

Cape Breton Regional Municipality

Council Meeting

AGENDA

TUESDAY, JANUARY 19TH, 2016

6:00 P.M.

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

Cape Breton Regional Municipal Council

Tuesday, January 19th, 2016

6:00 p.m.

AGENDA ITEMS

ROLL CALL

O' Canada

Moment of Silent Reflection

1. APPROVAL OF MINUTES: (Previously Distributed)

➤ Council – December 10th, 2015

2. DELEGATION:

2.1 Sydney Mines Heritage Society: Dr. Stuart Critchley Ed.D., Curator (See page 7)

3. REPORTS:

3.1 PVSC Briefing – CBRM 2016 Assessment Roll: (See page 16)
Spokespersons:

Ms. Trudy LeBlanc, Sr. Advisor, Municipal Client Relations

Mr. Mike Musycsyn, Sr. Manager, Valuation

Continued...

4. PLANNING ISSUES:

4.1 FINAL APPROVAL – PUBLIC HEARING:

- a) **Should CBRM Consider Amending its Municipal Planning Strategy and Land Use By-Law to Allow two Businesses to Re-Locate to Archibald Avenue, North Sydney, Case 1015:**

Public Hearing to consider an amendment to the text of the CBRM Planning Strategy and amendments to the text and map of the Land Use Bylaw by:

- Replacing Residential Urban C (RUC) Zone with the Central Urban Neighbourhood (NCU) Zone in the neighbourhood of North Sydney colored red on the map with the staff report dated November 20th, 2015; and
- Amending the text of the Planning Strategy and of the NCU Zone in the Land Use Bylaw to permit the sale of crafts at a boutique scale in buildings originally constructed as residential dwellings prior to 1940.

Malcolm Gillis, Director of Planning (See page **28**)

4.2 APPROVAL TO ADVERTISE:

- a) **Zoning at the Site of Former Heavy Water Plant – Case #1013:**

Committee recommends approval to advertise notice of a Public Hearing to be held during the February meeting of Council to consider amending the Municipal Planning Strategy concerning the site of the Former Heavy Water Plant currently zoned for Industrial and Business development, to include residential zoning development – Case #1013. Malcolm Gillis, Director of Planning and Development (See page **40**)

- 4.3 Appointment of New Development Officer:** Malcolm Gillis, Director of Planning (See page **43**)

5. BUSINESS ARISING:

5.1 CBRM Board of Police Commissioners – December 8th, 2015:

- a) **Draft Travel Policy for Civilian Police Commissioners:**

CBRM Board of Police Commissioners recommends that Council approve the Travel Policy for Civilian Police Commissioners. Deborah Campbell, Municipal Clerk (See page **44**)

Continued...

BUSINESS ARISING (Cont'd):

5.2 General Committee – January 5th, 2016:

a) Proposed Changes to CBRM Policies re: Reference to General Committee:

Committee recommends approval of the proposed amendments regarding reference to the “General Committee” in the following CBRM Policies:

- Constructive Discipline Policy
- Employee Assistance Program Policy
- Reporting of Accidents WCB Policy
- Civic Addressing Policy
- Get Well & Bereavement Acknowledgement Policy
- Meeting Rooms Usage Policy
- Photocopier Service Policy
- CBRM Planning Fees Policy
- Property Management Policies

Deborah Campbell, Municipal Clerk (See page 51)
(Appendix “A” distributed separately)

6. REPORTS:

6.1 Financial Statements to November 30, 2015: Marie Walsh, Chief Financial Officer (See page 53)

7. BY-LAWS, RESOLUTIONS & MOTIONS:

7.1 By-Laws:

a) Second / Final Reading: (Public Hearing)

- i) Amendments to the Defined Benefit Pension Plan By-Law- Consolidated Plan Text:** Angus Fleming, Pension Administration (See page 55)
(Defined Benefit Pension Plan By-Law Attached Separately)

Continued...

