language within Section 19-B of the CBRM's subdivision bylaw (now Section 13). This change in language impacted my proposal for subdivision, as it was deemed "redundant" and as a result dismissed from consideration. I was not made aware of this change until May of 2012.

Seeing as though my request for subdivision took place prior to the changes in language to Section 19-B of the CBRM subdivision bylaw, I am asking that this request be re-considered for grandfather status. As

I have diligently followed the due process required to set this in motion, I disagree with the position that the development office has taken with my request for subdivision under these circumstances.

In closing, should council maintain their position on my request, I am suggesting that the language within Section 19-B of the CBRM's subdivision bylaw be amended to include the following:

1. That "subdivision", as defined by the CBRM, be considered for parcels on existing unlisted roads.
   (OR)
2. That "subdivision", as defined by the CBRM, be permitted for parcels existing on an unlisted road that is being maintained and/or serviced by the CBRM and/or its agents.
   (OR)
3. That "subdivision", as defined by the CBRM, be considered for roads having the same characteristics of Lakeview Drive and Mac Nevin's Lane.

I look forward to a favorable response by council to the considerations tabled within this letter.

Sincerely,

ORIGINAL SIGNED BY

Robert (Bob) Seward


MAP 1
Lakeview Drive
Meters


Catalone Lake
Mira Bay Drive
Catalone Cut Road
Main-A-Dieu Road
Old Station Road

Paul Burt,
Manager Building, Planning &
Licensing Laws

CBRM

A Community of Communities

Cape Breton Regional Municipality

320 Esplanade, Room 103
Sydney, NS B1P 7B9
Phone: 902-563-5175
Fax: 902-563-0833
Email: pdburt@cbrm.ns.ca

Memo

TO: General Committee

FROM: Paul Burt, Manager Building, Planning & Licensing Laws

DATE: January 28, 2016

RE: Notice of appeal- P. Martin Sales Limited

On Monday, January 11, 2016 we received a complaint about the roof blowing off a building located at 837 Victoria Road in Whitney Pier. Upon arrival at the scene it was observed that a large section of the roofing membrane had blown off the roof and was hanging over the front of the building.

Due to the high winds, close proximity of the power lines and safety risks to the motorists and pedestrians the street was temporarily closed while Nova Scotia Power disconnected the power to the building and a crew using a boom truck safely removed the roofing materials.

As a result of this incident and the condition of the building orders were issued to the owner to register the building under the *Vacant and Derelict Building Bylaw* and as per the Dangerous and Unsightly provisions of the *Municipal Government Act* to secure the building openings and to make repairs to the roofing, fascia and soffits.

In accordance with the above mentioned Act and Bylaw an owner may appeal these orders within an established timeframe to Council. We received an email and letters from the owner indicating his intention to appeal these orders.

These appeals have been scheduled for February 2nd, 2016 and in your appeal books that have been prepared you will find the pertinent file information as well as copies of the owners written appeals.

Respectfully Submitted,

Original Signed By

Paul Burt,
Manager Building, Planning & Licensing Laws

Paul Burt,
Manager Building, Planning &
Licensing Laws

CBRM *A Community of Communities*

Cape Breton Regional Municipality

320 Esplanade, Room 103
Sydney, NS B1P 7B9
Phone: 902-563-5175
Fax: 902-563-0833
Email: pdburt@cbrm.ns.ca

Memo

TO: General Committee

FROM: Paul Burt, Manager Building, Planning & Licensing Laws

DATE: January 26, 2016

RE: Notice of Changes to the *Nova Scotia Building Code Regulations* and the *Nova Scotia On-Site Sewage Disposal System Regulations*.

Attached is a copy of a memo received from the Nova Scotia Department of Municipal Affairs providing formal notice of the proposed amendments to the above mentioned regulations and outlining the changes.

Staff were fully aware of the proposed changes early in the process and we met recently to discuss how the proposed changes would affect CBRM. These changes which are due to come into effect on May 1, 2016 do not significantly impact how we administer the Building Code Act and Regulations or the CBRM Building Bylaw and there is no significant impact on the property owners, developers and constructors in CBRM.

If you have any questions concerning these amendments please let me know.

Respectfully Submitted,

Original Signed By

Paul Burt,
Manager Building, Planning & Licensing Laws

NOVA SCOTIA
Department of Municipal Affairs
Office of the Fire Marshal

Building & Fire Division
PO Box 231, Halifax Central
Halifax, Nova Scotia
B3J 3M4

Joe Rogers, Building Code Coordinator
Bus: 902-424-8046
Fax: 902-424-3239
e-mail: joe.rogers@novascotia.ca

Attention: Municipal Clerks and Building Officials

January 21, 2016

Re: Proposed Amendments to the *Nova Scotia Building Code Regulations*

I am writing to give you formal notice of proposed amendments to the *Nova Scotia Building Code Regulations* pursuant to the *Building Code Act*, R.S. N.S. 1989, Chapter 46, which are expected to come into effect on or about May 1, 2016.

The proposed amendments are required due to the making of new *On-site Sewage Disposal Systems Regulations* by the Department of Environment which are to come into effect on May 1, 2016.

The proposed amendments have been vetted by the Nova Scotia Building Advisory Committee which is comprised of members representing the private sector building community such as the Nova Scotia Association of Architects, Engineers Nova Scotia, the Nova Scotia Home & Building Designers Association, the Nova Scotia Home Builders Association, the Construction Association of Nova Scotia and the Interior Designers of Nova Scotia. The committee includes representatives from interested public bodies such as the Disabled Persons Commission, the Consumers Council of Canada and the Union of Nova Scotia Municipalities and regulatory bodies such as the Nova Scotia Building Officials Association and the Office of the Fire Marshal.

The representatives had an opportunity to review the proposed amendments and agreed that they should move forward.

Please find enclosed three copies of the proposed amendments to the Regulations and a copy of the notice to be published in the press in Nova Scotia.

The *Building Code Act* requires that the proposed amendments be circulated to each municipality and be made available to the public. You are being asked to make a copy of the attached documents available at your offices for the period from January 25, 2016 to March 11, 2016 inclusive.

Written comments on the proposed amendments to the regulations are welcome and should be forwarded on or before March 11, 2016 to:

Hon. Zach Churchill
c/o Joe Rogers
Building Code Coordinator
P.O. Box 231
Halifax Central,
Halifax, Nova Scotia B3J 3M4

If there are any questions arise, I will address them and can be reached at (902) 424 8046 or joe.rogers@novascotia.ca.

Sincerely,

ORIGINAL SIGNED BY

Joe Rogers
Building Code Coordinator

Proposed amendment to the *Nova Scotia Building Code Regulations*

1.4.1.1. General

(1) A permit is required if work regulated by the Code is to be done.

(2) The authority having jurisdiction may place a value on the cost of the work based on an accepted costing standard for the purpose of determining permit fees to be applicable.

(3) The authority having jurisdiction may, if applicable, withhold a building permit until satisfied that there is a valid on-site sewage disposal system ~~permit~~ approval issued by the Department of the Environment or notice has been given to the Department of the Environment for systems that do not require an approval for the construction of a building requiring a new private sewage disposal system. (See Appendix A)

(4) The authority having jurisdiction may, if applicable, withhold an occupancy permit

(a) until satisfied that there is a valid electrical permit issued by the electrical authority having jurisdiction,

(b) until satisfied that the civic address is posted where a municipality has so provided by by-law, in accordance with Section 313 of the Municipal Government Act, or

(c) until the certificate of installation for the on-site sewage system, where applicable, is provided.

Appendix A

Where an approval is not required for the installation of a new on-site sewage system a copy of the notification form and the receipt issued by the Department of Environment would be the acceptable documentation required. Under the new regulations installation of a Pit Privy is exempt from notification or approvals by the Department of Environment.

Building Code Regulations (Amendments)

NOTICE is hereby given that amendments to the Nova Scotia Building Code Regulations (the Building Code) made pursuant to the Building Code Act, Chapter 46, of the Acts of 1989 are anticipated to be prescribed by me, the Minister of Municipal Affairs to come into effect throughout the Province of Nova Scotia on or about May 1, 2016.

The proposed amendments are required due to the making of new On-Site Sewage Disposal Systems Regulations by the Department of Environment which are to take effect on May 1, 2016.

Written comments on the proposed amendments to the Nova Scotia Building Code Regulations are welcome on or before March 11, 2016, should be forwarded to:

Hon. Zach Churchill
C/O Joe Rogers
Building Code Coordinator
P.O. Box 231
Halifax, Nova Scotia B3J 3M4

Copies of the proposed amendments to the regulations are available for inspection at offices of Municipal Clerks or Building Inspectors. Copies are available from the Department of Municipal Affairs at the above address or by phoning (902) 424-8046.

Paul Burt,
Manager Building, Planning &
Licensing Laws

CBRM

A Community of Communities

Cape Breton Regional Municipality

320 Esplanade, Room 103
Sydney, NS B1P 7B9
Phone: 902-563-5175
Fax: 902-563-0833
Email: pdburt@cbrm.ns.ca

Report

TO: General Committee

FROM: Paul Burt, Manager Building, Planning & Licensing Laws

DATE: January 26, 2016

RE: Harvest House located at 610 Main Street, Glace Bay

ISSUE:

The building known as Harvest House in Glace Bay is now vacant and this office has received numerous complaints about the condition of the building. The current condition of the building is both unsightly as well dangerous as it poses a serious health, safety and fire risk to anyone on or near the premises and to the adjacent properties.

BACKGROUND:

Harvest House is located at 610 Main Street, Glace Bay (PID# 15395320) and is a two storey masonry, steel and wood frame constructed building. For the past few years it was used as a community soup kitchen and was vacated earlier this year by the ministry that was renting it.

The building is in a serious state of disrepair and is unsightly and is no longer weather-tight or sound. The water, sewer and power are turned off but still connected and the interior is badly water damaged and mold covered. The second floor interior finishes have been removed and there are large holes in the floor. The exterior cladding on the front façade is in poor condition with sections missing. The sides and rear are painted brick and concrete and are badly cracked, the paint is peeling and there are obvious signs of deflection and structural instability. The building has a sprinkler system and fire alarm system and neither system is functional.

This office has completed the vacant building assessment checklist which is attached to this report along with photos depicting the current condition of the building.

DISCUSSION:

Property Maintenance Staff attended the property on April 20, 2015 in response to a complaint and issued an order to clean up the property and make repairs to the building. Since then they met with the owner and have attempted to persuade the owner to take the necessary action to repair the exterior and register the building or demolish it. The owner has already let the building go up for tax sale and has no intention of dealing with the building. The owner has signed a waiver to allow CBRM to demolish the building and knowing that the costs would be placed on the tax bill as a lien.

If the building is to remain standing it would require extensive repairs to stabilize the structure and make weather-tight and secure. It would also require extensive repairs to the buildings sprinkler and fire alarm systems to provide a minimum level of protection to the adjacent properties.

There is a budget of $120,000 per year allocated for the demolition of buildings where the owners have either walked away from the building or are not in any financial position to do the work themselves. This budget for this year is already spent or committed based on the two rounds of planned demolitions already approved this year.

It is estimated that the demolition will cost between $40,000 and $70,000 depending on the level of environmental concerns that may be raised by the prospective bidders. These costs can be added onto the taxes already owing which is $12,249.47. The property is assessed at $48,900.00 and was listed on the most recent tax sale and there were no bids received likely due to the amount of taxes owing and the condition and liability of the building.

The following options are available to the committee at this time:

- Do nothing, it is the owner's responsibility. This is not recommended as it would put the municipality at risk in the event there was to be a serious fire or collapse that affected the neighboring properties or caused an injury or death to any persons or first responders;
- Complete the demolition and place the cost against the property as a tax lien. We may not recoup this through a tax sale and we could go to court to seek a judgement against the owner or his estate or CBRM could vest the property for a future downtown development;
- Take the owner to court to get an order to have the owner or the estate complete the demolition. This is not recommended because it could take several years to get to court and there is no guarantee we would get a judgement in our favor and all the while we are open to risk if something were to happen as indicated above.

In accordance with section 344 of the *Municipal Government Act,* "Every property in the municipality shall be maintained so as not to be dangerous or unsightly" and failing to take the necessary action to rectify this unsafe condition could put us at risk.

RECOMMENDATION:

We have a signed waiver from the current building owner to demolish this building. I believe it is in the best interest of council and the citizens of the CBRM to demolish this building. I have provided options above and would require a motion to proceed with whatever option the General Committee decides is in the best interest of CBRM.

Respectfully Submitted,

Original Signed By

Paul Burt,
Manager Building, Planning & Licensing Laws

75
7
82

VACANT BUILDING ASSESSMENT CHECKLIST

Property Address 1010 MAIN ST

File #

Community 8815 Glace Bay

Inspection Rating System	1-HABITABLE	2-REPAIR	3-REPLACE	NOTES
Structural:				
Foundation		✓		
Roof			✓	
Exterior Walls		4	/	
Floors			✓	
Decks and Steps			✓	
Guards & Rails			✓	
Chimneys		✓		
Sub Total		0		
General Exterior Condition:				
Windows			✓	
Doors			✓	
Cladding			✓	
Roofing			✓	
Sub Total				
General Interior Condition:				
Floors			✓	holes
Walls			✓	holes
Ceilings			✓	FALLING DOWN
Interior Doors			✓	
Interior Guards & Rails			✓	BROKEN
Cabinets			✓	Broken
Plumbing Fixtures			✓	missing
Electrical Fixtures			✓	missing.
Sub Total		0		
Building Services:				
Heating			✓	
Electrical			✓	
Water			✓	
Sewer Disposal				
Oil Tank			✓	
Sub Total		0		
Health & Life Safety:				
Guards & Handrails			✓	
Egress	✓		/	
Smoke and CO Alarms			✓	Sprinkler system Nonoperat.
Mold			✓	Very much
Debris & Rubbish			✓	
Water Damage and Standing Water			✓	Fire alarm.
Sub Total		0		

	OCCUPIED / NOT OCCUPIED	OCCUPIED / NOT OCCUPIED
Company House		

TOTAL SCORE 0

INSPECTOR NAME: [redacted] Richard Warden

DATE: ~~July 12th 2013~~

Harvest House

610 Main Street
Glace Bay NS
File 8815

1

View from main street

2

Sprinker Connection not in Service

3

Side of Building facing Bar

4

Side of Building depicting Deterioration of Wall

5

Back of Building Depicts General Disrepair of Building

6

Rear of Building

7

Oil Tank Older than 10 years

8

Connection at Oil tank Shut off Valve Broken

9

Power Meter showing Power not being supplied

10

Needle Disposal box and Graffiti At rear of Building

11

Graffiti At rear of Building

12

NSP Wires connected to building

13

Graffiti

14

Opening allowing Vermin to enter building

15

More openings for Vermin

16

Side of Building adjacent to CIBC

17

Fire Panel not functional

18

Fire Panel not operational

19

Hole in ceiling

20

Ceiling is covered in mold and is falling down

21

More holes in ceiling

22

Kitchen area depicts blown in insulation that has fallen from ceiling

23

Electrical System vandalized

24

Ceiling Unusable

25

General mess

26

Rat Droppings on floor

27

Mold on ceiling downstairs indicates leaking

28

Downstairs Bathroom not functional water frozen in toilet

29

Insulation falling from ceiling into bathtub

30

Rat Droppings

31

Storage room on lower level packed with junk

32

Ceilings full of mold and falling down in storage room

33

Ceiling missing in storage room

34

Junk in Storage room

35

Large amount of combustible material in rear storage room

36

Old food stuff attracting vermin

37

Combustible material in rear storage room

38

Rear Storage room

39

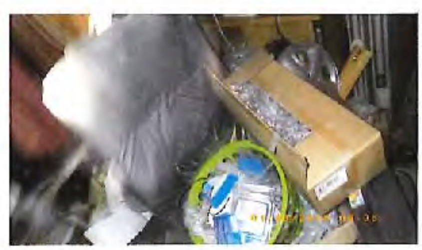
Ceiling full of mold

40

Mold on ceiling

41

Combustible material in storage room



42

Large amount of combustible material and ceilings falling down in storage room

43

Food on floor attracting vermin

44

Stairway to upper floor ceiling has completely failed

45

Walls destroyed due to moisture and vandals

46

Ceiling above stairs in entrance to upper floor

47

Large holes in upper level floors very dangerous

48

Large amount of combustible material in upper level ceiling has collapsed

49

Electrical Panel has been destroyed by vandals

50

Holes in upper level floor very dangerous

51

Dangerous situations in upper floor

52

Dangerous holes in upper floor

53

Looking down stairway to street

54

Paul Burt,
Manager Building, Planning &
Licensing Laws

CBRM *A Community of Communities*

Cape Breton Regional Municipality

320 Esplanade, Room 103
Sydney, NS B1P 7B9
Phone: 902-563-5175
Fax: 902-563-0833
Email: pdburt@cbrm.ns.ca

Memo

TO: General Committee

FROM: Paul Burt, Manager Building, Planning & Licensing Laws

DATE: January 28, 2016

RE: Statistical Complaint Report- Dangerous and Unsightly Properties

Attached is the statistical report which outlines all the complaint files opened since the last report that was presented at the January 5th, 2016 meeting.