BY-LAWS, RESOLUTIONS & MOTIONS (Cont'd):

b) First Reading:

i) Proposed Changes to CBRM Bylaws re: Reference to General Committee:

Committee recommends first reading of the proposed amendments regarding reference to the “General Committee” in the following CBRM Bylaws:

- Building By-Law
- Civic Addressing By-Law
- Parking Meter By-Law
- Taxi By-Law
- Vending Machines By-Law

Deborah Campbell, Municipal Clerk (See page 59)
(Appendix “B” distributed separately)

7.2 Proclamations and Resolutions:

a) White Cane Week

Councillor Eldon MacDonald (See page 61)

b) Family Literacy Day

Councillor Jim MacLeod (See page 62)

c) Janet Anderson Day

Councillor Clarence Prince (See page 63)

d) Proposed Provincial Budget Cuts to Ann Terry Women’s Employment Project

Councillor Mae Rowe (See page 64)

7.3 Motions N/A

Adjournment



Sydney Mines
Heritage Society and Fossil Museum

P.O Box 1112 Sydney Mines
B1V 2Y4

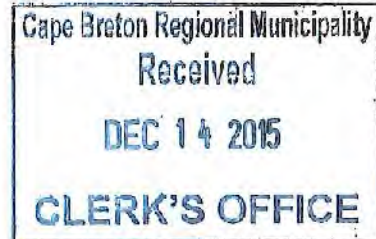


Business: (902) 544-0992

Ms. Deborah Campbell
Municipal Clerk
Cape Breton Regional Municipality
Sydney, NS

Nov. 29, 2015

Dear Ms. Campbell:



If possible, I would like to do a fifteen minute presentation at the next council meeting on behalf of the Sydney Mines Heritage Society and Cape Breton Fossil Centre. We are not looking for anything from Council, but rather the presentation will focus on the work that we do and the visitation statistics. We would like to show Council how we have grown and our role within the municipality as a result of money spent by Council in the past. It is our way of saying thank you.

I wait to hear from your office.

Sincerely:

ORIGINAL SIGNED BY

Dr. Stuart Critchley (Ed.D.)
Curator

Cc: Mr. Jim Tobin, Chairperson, Sydney Mines Heritage Society

Sydney Mines Heritage Society

Our Mandate

To educate people of all ages about:

- 1. The coal mining industry and its culture that formed the backbone of the Cape Breton economy for so many years.**
- 2. The Carboniferous fossils found in this area that are closely related to the coal mining industry.**

Achieving Our Mandate

- We operate three museums:
- Sydney Mines Heritage Centre (1998)
- Cape Breton Fossil Centre (2004)
- Sydney Mines Sports Museum

Achieving Our Mandate

- We cater to the following clientele:
- 1. Tourists & General Public
- 2. School Children
- 3. University Students
- 4. Geologists and Paleontologists From Around the World
- 5. Community Groups
- 6. Government Groups & University Professors
- 7. Outreach Program

Tourists & General Public

- Tourist and general public range from people who have a beginning interest in fossils and geology, to those who are very informed.
- Tourist and the general public wish to understand not only about the Carboniferous fossils, but they also wish to gain an understanding about the geology of Cape Breton and the geology of the area from which they originate.
- Guided tours at the Cape Breton Fossil Centre must be very educational in order to meet the wishes of the public.

School Visits

Each school visit to our museums includes the following:

1. A class lesson about fossils. (45 minutes)
2. A tour of the Cape Breton Fossil Centre and Sydney Mines Heritage Museum. (40 minutes)
3. A film about fossils. (35 minutes)
1. A field trip to a local beach to search for fossils. (40 minutes)

Adventure Tourism

- We offer field trips three days per week during July and August to Point Aconi where people can do the following:
- 1. Search for fossils.
- 2. Receive a fossil interpretation.
- 3. Learn about the local geology of the area.