Respectfully Submitted,

Original Signed By

Paul Burt,
Manager Building, Planning & Licensing Laws

Protective Services

January 28, 2016

Dangerous & Unsightly Premises

Report to Council

Dec 25, 2015 - Jan 28, 2016

Cape Breton Regional Municipality

Inspection & By-law Division

FILE #	Date Received	PID	District	Property Address	Inspector	Complaint Category	Status
9212	Dec 29, 2015	15283492	7	2011 Louisbourg Highway, Mira Road, B1M1A9	Richard Wadden	Unsightly Premises	New
9213	Jan 04, 2016	15406069	9	4 Prince Street, Glace Bay, B1A3C9	Richard Wadden	Unsightly Premises	New
9214	Jan 06, 2016	15380165	10	57 Church Street, Dominion, B1G1A8	Richard Wadden	Unsightly Premises	New
9215	Jan 07, 2016	15458292	8	7563 Main Street, Louisbourg, B1C1J7	Richard Wadden	Unsightly Premises	New
9216	Jan 07, 2016	15273618	11	739 May Street, Scotchtown, B1H1C8	Richard Wadden	Unsightly Premises	New
9217	Jan 02, 2016	15178684	1	7 Notre Dame Street, Sydney Mines, B1V2R6	Richard Wadden	Structure Fire	Active
9218	Jan 11, 2016	15861503	9	40 Haulage Road, Reserve Mines, B1E1B9	Greg MacPhee	No Building Permit	Active
9219	Jan 11, 2016	15138134	12	837 Victoria Road, Sydney, B1N1J9	Richard Wadden	Unsightly Premises	Active
9220	Jan 12, 2016	15663255	10	15 Argyle Street, Glace Bay, B1A3Z4	Richard Wadden	Structure Fire	New
9221	Jan 12, 2016	15490857	11	207 James Street, New Waterford, B1H2X7	Richard Wadden	Unsightly Premises	New
9222	Jan 14, 2016	15220619	4	76 Coxheath Road, Coxheath, B1R1R3	Richard Wadden	Unsightly Premises	Closed
9223	Jan 14, 2016	15098601	6	4 Spring Street, Sydney, B1P3P2	Richard Wadden	Unsightly Premises	New
9224	Jan 18, 2016	15329758	7	314 Glen Albert Drive, Big Pond, B1J1S4	Richard Wadden	Unsightly Premises	New
9225	Jan 25, 2016	15652274	1	40 Pond Road, Sydney Mines, B1V2X3	Richard Wadden	No Building Permit	New

Dangerous & Unsightly Premises

Report to Council

Dec 25, 2015 - Jan 28, 2016

9226	Jan 25, 2016	15101298	6	51 Royal Avenue, Sydney, B1P4M2	Richard Wadden	Unsightly Premises	New
9227	Jan 22, 2016	15289416	2	53 Memorial Drive, North Sydney, B2A3S8	Richard Wadden	Structure Fire	New
9228	Jan 26, 2016	15445414	10	4B Hay Street, Glace Bay, B1A5L8	Richard Wadden	Unsightly Premises	New
9229	Jan 26, 2016	15184757	1	69 Rateau Street, Sydney Mines, B1V1X4	Richard Wadden	Structure Fire	New
9230	Jan 26, 2016	1513B753	12	44 Bay Street, Sydney, B1N2J4	Richard Wadden	Unsightly Premises	New
9231	Jan 27, 2016	154558S0	9	370 Reserve Street, Glace Bay, B1A4X2	Roger Rose	No Building Permit	New
9232	Jan 27, 2016	15066194	5	5 Douglas Street, Sydney, B1P1V2	Duncan MacQueen	No Building Permit	Closed

PROCLAMATION

White Cane Week
February 7 - 13, 2016

WHEREAS:	The week of February 7th to 13th, 2016 is recognized as White Cane Week; and
AND WHEREAS:	White Cane Week aims to remind all Canadians that the traditional cane is a symbol of independence – not dependence - and that a lack of sight is not a lack of vision; and
AND WHEREAS:	This is the 69th year this public awareness program has taken place in Canada and reflects the changing situations of people who are blind and visually impaired; and
AND WHEREAS:	White Cane Week is a program of the Canadian Council of the Blind which has acted as "the voice of the blind" for over 70 years; and
AND WHEREAS:	This campaign asks that service providers remove barriers that limit the fullness of life for our fellow blind and visually impaired citizens.
BE IT THEREFORE RESOLVED:	That the CBRM Council proclaim the week of **February 7th to 13th, 2016** as **White Cane Week** in Cape Breton Regional Municipality.

Councillor Eldon MacDonald
District #5 - CBRM

February 2nd, 2016

Cape Breton Regional Municipality

Proclamation

Family Literacy Day

Whereas: Solid literacy skills are vital to our social and economic development as a municipality;

And Whereas: Research shows that parents have a strong influence on the literacy development of their children;

And Whereas: Family literacy programs serve to secure a solid learning foundation for our children;

And Whereas: Family learning helps maintain the literacy levels of adults and encourages the development of lifelong readers and learners;

Be It Therefore Resolved: That the CBRM Council proclaim Sunday, January 24th, 2016 as "Family Literacy Day" in the Cape Breton Regional Municipality.

Councillor Jim MacLeod
District #12 - CBRM

February 2nd, 2016

RESOLUTION

"Proposed Provincial Budget Cuts to Ann Terry Women's Employment Project"

WHEREAS: A women's employment-support agency in Cape Breton says it may have to close its doors after thirty years due to a change in government policy;

AND WHEREAS: The Ann Terry Project, named after renowned broadcaster Ann Terry Mac-Lellan, specializes in helping women;

AND WHEREAS: The Ann Terry Project is unique in that it provides specialized women centered career development services for women who face multiple, often complex barriers to employment when they try to gain equal access to full time work with equal pay;

AND WHEREAS: Being women centered allows the service to focus specifically on women's needs and develops programs and services that will increase women's self-esteem and support them to be independent and have control over their lives and their learning activity;

AND WHEREAS: Women face major challenges because there is a high poverty rate in Cape Breton and many of the women involved in the project are the sole income earner in the household;

AND WHEREAS: The support workers at the Ann Terry Project take the time to establish a relationship with the clients, many who livc in poverty and have been out of work due to violence at home;

BE IT THEREFORE RESOLVED: That CBRM Mayor and Council instruct administrative staff to write to Premier Stephen McNeil, Kelly Regan, Minister of Labour and Advanced Education, and MLA Derek Mombourquette, Sydney, Whitney Pier opposing the Province's decision to cut funding for the Ann Terry Project which provides specialized services for women as well as the help they provide for women with disabilities and African Nova Scotians.

Councillor Mae Rowe
District #3 - CBRM

February 2nd, 2016

CAPE BRETON REGIONAL MUNICIPALITY

OFFICE *of the* MAYOR

January 25, 2016

Honourable Kelly Regan, Minister
Department of Labour and Advanced Education
Halifax, NS B3J 2T8
E-mail: MIN_LAE@novascotia.ca

Dear Minister:

Re: Ann Terry Women's Employment Initiative, Sydney

I am writing to request clarity over the concerns being brought to the City about the impact of the "blended" model for employment services.

The Ann Terry Project has been extremely successful and effective providing employment services for women who are quite often facing significant social and economic challenges. As there has been no notification at the municipal level, it is difficult to respond to concerns other than to disapprove of the decision.

Would your office kindly provide a response as it appears more than the Ann Terry Project is affected with the changes underway.

Given the ongoing dilemma of high unemployment, under-employment, as well as community service caseloads, services like the Ann Terry project meet an acute community need. I know you are aware that other impacts from domestic violence, crime, and drug activity negatively affect the vulnerable, and The Ann Terry Project has been able to assist in providing not just employment but new life opportunities.

Your attention to this request is greatly appreciated, and I look forward to your earliest response.

Sincerely

ORIGINAL SIGNED BY

Cecil P. Clarke

CPC tfd

c: CBRM Council
MLA Geoff MacLellan
MLA Derek Mombourquette
MLA Eddie Orrell
MLA Alfie MacLeod
MLA Pam Eyking
MLA Dave Wilton
MLA Michel Samson
MP Rodger Cuzner
MP Mark Eyking

Legislative **Statement of Expenditures** **December 31, 2015**

Legislative		Year to date Expended		9 Month Budget		9 Month Budget Variance		Annual Budget		Annual Budget Remaining
6000 WAGES/SALARIES	$	662,628	$	657,356	$	(5,273)	$	876,474	$	213,846
6010 BENEFITS		75,883		96,480		20,597		128,640		52,757
6030 TRAVEL/CONFERENCES		186,279		156,750		(29,529)		209,000		22,721
6040 PROF MEM/DUES & FEES		39,931		41,494		1,562		55,325		15,394
6050 OFFICE SUPPLIES		11,922		15,000		3,078		20,000		8,078
6060 OFFICE EQUIPMENT		7,282		6,550		(732)		6,550		(732)
6080 ADVERTISING		9,160		10,875		1,715		14,500		5,340
6100 COURIER		337		469		132		625		288
6110 TELEPHONE/FAX		29,779		38,925		9,146		51,900		22,121
6120 PUBL./SUBSCRIPTIONS		2,521		3,663		1,142		4,700		2,179
6130 COMPUTER HARDWARE		2,618		2,250		(368)		3,000		382
6150 MEETING EXPENSES		12,563		17,250		4,687		23,000		10,437
6170 PROMOTION		22,715		22,000		(715)		22,000		(715)
6180 COST RECOVERY		3,000		-		(3,000)		-		(3,000)
8010 OPERATIONAL MAT/SUPP		-		-		-		-		-
8100 PROFESSIONAL SERVICES		-		-		-		-		-
Total expended to date	$	**1,066,618**	$	**1,069,061**	$	**2,443**	$	**1,415,714**	$	**349,096**

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Administration	Year to date Expended	9 Month Budget	9 Month Budget Variance	Annual Budget	Annual Budget Remaining
6000 WAGES/SALARIES	$ 212,624	$ 247,562	$ 34,937	$ 330,082	$ 117,458
6010 BENEFITS	28,839	42,065	13,226	56,087	27,248
6020 TRAINING/EDUCATION	2,756	1,500	(1,256)	1,500	(1,256)
6030 TRAVEL/CONFERENCES	23,072	15,375	(7,697)	20,500	(2,572)
6040 PROF MEM/DUES & FEES	667	709	41	945	278
6050 OFFICE SUPPLIES	978	1,804	826	2,405	1,427
6060 OFFICE FURNITURE	-	-	-	-	-
6100 COURIER	19	225	206	300	281
6110 TELEPHONE/FAX	1,953	2,213	259	2,950	997
6120 PUBL./SUBSCRIPTIONS	-	-	-	-	-
6130 COMPUTER HARDWARE	-	1,440	1,440	1,920	1,920
6150 MEETING EXPENSES	1,110	1,440	330	1,920	810
6170 PROMOTION	18,626	19,825	1,199	20,000	1,374
8010 OPERATIONAL MAT/SUPP	-	-	-	-	-
8100 PROFESSIONAL SERVICES	100,159	94,968	(5,191)	126,624	26,465
8150 GRANTS/SUBS TO ORG	395,125	395,125	-	430,376	35,251
Total expended to date	**$ 785,930**	**$ 824,250**	**$ 38,320**	**$ 995,609**	**$ 209,679**

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Finance	Year to date Expended	9 Month Budget	9 Month Budget Variance	Annual Budget	Annual Budget Remaining
6000 WAGES/SALARIES	$ 1,322,416	$ 1,379,280	$ 56,864	$ 1,839,038	$ 516,622
6010 BENEFITS	257,023	270,794	13,770	361,059	104,036
6020 TRAINING/EDUCATION	8,036	19,359	11,323	24,630	16,594
6030 TRAVEL/CONFERENCES	17,602	20,965	3,363	24,000	6,398
6040 PROF MEM/DUES & FEES	4,888	5,330	442	5,330	442
6050 OFFICE SUPPLIES	7,565	13,875	6,310	18,500	10,935
6060 OFFICE EQUIPMENT	1,893	10,875	8,982	14,500	12,607
6080 ADVERTISING	27,494	32,511	5,017	42,000	14,506
6090 POSTAGE	131,793	135,590	3,797	157,300	25,507
6100 COURIER	15,621	17,025	1,404	22,700	7,079
6110 TELEPHONE/FAX	13,016	14,850	1,834	19,800	6,784
6130 COMPUTER HARDWARE	7,116	18,150	11,034	19,800	12,684
6140 COMPUTER SOFTWARE	-	-	-	57,000	57,000
6160 LIABILITY INSURANCE	207,630	228,244	20,614	299,600	91,970
6180 COST RECOVERY	(276,771)	(293,850)	(17,079)	(347,150)	(70,379)
8010 OPERATIONAL MAT/SUPP	2,328	5,250	2,922	7,000	4,672
8100 PROFESSIONAL SERVICE	45,182	55,000	9,818	55,000	9,818
8110 CONTRACTS/AGREEMENTS	39,376	52,209	12,833	63,800	24,424
8120 LEASES	7,148	11,775	4,627	15,700	8,552
8180 TAX EXEPT/WRITE OFF	24,000	35,875	11,875	40,000	16,000
Total expended to date	**$ 1,863,355**	**$ 2,033,106**	**$ 169,751**	**$ 2,739,607**	**$ 876,252**

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Legal **Statement of Expenditures** **December 31, 2015**

Legal	Year to date Expended	9 Month Budget	9 Month Budget Variance	Annual Budget	Annual Budget Remaining
6000 WAGES/SALARIES	$ 214,083	$ 219,863	$ 5,780	$ 293,150	$ 79,067
6010 BENEFITS	37,002	44,546	7,544	59,394	22,392
6020 TRAINING/EDUCATION	626	4,875	4,249	6,500	5,874
6030 TRAVEL/CONFERENCES	6,449	6,475	26	8,500	2,051
6040 PROF MEM/DUES & FEES	5,778	6,150	373	6,200	423
6050 OFFICE SUPPLIES	630	2,625	1,995	3,500	2,870
6060 OFFICE EQUIPMENT	1,708	3,150	1,442	4,200	2,492
6070 PHOTOCOPY SUPPLIES	2,325	1,875	(450)	2,500	175
6080 ADVERTISING	-	750	750	1,000	1,000
6100 COURIER	242	750	508	1,000	758
6110 TELEPHONE/FAX	3,508	3,750	242	5,000	1,492
6120 PUBL./STATUTES	5,357	8,250	2,893	14,000	8,643
6130 COMPUTER HARDWARE	492	2,250	1,758	3,000	2,508
6140 COMPUTER SOFTWARE	-	1,875	1,875	2,500	2,500
6150 MEETING EXPENSE	124	375	251	500	376
6180 COST RECOVERY	-	-	-	-	-
8100 PROFESSIONAL SERVICE	66,381	114,523	48,142	154,500	88,119
Total expended to date	**$ 344,703**	**$ 422,081**	**$ 77,377**	**$ 565,444**	**$ 220,741**

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Human Resources	Year to date Expended	9 Month Budget	9 Month Budget Variance	Annual Budget	Annual Budget Remaining
6000 WAGES/SALARIES	$ 395,111	$ 418,928	$ 23,817	$ 558,570	$ 163,459
6010 BENEFITS	552,258	552,349	92	733,399	181,141
6020 TRAINING/EDUCATION	3,121	4,500	1,379	6,000	2,879
6030 TRAVEL/CONFERENCES	7,273	12,188	4,915	16,250	8,977
6040 PROF MEM/DUES & FEES	1,212	1,298	86	1,730	518
6050 OFFICE SUPPLIES	7,804	11,775	3,971	15,700	7,896
6060 OFFICE EQUIPMENT	-	1,875	1,875	2,500	2,500
6080 ADVERTISING	4,127	5,000	873	5,000	873
6110 TELEPHONE/FAX	5,321	7,500	2,179	10,000	4,679
6120 PUBL./SUBSCRIPTIONS	488	1,800	1,312	2,400	1,912
6130 COMPUTER HARDWARE	2,020	3,000	980	4,000	1,980
6150 MEETING EXPENSE	188	1,500	1,312	2,000	1,812
8010 OPERATIONAL MAT/SUPP	-	-	-	-	-
8100 PROFESSIONAL SERVICE	123,994	172,875	48,881	230,500	106,506
8110 CONTRACTS/AGREEMENTS	4,636	9,375	4,739	12,500	7,864
Total expended to date	**$ 1,107,553**	**$ 1,203,962**	**$ 96,409**	**$ 1,600,549**	**$ 492,996**

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Technology/ Communications | Statement of Expenditures | December 31, 2015