Stats For Visiting Tourists

- Total visitors per year:
- 2010 (year) 3033(number of visitors)
- 2011 3332
- 2012 5077
- 2013 8933
- 2014 8019
- 2015 7397

Stats For Visiting Schools

■ Visiting schools per year:

■ 2010(year)	24(# of schools)	820(#of students)
■ 2011	25	737
■ 2012	36	1344
■ 2013	33	1005
■ 2014	31	1140
■ 2015	46	1217

Stats For Field Trips

■ Field trips per year:

■ 2010(year)	15(# of trips)	95(#of people)
■ 2011	12	111
■ 2012	16	178
■ 2013	20	374
■ 2014	21	387
■ 2015	20	360

Stakeholders

- Our annual budget is approximately \$65000.00 and the stakeholders are as follows:

■ CBRM Council	\$25000.00	38%
■ Museum Nova Scotia	\$18000.00	28%
■ All Visitors	\$22000.00	34%
■ & Fund Raising		

Trip Adviser – What Are People Saying?

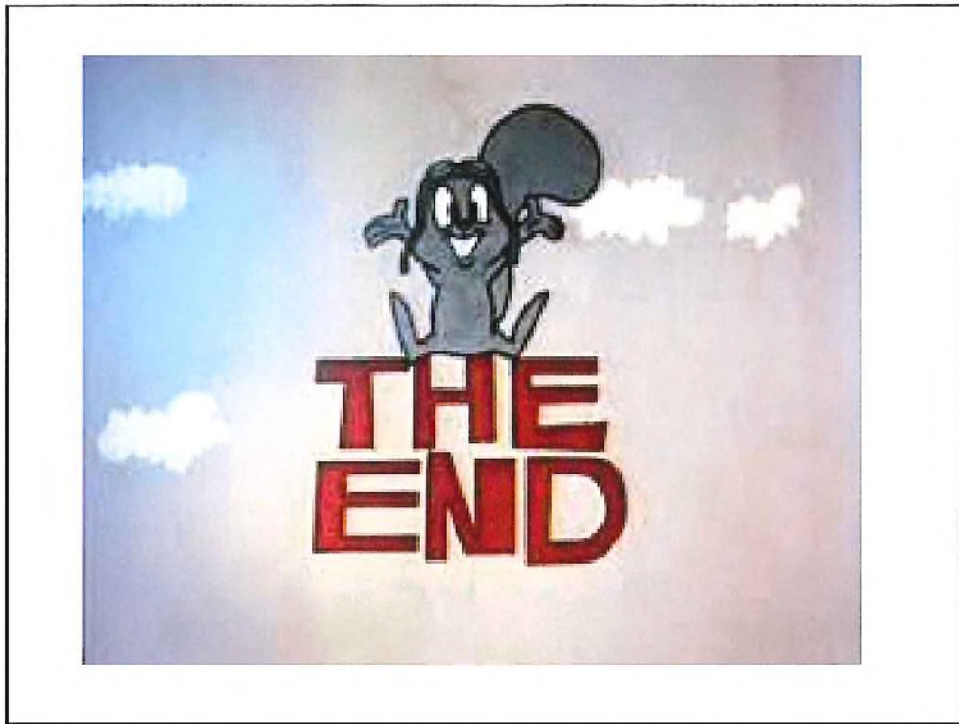
- "Well Worth the Visit!"
- Reviewed 31 January 2013
- I visited the museum twice with a group of elementary students and had a wonderful experience both times. Right from the start, our guide, Dr. Critchley, had all of us engaged and learning. Dr. Critchley is a natural teacher and the students came away having learned a great deal. There was an excellent balance of information-giving, hands-on exploration of fossils, and questioning. Following a visit of the very interesting fossil museum, we finished the tour with a treasure hunt for fossils at a nearby beach. Many students said this was the best field trip they had ever been on. I plan on making this a yearly visit. We also visited the museum next door depicting the hey days of the coal mines. Students also found it very interesting to see photos and artifacts of the past and the way of life of a mining community.

Trip Adviser – What Are People Saying?

- Fantastic trip back in time.
- Reviewed 29 January 2013
- The Sydney Mines Fossil Centre displays a wonderful outlook of life back in time in the Cape Breton area. The coalfields played such a dramatic role in the development of the economy in Cape Breton, and the fossilized remains of the plants that helped form this viable resource are prominently displayed. Staff are friendly and wonderful! This is a definite must see for anyone touring Cape Breton!!!