Technology/Communications	Year to date Expended	9 Month Budget	9 Month Budget Variance	Annual Budget	Annual Budget Remaining
6000 WAGES/SALARIES	$ 290,341	$ 299,868	$ 9,527	$ 399,824	$ 109,483
6010 BENEFITS	58,171	59,981	1,811	79,975	21,804
6020 TRAINING/EDUCATION	1,912	13,500	11,588	18,000	16,088
6030 TRAVEL/CONFERENCES	10,429	15,000	4,571	20,000	9,571
6040 PROF MEM/DUES & FEES	626	750	124	1,000	374
6050 OFFICE SUPPLIES	2,659	3,000	341	3,000	341
6060 OFFICE EQUIPMENT	2,031	2,250	219	3,000	969
6080 ADVERTISING	-	375	375	500	500
6100 COURIER	113	225	112	300	187
6110 TELEPHONE/FAX	45,945	56,250	10,305	75,000	29,055
6120 PUBL./SUBSCRIPTIONS	-	750	750	1,000	1,000
6130 COMPUTER HARDWARE	70,001	70,500	499	130,000	59,999
6140 COMPUTER SOFTWARE	141,318	142,500	1,182	190,000	48,682
6150 MEETING EXPENSE	91	375	284	500	409
8110 CONTRACTS/AGREEMENTS	13,554	14,500	946	42,000	28,446
8120 LEASES SAP	13,236	14,250	1,014	95,000	81,764
8130 LICENSES/PERMITS	-	-	-	94,000	94,000
Total expended to date	**$ 650,426**	**$ 694,074**	**$ 43,649**	**$ 1,153,099**	**$ 502,673**

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Municipal Clerk	Year to date Expended	9 Month Budget	9 Month Budget Variance	Annual Budget	Annual Budget Remaining
6000 WAGES/SALARIES	$ 183,623	$ 191,439	$ 7,816	$ 255,252	$ 71,629
6010 BENEFITS	37,829	40,848	3,019	54,464	16,635
6020 TRAINING/EDUCATION	1,374	4,125	2,751	5,500	4,126
6030 TRAVEL/CONFERENCES	4,036	4,875	839	6,500	2,464
6040 PROF MEM/DUES & FEES	641	700	59	700	59
6050 OFFICE SUPPLIES	1,013	7,500	6,487	10,000	8,987
6060 OFFICE EQUIPMENT	2,755	11,063	8,308	14,750	11,995
6070 PHOTOCOPY SUPPLIES	13,070	13,500	430	18,000	4,930
6080 ADVERTISING	-	750	750	1,000	1,000
6100 COURIER	-	750	750	1,000	1,000
6110 TELEPHONE/FAX	2,475	3,375	900	4,500	2,025
6120 PUBL./SUBSCRIPTIONS	1,382	1,800	418	1,800	418
6140 COMPUTER SOFTWARE	4,549	5,250	701	7,000	2,451
8110 CONTRACTS/AGREEMENTS	1,084	1,084	-	100,000	98,916
Total expended to date	**$ 253,832**	**$ 287,059**	**$ 33,227**	**$ 480,466**	**$ 226,634**

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Fiscal Services	Year to date Expended	9 Month Budget	9 Month Budget Variance	Annual Budget	Annual Budget Remaining
9010 INT SHRT TERM BORROW	$ 190,362	$ 281,250	90,888	$ 375,000	$ 184,638
9020 INT ON DEBT	2,371,881	2,371,881	-	2,386,672	14,791
9051 PRINC ON DEBT	13,626,208	13,626,208	-	13,626,208	-
9090 BANK CHARGES	50,342	64,500	14,158	86,000	35,658
9430 APPROP TO B.I.D.C.	68,373	67,578	(795)	90,105	21,732
9600 PROV. CORRECTIONS	820,476	831,653	11,177	1,108,871	288,395
9610 CB REG. HOUSING	1,530,880	1,548,441	17,561	2,064,588	533,708
9620 REGIONAL LIBRARY	495,207	502,500	7,293	670,000	174,793
9630 CB/VIC. SCHOOL BOARD	9,775,371	9,750,000	(25,371)	13,000,000	3,224,629
9640 PROPERTY ASSESSMENT	1,023,444	1,023,440	(4)	1,364,587	341,143
Total expended to date	**$ 29,952,543**	**$ 30,067,451**	**$ 114,908**	**$ 34,772,031**	**$ 4,819,488**

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Occupational Health / Safety **Statement of Expenditures** **December 31, 2015**

Occupational Health & Safety	Year to date Expended	9 Month Budget	9 Month Budget Variance	Annual Budget	Annual Budget Remaining
6000 WAGES/SALARIES	$ 107,271	$ 109,931	$ 2,661	$ 146,575	$ 39,304
6010 BENEFITS	20,061	22,273	2,212	29,697	9,636
6020 TRAINING/EDUCATION	3,009	4,388	1,379	5,850	2,841
6030 TRAVEL/CONFERENCES	4,088	8,250	4,162	11,000	6,912
6040 PROF MEM/DUES & FEES	-	401	401	535	535
6050 OFFICE SUPPLIES	1,550	2,250	700	3,000	1,450
6060 OFFICE EQUIPMENT	-	-	-	-	-
6110 TELEPHONE/FAX	2,484	2,531	47	3,375	891
6120 PUBL/SUBSCRIPTIONS	644	1,500	856	2,000	1,356
6130 COMPUTER HARDWARE	-	1,500	1,500	2,000	2,000
6140 COMPUTER SOFTWARE	-	375	375	500	500
6150 MEETING EXPENSES	2,588	2,500	(88)	2,500	(88)
8010 OPERATIONAL MAT/SUPP	-	-	-	-	-
8100 PROFESSIONAL SERVICE	1,317	4,125	2,808	5,500	4,183
8120 CONTRACTS & AGREEMENT	1,906	2,250	344	3,000	1,094
Total expended to date	**$ 144,917**	**$ 162,274**	**$ 17,357**	**$ 215,532**	**$ 70,615**

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Finance

Facilities (C200, County / Centennial Arenas) — Statement of Expenditures — December 31, 2015

	Year to date Expended	9 Month Budget	9 Month Budget Variance	Annual Budget	Annual Budget Remaining
6000 WAGES/SALARIES	$ 1,051,952	$ 977,551	$ (74,401)	$ 1,303,400	$ 251,448
6010 BENEFITS	183,548	182,528	(1,020)	243,370	59,822
6020 TRAINING	883	1,875	992	2,500	1,617
6030 TRAVEL/CONFERENCES	6,891	6,000	(891)	6,000	(891)
6040 PROF MEM/DUES & FEES	636	500	(136)	500	(136)
6050 OFFICE SUPPLIES	2,956	4,125	1,169	5,500	2,544
6060 OFFICE EQUIPMENT	2,337	2,500	163	2,500	163
6080 ADVERTISING	3,147	7,500	4,353	10,000	6,853
6100 COURIER	210	1,125	915	1,500	1,290
6110 TELEPHONE/FAX	13,684	22,500	8,816	30,000	16,316
6130 COMPUTER HARDWARE	3,448	2,000	(1,448)	2,000	(1,448)
6140 COMPUTER SOFTWARE	2,229	3,750	1,521	5,000	2,771
6160 LIABILITY INSURANCE	11,916	21,000	9,084	28,000	16,084
7000 HEAT	14,689	34,000	19,311	45,000	30,311
7010 ELECTRICAL	363,012	315,000	(48,012)	420,000	56,988
7020 WATER	31,544	31,875	331	42,500	10,956
7030 BLDG/FACILITY MAINT	67,109	101,493	34,383	135,000	67,891
7040 BLDG/FACILITY REPAIR	44,064	64,950	20,886	85,000	40,936
7050 BLDG/FACILITY INS	16,191	14,475	(1,716)	19,300	3,109
7060 BLDG/FACILITY RENOV	3,947	11,250	7,303	15,000	11,053
7080 PLANT MAINTENANCE	28,738	18,250	(10,488)	31,000	2,262
7110 SECURITY	59,689	48,750	(10,939)	65,000	5,311
7500 VEH/EQUIP MAINT	-	750	750	1,000	1,000
7510 VEH/EQUIP REPAIRS	14,666	12,500	(2,166)	12,500	(2,166)
7520 VEH/EQUIP INSURANCE	1,854	2,663	809	3,550	1,696
7540 VEH/EQUIP RENTAL	6,354	2,500	(3,854)	2,500	(3,854)
8000 OPERATIONAL EQUIPMENT	2,365	3,750	1,385	5,000	2,635
8010 OPERATIONAL MAT/SUPP	61,502	90,650	29,148	115,000	53,498
8050 COST OF SALES	421,822	312,375	(109,447)	416,500	(5,322)
8090 UNIFORMS/CLOTHING	2,863	8,625	5,762	11,500	8,637
8100 PROFESSIONAL SERVICE	18,352	15,000	(3,352)	20,000	1,648
8110 CONTRACTS/AGREEMENTS	4,140	31,500	27,360	42,000	37,860
8130 LICENSES/PERMITS	732	500	(232)	500	(232)
Total expended to date	**$ 2,447,471**	**$ 2,353,809**	**$ (93,662)**	**$ 3,128,120**	**$ 680,649**

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Departmental

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Finance

Facilities (C200, County / Centennial Arenas) **Statement of Revenue** **December 31, 2015**

	Year to date Assigned	9 Month Budget	9 Month Budget Variance	Annual Budget	Annual Budget Remaining
GL 5001 Ice Rentals	$ 223,209	$ 281,733	$ (58,524)	$ 600,000	$ 376,791
GL 5002 Public Skating	5,840	8,150	(2,310)	18,500	12,660
GL 5003 High School Hockey	3,043	19,636	(16,593)	32,000	28,957
GL 5004 Arena Rental	12,107	20,875	(8,768)	29,000	16,893
GL 5005 Gym Rental	9,739	13,500	(3,761)	18,000	8,261
GL 5006 Canteen Sales	255,702	186,662	69,040	333,500	77,798
GL 5009 Major Events	112,811	77,158	35,653	100,000	(12,811)
GL 5010 Other Revenue	286,718	215,511	71,208	350,000	63,282
GL 5033 Program Equipment	18,080	25,125	(7,045)	28,500	10,420
GL 5034 Facility Rentals	99,004	84,688	14,316	125,000	25,996
Total Revenue To Date	**$ 1,026,254**	$ 933,038	**$ 93,216**	**$ 1,634,500**	**$ 608,246**

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Fire Services Statement of Expenditures December 31, 2015

Fire Services Including EMO	Year to date Expended	9 Month Budget	9 Month Budget Variance	Annual Budget	Annual Budget Remaining
6000 WAGES/SALARIES	$ 3,681,292	$ 3,856,230	$ 174,938	$ 5,141,640	$ 1,460,348
6010 BENEFITS	664,152	724,249	60,097	965,665	301,513
6011 MISC. BENEFITS	17,970	24,824	6,854	33,098	15,128
6020 TRAINING/EDUCATION	60,318	68,078	7,760	148,270	87,952
6030 TRAVEL/CONFERENCES	32,955	40,581	7,626	51,100	18,145
6040 PROF MEM/DUES & FEES	8,320	8,938	617	11,734	3,414
6050 OFFICE SUPPLIES	7,380	9,075	1,695	12,100	4,720
6060 OFFICE EQUIPMENT	2,316	4,838	2,522	6,450	4,134
6070 PHOTOCOPY SUPPLIES	-	375	375	500	500
6080 ADVERTISING	4,226	4,013	(214)	5,350	1,124
6100 COURIER	280	338	58	450	170
6110 TELEPHONE/FAX	29,024	38,838	9,814	51,784	22,760
6120 PUBL./SUBSCRIPTIONS	1,929	2,025	96	2,700	771
6130 COMPUTER HARDWARE	6,663	11,632	4,969	14,007	7,344
6140 COMPUTER SOFTWARE	1,712	9,130	7,417	12,006	10,294
6150 MEETING EXPENSES	2,206	3,303	1,097	4,404	2,198
6160 LIABILITY INSURANCE	-	-	-	-	-
6170 PROMOTION	20,254	28,500	8,246	38,000	17,746
6180 COST RECOVERY	-	-	-	-	-
7000 HEAT	34,144	86,783	52,639	115,711	81,567
7010 ELECTRICAL	38,902	51,075	12,173	68,100	29,198
7020 WATER	13,597	21,581	7,984	27,108	13,511
7030 BLDG/FACILITY MAINT	34,904	43,500	8,596	58,000	23,096
7040 BLDG/FACILITY REPAIR	13,386	16,050	2,664	21,400	8,014
7050 BLDG/FACILITY INS	6,819	6,162	(657)	8,216	1,397
7060 BLDG/FACILITY RENOV	-	-	-	-	-
7070 BLDG/FACILITY RENTALS	-	-	-	-	-
7080 PLANT MAINTENANCE	-	300	300	400	400
7500 VEH/EQUIP MAINT.	59,468	68,618	9,150	89,824	30,356
7505 GASOLINE/DIESEL	38,495	81,605	43,110	91,507	53,012
7510 VEH/EQUIP REPAIRS	1,282	14,250	12,968	19,000	17,718
7520 VEH/EQUIP INSURANCE	47,250	56,953	9,703	64,036	16,786
7530 VEH/EQUIP REPLACEMENT	22,329	57,500	35,171	70,000	47,671
7540 VEH/EOUP RENTAL	320	204	(116)	204	(116)
7550 VEH/EQUIP TOWING	-	1,500	1,500	2,000	2,000
7560 VEH/EQUIP GEN SUPPLY	2,061	12,000	9,939	16,000	13,939
8000 OPERATIONAL EQUIP	181,243	252,000	70,757	336,000	154,757
8010 OPERATIONAL MAT/SUPP	37,806	34,689	(3,118)	45,870	8,064
8020 MAINTENANCE EQUIP	15,549	39,450	23,900	52,600	37,050
8040 COMM EQUIPMENT LINES	18,071	29,400	11,329	39,200	21,129
8090 UNIFORMS/CLOTHING	29,342	58,089	28,747	77,452	48,110
8100 PROFESSIONAL SERVICE	24,568	2,000	(22,568)	2,000	(22,568)
8110 CONTRACTS/AGREEMENTS	29,012	26,837	(2,176)	35,782	6,770
8120 LEASES	68,874	74,192	5,318	98,922	30,048
8130 LICENSES/PERMITS	4,879	17,335	12,456	5,187	308
8135 REGULATORY FEES	-	-	-	-	-
8150 GRANTS/SUBS TO ORG	1,711,926.75	1,694,540	(17,386)	1,741,193	29,266
8195 WATER SUPPLY & HYDR	5,224,318	5,224,319	0	6,965,758	1,741,440
Total expended to date	**$ 12,199,545**	**$ 12,805,895**	**$ 606,350**	**$ 16,550,728**	**$ 4,351,183**

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Fire Services **Statement of Revenue** **December 31, 2015**

Fire Services Revenue	Year to date Assigned	9 Month Budget	9 Month Budget Variance	Annual Budget	Annual Budget Remaining
4776 PROT. SERV. MEMBERTOU	322,335	322,335	0	429,779	107,444
Total Revenue to date	**$ 322,335**	**$ 322,335**	**$ 0**	**$ 429,779**	**$ 107,444**

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Engineering and Public Works Actuals to December 31, 2015

	Actual & Committed Y-T-D Dec 31, 2015	Budget Y-T-D Dec 31, 2015	Variance Y-T-D Dec 31, 2015	Total Annual Budget	Annual Budget Remaining	% of Annual Budget
REVENUE						
TRANSIT	$ 459,180.31	$ 472,500.00	$ (13,319.69)	$ 630,000.00	$ (170,819.69)	72.89%
SOLIDWASTE TIP FEES	$ 1,561,135.37	$ 1,425,000.00	$ 136,135.37	$ 1,900,000.00	$ (338,864.63)	82.17%
SOLIDWASTE COST RECOVERIES	$ 355,133.33	$ 244,666.66	$ 110,466.67	$ 367,000.00	$ (11,866.67)	96.77%
SEWER PERMIT FEES	$ 90,718.29	$ 107,250.00	$ (16,531.71)	$ 143,000.00	$ (52,281.71)	63.44%
BUILDINGS	$ 481,103.96	$ 412,500.00	$ 68,603.96	$ 550,000.00	$ (68,896.04)	87.47%
MISCELLANEOUS REVENUE	$ -	$ -	$ -	$ -	$ -	0.00%
WATER UTILITY ADMIN FEE	$ 3,713,632.47	$ 3,713,632.47	$ -	$ 4,951,510.00	$ (1,237,877.53)	75.00%
TOTAL PW REVENUES	$ 6,660,903.73	$ 6,375,549.13	$ 285,354.60	$ 8,541,510.00	$ (1,880,606.27)	77.98%
EXPENDITURES						
ADMINISTRATION	$ 4,597,046.09	$ 4,580,451.65	$ (16,594.44)	$ 6,135,856.72	$ 1,538,810.63	74.92%
ENGINEERING	$ 514,201.16	$ 529,133.65	$ 14,932.49	$ 697,833.78	$ 183,632.62	73.69%
CENTRAL DIVISION	$ 4,438,663.42	$ 4,368,882.61	$ (69,780.81)	$ 6,311,531.17	$ 1,872,867.75	70.33%
EAST DIVISION	$ 4,158,039.21	$ 4,228,197.59	$ 70,158.38	$ 5,701,095.20	$ 1,543,055.99	72.93%
NORTH DIVISION	$ 2,020,477.92	$ 2,201,065.15	$ 180,587.23	$ 2,967,782.90	$ 947,304.98	68.08%
SOLID WASTE	$ 9,127,331.55	$ 8,883,901.06	$ (243,430.49)	$ 11,426,284.72	$ 2,298,953.17	79.88%
MECHANICAL FLEET	$ 2,580,300.44	$ 3,192,614.19	$ 612,313.75	$ 4,236,266.12	$ 1,655,965.68	60.91%
TRANSIT	$ 2,220,338.13	$ 2,419,725.19	$ 199,387.06	$ 3,227,780.14	$ 1,007,442.01	68.79%
PARKS & GROUNDS	$ 2,014,046.03	$ 1,797,042.86	$ (217,003.17)	$ 2,391,897.46	$ 377,851.43	84.20%
BUILDINGS	$ 2,027,257.64	$ 2,364,599.64	$ 337,342.00	$ 3,239,634.64	$ 1,212,377.00	62.58%
QUALITY CONTROL	$ 1,936,684.82	$ 1,824,568.65	$ (112,116.17)	$ 2,436,831.53	$ 500,146.71	79.48%
LIBRARIES	$ 68,476.02	$ 57,587.48	$ (10,888.54)	$ 76,950.00	$ 8,473.98	88.99%
TOTAL PW EXPENDITURES	$ 35,702,862.43	$ 36,447,769.72	$ 744,907.29	$ 48,849,744.38	$ 13,146,881.95	73.09%