Thank You For Your Support

- On behalf of our chairperson, Mr. Jim Tobin, and the Sydney Mines Heritage Society, I would like to thank the CBRM Council for your time this evening and for your strong support over the years. We ask that you continue to support us in the future and remain a very important stakeholder in this endeavor. It is our hope to continue to grow and serve the public for many years to come.



Briefing –Cape Breton Regional Municipality

2016 Assessment Roll

Diane Beaton, Area Manager

Trudy LeBlanc, Sr. Advisor, Municipal Client Relations

Mike Musycsyn, Sr. Manager, Valuation

January 19, 2016



Agenda

- About PVSC
- Mandate
- IPTI Certification
- Valuation Process
- 2016 Assessment Roll
- CBRM Profile
- Appealing an Assessment
- PVSC Service Centre
- Capped Assessment Program
- Broadening Our Service Offerings
- Questions and Contact Information

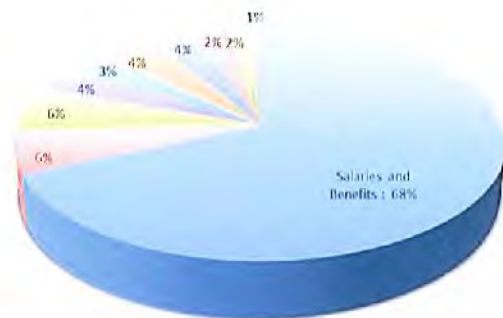


Property Valuation Services Corporation

- Municipally funded, independent, not-for-profit organization that provides assessment services for 51 municipalities in Nova Scotia
- Governed by a Board of Directors
- Provides annual assessment rolls to municipalities
- 140 employees in 7 regional offices
- ~ 600,000 assessment accounts

Financial Status

- Municipal Funding: \$17.1 Million
 - 6th consecutive year maintained
- Cost per account:
 - \$28.75 PVSC's (2014-15 fiscal)
 - \$34.57 National average



= Salaries and Benefits = IT Operations = Rentals and Leases = Printing and Postage
 = Employee Travel = Professional Fees = Depreciation = Contract Services
 = OAHU costs = Staff Training

Municipal Funding

2011/12	2012/13	2013/14	2014/15	2015/16	2016/17
\$17,100,152	\$17,100,063	\$17,090,000	\$17,090,000	\$17,090,000	\$17,090,000

PVSC Mandate

Legislated mandate

- Nova Scotia Assessment Act
- Property Valuation Services Corporation Act

Section 42 Nova Scotia Assessment Act:

"All property shall be assessed at its market value, such value being the amount which in the opinion of the assessor would be paid if it were sold on a date prescribed by the Director in the open market by a willing seller to a willing buyer, but in forming his opinion the assessor shall have regard to the assessment of other properties in the municipality so as to ensure that, subject to Section 45A, taxation falls in a uniform manner upon all residential and resource property and in a uniform manner upon all commercial property in the municipality"

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International Property Tax Institute (IPTI) Certification

- In 2015, PVSC engaged the International Property Tax Institute (IPTI) to complete a third party audit of PVSC's assessment and quality assurance processes, practices and procedures to attain certification that they align with international assessment best practices
- Final certification score: 89.5/100
- PVSC accepts the report's recommendations

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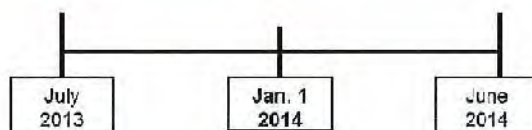


Valuation Process

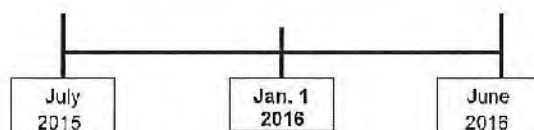
- To determine the valuation of properties in Nova Scotia, PVSC uses mass appraisal, analyzing the market factors that would affect the value in any given area.
- PVSC also takes into account individual property characteristics to reflect the uniqueness of each property within the framework of the broader analysis of the local market, such as:
 - Land characteristics (size, topography, zoning, etc.)
 - Building characteristics (depreciation, vacancies, additions, renovations, damage due to flooding, fire, contamination, etc.)
- Review Permits
 - Additions, demolitions, renovations

2016 Assessments Market Value Timeline

- Values for the 2016 assessment roll reflect a valuation date of **January 1, 2014** (called the base date) and the physical state of the property as of **December 1, 2015** (called the state date)



- PVSC is moving to a one year base date, which means the 2017 assessment roll will reflect a base date of January 1, 2016.



2016 Assessment Values

	2016	2015
Total Assessment	\$ 103.4 Billion	\$ 101.8 Billion
Residential Assessment	\$ 79.8 Billion	\$ 78.7 Billion
Residential with CAP	\$ 70.7 Billion	\$ 69.4 Billion
Commercial Assessment	\$ 23.6 Billion	\$ 23.0 Billion



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CBRM Profile

Base Date Sale Transactions			
Year	Residential	Apartment	Commercial
2016	3,148	23	140
2015	3,202	21	192

Permits Issued	
Year	Total
2016 (Dec. 1, 2014 – Nov 30, 2015)	1,029
2015 (Dec 1, 2013 – Nov 30, 2014)	997

CBRM Profile

2016 Number of Properties

Total	63,540
Residential	59,756
Residential with CAP	42,027
Residential Improved Properties (\$3000 or more)	39,411
Commercial	3,415
Apartments	369

2016 Assessment Values

Total Assessment	\$6,369,729,400
Commercial	\$1,521,134,800
Residential	\$4,848,594,600
Residential with CAP	\$3,908,448,100

Appealing an Assessment

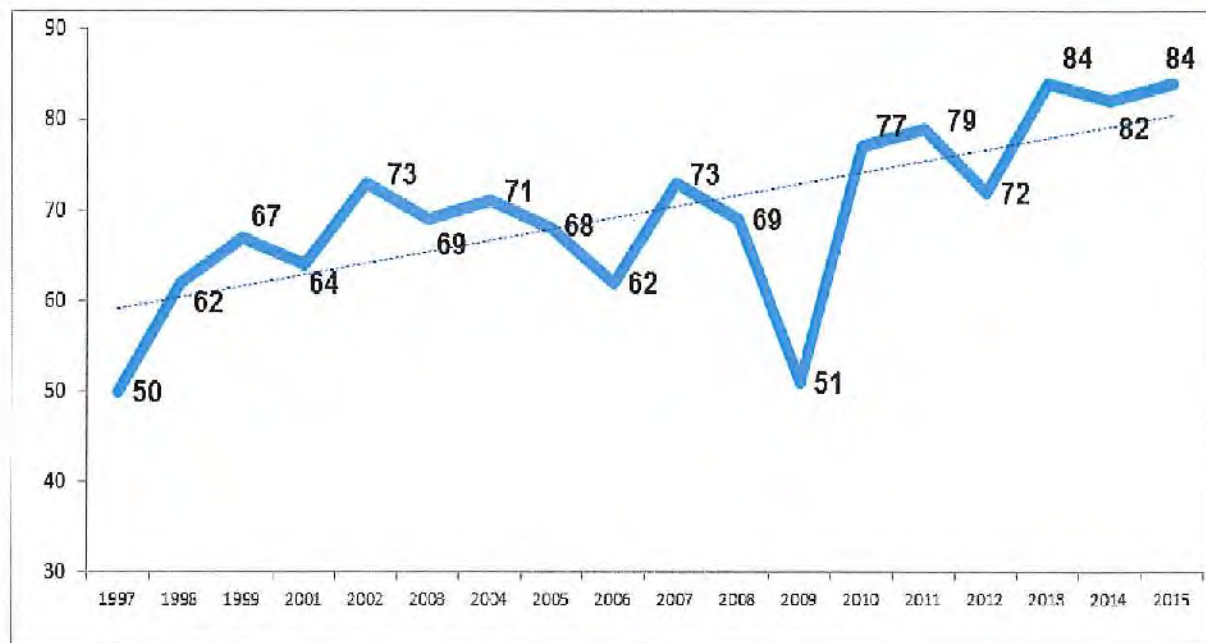
- What can be appealed?
 - Property assessed value, classification, and ownership
- When is the appeal deadline for 2016?
 - February 8, 2016 before midnight
- Property owners are encouraged to call PVSC to discuss their assessment