Signature:

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Director of Engineering & Public Works

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Chief Financial Officer

Recreation/Cultural Services	Year to date Expended	9 Month Budget	9 Month Budget Variance	Annual Budget	Annual Budget Remaining
GL 6000, 6010, & 6011 Wages & Benefits Including Summer Students	795,162	888,624	93,461	1,089,369	294,207
6020 TRAINING/EDUCATION	9,546	12,724	3,178	16,965	7,419
6030 TRAVEL/CONFERENCES	20,314	27,000	6,686	36,000	15,686
6040 PROF MEM/DUES & FEES	2,830	2,925	95	3,500	670
6050 OFFICE SUPPLIES	8,950	8,000	(950)	8,000	(950)
6060 OFFICE EQUIPMENT	3,714	6,000	2,286	8,000	4,286
6080 ADVERTISING	52,282	75,000	22,718	100,000	47,718
6110 TELEPHONE/FAX	16,095	14,250	(1,845)	19,000	2,905
6120 PUBL./SUBSCRIPTIONS	-	375	375	500	500
6130 COMPUTER HARDWARE	8,632	7,100	(1,532)	7,100	(1,532)
6140 COMPUTER SOFTWARE	-	-	-	-	-
6160 LIABILITY INSURANCE	5,751	7,500	1,749	10,000	4,249
7070 BLDG/FACILITY RENTAL	35,832	30,000	(5,832)	40,000	4,168
8000 OPERATIONAL MAT/SUPPLY	173,993	150,000	(23,993)	150,000	(23,993)
8025 COMMUNITY EVENTS	275,141	250,961	(24,180)	334,615	59,474
8150 SCHOLORSHIPS	20,710	20,710	-	20,710	-
8160 SPECIAL EVENTS & FESTIVALS	356,562	356,562	-	356,562	-
8170 OPERATING GRANTS POLICY	951,520	780,500	(171,020)	780,500	(171,020)
Total expended to date	**$ 2,737,034**	**$ 2,638,231**	**$ (98,804)**	**$ 2,980,821**	**$ 243,787**

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Finance

Recreation / Cultural Services | **Statement of Revenue** | **December 31, 2015**

Recreation/Cultural Services	Year to date Assigned	9 Month Budget	9 Month Budget Variance	Annual Budget	Annual Budget Remaining
5031 PROGRAM REVENUE	$ 24,450	$ 66,034	$ (41,584)	$ 88,045	$ 63,595
5034 FACILITY RENTALS	12,625	-	12,625	-	(12,625)
5526 STUDENT FUNDING	16,875	66,560	(49,685)	66,560	49,685
Total Revenue To Date	**$ 53,950**	**$ 132,594**	**$ (78,644)**	$ 154,605	**$ 100,655**

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ɘ Breton Regional Municipality Water Utility
ɘment of Operations to December 2015

	Actual Y-T-D December 31,2015		Budget Y-T-D December 31,2015		Variance Y-T-D December 31,2015		Total Annual Budget 2015-2016
ɘnue							
·ating:							
Metered Sales	$	11,820,679.00	$	12,787,500.00	$	966,821.00	17,050,000.00
Public Fire Protection	$	5,224,318.00	$	5,224,318.00	$	-	6,965,758.00
Interest on Overdue Accounts	$	269,259.00	$	206,250.00	$	(63,009.00)	275,000.00
Other Operating Revenue	$	113,991.00	$	16,500.00	$	(97,491.00)	22,000.00
l Operating Revenue	$	17,428,247.00	$	18,234,568.00	$	806,321.00	24,312,758.00
ɘnditures							
rating Expenses							
Souce of Supply	$	249,361.00	$	343,500.00	$	94,139.00	458,000.00
Power and Pumping	$	1,210,430.00	$	1,467,750.00	$	257,320.00	1,957,000.00
Water Treatment	$	2,678,506.00	$	2,763,750.00	$	85,244.00	3,685,000.00
Transmission & Distribution	$	3,489,480.00	$	3,324,000.00	$	(165,480.00)	4,432,000.00
Administration & General	$	1,973,624.00	$	2,140,500.00	$	166,876.00	2,854,000.00
Depreciation	$	1,948,500.00	$	1,948,500.00	$	-	2,598,000.00
Taxes	$	1,510,352.00	$	1,687,500.00	$	177,148.00	2,250,000.00
l Operating Expenses	$	13,060,253.00	$	13,675,500.00	$	615,247.00	$ 18,234,000.00
					$	-	
rating Profit/(Loss)	$	4,367,994.00	$	4,559,068.00	$	191,074.00	$ 6,078,758.00

Operating Revenue	Actual Y-T-D December 31,2015	Budget Y-T-D December 31,2015	Variance Y-T-D December 31,2015	Total Annual Budget 2015-2016
Debt Charge Income				
Interest Income				
Transfer from Depreciation				
l Non Operating Revenue				
Operating Expenses				
Short term interest charges	$ 140,250.00	$ 140,250.00	$ -	187,000.00
Debt Charges				
Principal	$ 2,848,385.00	$ 2,623,375.00	$ (225,010.00)	3,497,834.00
Interest	$ 1,355,780.00	$ 1,191,391.00	$ (164,389.00)	1,588,521.00
Amortization of Debt Discount	$ 21,333.00	$ 24,000.00	$ 2,667.00	32,000.00
Capital Expenditures out of operations	$ 112,500.00	$ 112,500.00	$ -	150,000.00
New Debt				
Principal	$ 75,000.00	$ 75,000.00	$ -	100,000.00
Interest	$ 48,750.00	$ 48,750.00	$ -	65,000.00
Appropriation - Rolling stock -Fleet			$ -	
Total Non Operating Expenses	$ 4,601,998.00	$ 4,215,266.00	$ (386,732.00)	$ 5,620,355.00
Non- Operating Profit/Loss	$ 4,601,998.00	$ 4,215,266.00	$ (386,732.00)	$ 5,620,355.00
AL UTILITY REVENUES (OPERATING & NON-OPERAT	$ 17,428,247.00	$ 18,234,568.00	$ 806,321.00	$ 23,854,355.00
AL UTILITY EXPENSES (OPERATING & NON-OPERAT	$ 17,662,251.00	$ 17,890,766.00	$ 228,515.00	$ 23,854,355.00
M WATER UTILITY PROFIT/(LOSS)	$ (234,004.00)	$ 343,802.00	$ 577,806.00	$ 458,403.00