PVSC Service Centre

- Service Centre staff located across the province
- Direct transfer to assessors during inquiry period
- Available extended hours during inquiry period (8:30am to 6pm)
- PVSC service centre staff and assessors responded to over 8,500 inquiries during 31 day period last year
- ~40,000 inquiries annually



Client Satisfaction Survey Results – Overall Trend



Capped Assessment Program

Background – Why was CAP introduced?

- Boom in housing market – coastal areas circa 2000
- As a result, certain taxpayers concerned they could lose their homes (low income property)
- Government committed to protect homeowners against “sudden and dramatic increases in assessment values”
- CAP legislation enacted, effective April 1, 2005

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Cap Program – How does it work?

Ownership

- At least 50% owned by a Nova Scotia resident (lives in NS 183 days of the year)
- Residential properties only
 - Improved
 - Vacant
 - Less than four dwelling units
- If ownership transfers – must stay within the family
- Owner occupied condominium
- Mobile home
- Mobile home park
- Co-operative housing
- Residential or resource portions of commercial farm

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Section 45A(4) Assessment Act

- (4) The taxable assessed value of property for any municipal taxation year is the **lesser** of
 - (a) the **assessed value**; and
 - (b) the **total** of
 - (i) the assessed value of any part of the property to which this Section does not apply,
 - (ii) the assessed value in the base year of any part of the property to which this Section applies plus the prescribed percentage of that assessed value for each successive municipal taxation year following the base year, and
 - (iii) the increase in assessed value resulting from **construction** not included in the base-year assessment plus the prescribed percentage of that assessed value for each successive municipal taxation year following the municipal taxation year of first assessment of the new construction.

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CAP Program – Result to Date

- In 2005, ~ **25,000** accounts capped
- In 2016, ~ **350,000** accounts capped
- Tax Burden Shift:
 - Neighbourhood properties of similar market value paying widely varying tax bills
 - Tax savings concentrated in relatively higher valued properties
 - New home owners experience higher tax bills
 - Property owners improving properties paying higher tax bills

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CBRM CAP Historical Values

Year	Residential Assessment	Residential Assessment with CAP	Difference	Number of Capped Accounts / Residential Accounts
2012	\$3,938,858,300	\$3,282,301,200	\$656,557,100	42,701 / 54,446
2013	\$4,251,184,700	\$3,432,905,700	\$818,279,000	43,394 / 54,805
2014	\$4,468,168,000	\$3,556,006,700	\$912,161,300	43,497 / 55,192
2015	\$4,632,171,500	\$3,689,346,300	\$942,825,200	42,809 / 55,335
2016	\$4,703,633,700	\$3,763,487,200	\$940,146,500	42,027 / 55,540



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Broadening Our Service Offerings

- Integrated Property Services Council (IPSC)
 - Responsible for overseeing the operation of *existing* shared services and supporting the development of *new* services
 - Authorizing authority is the UNSM, AMA and PVSC
- Members:
 - Bob McNeil, Chair
 - Jerry Blackwood, Halifax Regional Municipality
 - Louis Coutinho, Town of Windsor
 - Greg Keefe, PVSC Board of Directors
 - Betty MacDonald, UNSM
 - Chris McNeil, Department of Municipal Affairs
 - Connie Nolan, District of East Hants
 - Cathie O'Toole, Halifax Regional Water Commission
 - Marie Walsh, Cape Breton Regional Municipality
 - Meredith Buchanan, Kathy Gillis, Bill Levangie, Trudy LeBlanc (PVSC)

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Permit Data eXchange (PDX)

- Business Case completed in 2014
 - project launched 2015
- Vision: A **shared data repository** where municipalities and PVSC can share current data relating to **building permits, inspections** and other property information
- Working closely with East Hants (Project Sponsor), CBRM, HRM, and Annapolis County
- Permit data sharing portal created and testing underway

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Open Data

- In 2012, an open data forum was created, with representation from a number of municipalities and other organizations across the province, to learn and share ideas about open data as an opportunity for future exploration.
- The goal is to create a single source Open Data Portal for municipal government and assessment data
- PVSC (on behalf of the Open Data Council) issued a request for expressions of interest to learn more about open data services that are available.
- The next step is to issue a Request for Proposal to create a shared open data service

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Questions and Contact Information

We *value* a **green** Nova Scotia! Go paperless.
Visit epost.ca today.