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: Jan. 27th 2016

Planning / ByLaw / Fire Inspection	Year to date Expended	9 Month Budget	9 Month Budget Variance	Annual Budget	Annual Budget Remaining
6000 WAGES/SALARIES	$ 923,767	$ 984,688	$ 60,921	$ 1,312,918	$ 389,151
6010 BENEFITS	190,344	200,744	10,400	267,657	77,313
6020 TRAINING/EDUCATION	16,417	16,750	333	21,000	4,583
6030 TRAVEL/CONFERENCES	21,914	23,625	1,711	31,500	9,586
6040 PROF MEM/DUES & FEES	3,559	5,325	1,766	7,100	3,541
6050 OFFICE SUPPLIES	8,293	16,500	8,207	22,000	13,707
6060 OFFICE EQUIPMENT	9,128	10,875	1,747	14,500	5,372
6070 PHOTOCOPY SUPPLIES	985	1,000	15	1,000	15
6080 ADVERTISING	67,849	48,500	(19,349)	48,500	(19,349)
6100 COURIER	-	375	375	500	500
6110 TELEPHONE/FAX	13,708	18,000	4,292	24,000	10,292
6120 PUBL./SUBSCRIPTIONS	469	975	506	1,300	831
6130 COMPUTER HARDWARE	10,464	10,875	411	14,500	4,036
6140 COMPUTER SOFTWARE	3,176	12,000	8,824	16,000	12,824
6150 MEETING EXPENSE	1,498	3,525	2,027	4,700	3,202
6180 COST RECOVERY	-	-	-	-	-
7040 BLDG/FACILITY REPAIR	-	-	-	-	-
7130 DEMOLITIONS	5,188	5,188	-	120,000	114,812
7500 VEH/EQUIP MAINT.	7,380	10,125	2,745	13,500	6,120
7505 GASOLINE & DIESEL	6,045	10,500	4,455	14,000	7,955
8000 OPERATIONAL EQUIPMENT	4,909	13,500	8,591	18,000	13,091
8010 OPERATIONAL MAT/SUPP	3,904	4,000	96	4,000	96
8090 UNIFORMS / CLOTHING	4,672	6,375	1,703	8,500	3,828
8100 PROFESSIONAL SERVICE	16,724	26,250	9,526	35,000	18,276
8110 CONTRACTS/AGREEMENTS	301,163	384,477	83,314	512,636	211,473
8130 LICENSES/PERMITS	59,443	65,550	6,107	65,550	6,107
8135 REGULATORY FEES	13,860	15,000	1,140	20,000	6,140
8150 GRANTS /SUBS TO ORG	23,567	39,000	15,433	52,000	28,433
Total expended to date	**$ 1,718,425**	**$ 1,933,721**	**$ 215,296**	**$ 2,650,361**	**$ 931,936**

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	Year to date Assigned	9 Month Budget	9 Month Budget Variance	Annual Budget	Annual Budget Remaining
Bylaw Revenue					
5112 Vendor Licenses	$ 9,875	$ 6,000	$ 3,875	$ 8,000	$ (1,875)
5113 Animal Licenses	4,410	-	4,410	-	(4,410)
5114 Taxi Licenses	14,360	13,500	860	18,000	3,640
5115 Vending Machine Licenses	8,780	7,500	1,280	10,000	1,220
5301 Parking Meter Revenue	297,876	274,888	22,988	366,517	68,641
Total Bylaw Revenue	$ 335,301	$ 301,888	$ 33,413	$ 402,517	$ 67,216
Development / Plannning Revenue					
5496 Mapping Sales	7,645	1,500	6,145	2,000	(5,645)
5495 Other Sales	2,473	2,100	373	2,800	328
5101 Building Permits	192,751	157,946	34,805	210,595	17,844
5102 Subdivision Fees	36,821	33,580	3,241	44,773	7,952
Total Develop / Planning Rev	$ 239,690	$ 195,126	$ 44,564	$ 260,168	$ 20,478
Total Bylaw / Dev / Planning Revenue	$ 574,991	$ 497,014	$ 77,977	$ 662,685	$ 87,694

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Police Services	Year to date Expended	9 Month Budget	9 Month Budget Variance	Annual Budget	Annual Budget Remaining
GL 6000, 6010 , & 6011 WAGES & BENEFITS NET OF COST RECOVERY	$ 15,890,615	$ 15,912,086	$ 21,471	$ 21,216,115	$ 5,325,500
6020 TRAINING/EDUCATION	120,797	116,110	(4,687)	145,927	25,130
6030 TRAVEL/CONFERENCES	79,746	78,750	(996)	105,000	25,254
6040 PROF MEM/DUES & FEES	3,276	3,750	474	5,000	1,724
6050 OFFICE SUPPLIES	39,963	39,975	12	53,000	13,037
6060 OFFICE EQUIPMENT	37,896	37,500	(396)	50,000	12,104
6070 PHOTOCOPY SUPPLIES	9,973	13,500	3,527	18,000	8,027
6080 ADVERTISING	4,523	3,750	(773)	5,000	477
6090 POSTAGE / COURIER	4,160	5,250	1,090	7,000	2,840
6100 COURIER	-	-	-	-	-
6110 TELEPHONE/FAX	260,243	247,800	(12,443)	330,400	70,157
6120 PUBL./SUBSCRIPTIONS	3,878	4,500	622	6,000	2,122
6130 COMPUTER HARDWARE	75,317	172,629	97,311	226,838	151,521
6140 COMPUTER SOFTWARE	95,107	86,250	(8,857)	115,000	19,893
6150 MEETING EXPENSES	12,867	12,750	(117)	17,000	4,133
6160 LIABILITY INSURANCE	2,700	3,000	300	4,000	1,300
6170 PROMOTION	9,576	9,576	-	11,000	1,424
6180 OTHER COST RECOVERY - MEMBERTOU	-	-	-	-	-
7000 HEAT	29,503	37,500	7,997	50,000	20,497
7010 ELECTRICAL	72,559	74,738	2,179	99,650	27,091
7020 WATER	5,332	6,000	668	8,000	2,668
7030 BLDG/FACILITY MAINT	77,028	59,285	(17,743)	71,000	(6,028)
7040 BLDG/FACILITY REPAIR	5,321	36,750	31,429	49,000	43,679
7050 BLDG/FACILITY INS.	9,828	10,438	610	12,500	2,672
7060 BLDG/FACILITY RENOV	86,723	15,000	(71,723)	20,000	(66,723)
7070 BLDG/FACILITY RENTAL	49,568	51,000	1,432	68,000	18,432
7110 SECURITY	3,045	2,775	(270)	3,700	655
7500 VEH/EQUIP MAINT/GAS/DIESEL	277,361	375,000	97,639	500,000	222,639
7510 VEH/EQUIP REPAIRS	252,448	215,788	(36,660)	287,717	35,269
7520 VEH/EQUIP INSURANCE	38,655	41,250	2,595	55,000	16,345
7530 VEH/EQUIP REPLACEMENT	557,690	557,690	-	620,000	62,310
7540 VEH/EQUIP RENTAL	946	6,750	5,804	9,000	8,054
7550 VEH/EQUIP TOWING	(452)	3,750	4,202	5,000	5,452
7560 VEH/EQUIP GEN SUPPLY	452	7,500	7,048	10,000	9,548
8000 OPERATIONAL EQUIP	43,510	145,338	101,828	193,784	150,274
8010 OPERATIONAL MAT/SUPP	134,387	152,047	17,659	181,373	46,986
8020 MAINTENANCE EQUIP	2,491	2,945	454	3,570	1,079
8030 MAINTENANCE MAT/SUPP	15,304	14,250	(1,054)	19,000	3,696
8040 COMM EQUIPMENT LINES	2,706	7,500	4,794	10,000	7,294
8090 UNIFORMS/CLOTHING	111,675	181,875	70,200	242,500	130,825
8100 PROFESSIONAL SERVICE	111,799	95,000	(16,799)	95,000	(16,799)
8110 CONTRACTS/AGREEMENTS	19,023	19,275	252	21,000	1,977
8120 LEASES	-	-	-	-	-
8125 MAJOR INVESTIGATIONS	73,314	75,000	1,686	100,000	26,686
8130 LICENSES/PERMITS	13,507	10,000	(3,507)	10,000	(3,507)
8150 GRANTS/SUBS TO ORG	31,391	50,000	18,609	50,000	18,609
Total Expended to date	$ 18,675,751	$ 19,001,619	$ 325,867	$ 25,110,074	$ 6,434,323

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Police Services **Statement of Revenue** **December 31, 2015**

Police Services Revenue		Year to date Assigned		9 Month Budget		9 Month Budget Variance		Annual Budget		Annual Budget Remaining
4751 RECORDS INQUIRIES	$	19,299	$	18,750	$	549	$	25,000	$	5,701
5151 FINES		246,393		292,500		(46,107)		390,000		143,607
Total Revenue to date	$	**265,692**	**$**	**311,250**	**$**	**(45,558)**	**$**	**415,000**	**$**	**149,308**

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