- Contact Information

- Diane Beaton, Area Manager: 902-625-4255 or dianebeaton@pvsc.ca
- Trudy LeBlanc, Sr. Advisor, Municipal Client Relations: 902-266-9525 or trudyleblanc@pvsc.ca
- Service Centre: 1-800-380-7775
- Website: www.pvsc.ca



Approval to Advertise – Should CBRM consider amending its Municipal Planning Strategy and Land Use By-Law to Allow two Businesses to Re-Locate to Archibald Avenue, North Sydney, Case 1015

Motion:

Moved by Councillor Prince, seconded by Councillor MacLeod, approval to advertise Notice of a Public Hearing to be held at the January 2016 meeting of Council to consider option 4 outlined in the September 25th staff Issue Paper which advocates an amendment to the text of the CBRM Planning Strategy and amendments to the text and map of the Land Use Bylaw by:

- Replacing Residential Urban C (RUC) Zone with the Central Urban Neighbourhood (NCU) zone in the neighbourhood of North Sydney colored red on the map with the staff report dated November 30th, 2015; and
- Amending the text of the Planning Strategy and of the NCU Zone in the Land Use Bylaw to permit the sale of crafts at a boutique scale in buildings originally constructed as residential dwellings prior to 1940.

Motion Carried.



TO: CBRM Council

FROM: Malcolm Gillis

**SUBJECT: SHOULD CBRM CONSIDER AMENDING ITS
MUNICIPAL PLANNING STRATEGY AND
LAND USE BYLAW TO ALLOW 2 BUSINESSES
TO RE-LOCATE TO ARCHIBALD AVENUE
NORTH SYDNEY – case 1015**

DATE: November 30th, 2015

Local Councillor Charlie Keagan, the Mayor's office, and the Planning Department have been recently approached by the proprietors of 2 separate businesses asking if they could re-locate their business at different sites within the same block of Archibald Avenue in North Sydney between the Avenue's intersection with Pleasant Street and Pierce Street. Both sites are outside the jurisdiction of North Sydney's downtown Central Business District Zone. This block of the Avenue is in the jurisdiction of a residential Zone that only permits small scale service based home businesses (e.g. a hair salon is permitted with a maximum of 2 barbers and retail is prohibited as a main use). However, this block of the Avenue is adjacent the Central Business District Zone which ends with the properties on the east side of Pleasant Street. During its September 15th meeting Council instructed Planning Department staff to prepare an Issue paper explaining what options are available to the Regional Municipality if this request is to be considered.

That requested issue paper was presented to Council's General Committee during its October 6th meeting. The General Committee instructed staff and local Councillor Charlie Keagan to conduct a Public Participation Program as required by Section 204 of the Municipal Government Act for all considered Planning Strategy amendments. This Public Participation Program consisted of a public meeting held on November 19th, a meeting with the Parish Council of St. Joseph's parish, letters to the adjacent property owners, and a meeting with the North Sydney Business Improvement and Development Association.

The result of the Public Participation Program is that the above referenced people and agencies are generally in acceptance of the proposed conversion of the dwelling and home business at 33 Archibald Avenue only because of the specific amendments proposed by staff as options 3 or

4 in the original staff report regarding this issue dated September 25th. There was very little appetite for simply extending the boundary of the downtown Central Business District (CBD) Zone into this neighbourhood. Because of the significantly less restrictions on the types of development and how they are regulated in the CBD Zone, it was generally considered an incompatible regulatory tool for this neighbourhood.

Recommendation:

I recommend that Council consider option 4 from the September 25th issue paper which advocated an amendment to the text of the CBRM Planning Strategy and amendments to the text and map of the Land Use Bylaw by:

- replacing Residential Urban C (RUC) Zone with the Central Urban Neighbourhood (NCU) Zone in the neighbourhood of North Sydney colored red on the map with this report; and
- amending the text of the Planning Strategy and of the NCU Zone in the Land Use Bylaw to permit the sale of crafts at a boutique scale in buildings originally constructed as residential dwellings prior to 1940.

I therefore request a Motion to schedule a Public Hearing to consider these amendments to take place during the January meeting of Council.

Submitted by:

ORIGINAL SIGNED BY

Malcolm Gillis
Planning Department

By-law
of the Cape Breton Regional Municipality
amending the

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

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

THAT: Part 2, Policy 12 is amended to read as follows:

12. It shall be a policy of Council to create a Zone designed to be in effect in neighbourhoods in proximity to any downtown Central Business District intended to provide for alternative uses of buildings originally constructed several generations ago as substantial residential dwellings. In this Zone, by the use of site plan approval, performance and bonus zoning incentives, buildings originally constructed several generations ago as substantial residential dwellings may be converted into (1) boutiques specializing in retailing crafts and/or (2) service businesses specializing in:

- artist or artisan establishments;
- dining;
- health care;
- personal care and service;
- business office.

The performance and bonus zoning provisions shall be in effect to preserve the architectural integrity of the building. The site plan approval criteria shall be used to ensure the property is attractively landscaped, neighbouring properties are respected, and motor vehicle traffic emanating to and from the site does not exacerbate motor vehicle and pedestrian traffic movement problems along any public street/road.

This Zone can be implemented in any central urban neighbourhood that meets this description by zoning amendment.

PASSED AND ADOPTED: by a majority of the whole Council at a duly called meeting of the Cape Breton Regional Municipal Council held on January 19th, 2016.

MAYOR

CLERK

THIS IS TO CERTIFY that the attached is a true and correct copy of the Amending By-law of the Cape Breton Regional Municipality adopted by Regional Council during a meeting held on January 19th, 2016 to amend the CBRM's Municipal Planning Strategy.

Deborah Campbell, CLERK

By-law
of the Cape Breton Regional Municipality

amending the

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

Pursuant to Section 219 of the Municipal Government Act of Nova Scotia, the Council of the Cape Breton Regional Municipality hereby amends the Cape Breton Regional Municipality's Land Use Bylaw in the following manner:

THAT: Part 15, titled the "Central Urban Neighbourhood (NCU) Zone" is amended by adding the following to the list of permitted uses in Section 1

- **sales - only the following**
retail stores specializing in crafts at a boutique scale *in compliance with the site plan approval provisions of Section 3 and the Performance Zoning provisions of Section 4*

THAT: Part 15, titled the "Central Urban Neighbourhood (NCU) Zone" is amended by:

- adding the words "Sales and" to the beginning of the title of Section 3;
- deleting Section 3.e and 3.f; and
- renumbering the subsequent sub-sections accordingly.

THAT: Part 15, titled the "Central Urban Neighbourhood (NCU) Zone" is also amended by revising Section 4 to read as follows:

Section 4 Performance Zoning Provisions

No Development Permit for any of the sales or service uses listed in Section 1 subject to Performance Zoning provisions shall be issued unless the proposed business development is to be located within a converted dwelling originally constructed prior to 1940, unless the building was previously converted into a business development. No Development Permit shall be issued unless a total of 4 points is compiled by preserving or incorporating any combination of the types of protuberances, embellishments, or adjuncts listed in the table below into the overall design of the building. Additions may be included as part of the development provided the floor area of the addition does not exceed 25% of the total floor area of the building before the addition.

THAT: the word "boutique" is deleted from the row in the left column of the table in Section 30 of Part 2 which currently reads "convenience stores/boutiques/agricultural products markets".

THAT: the Land Use Bylaw map is amended by replacing the Residential Urban C (RUC) Zone in the neighbourhood colored red on the map with this amending Bylaw with the Central Urban Neighbourhood (NCU) Zone.

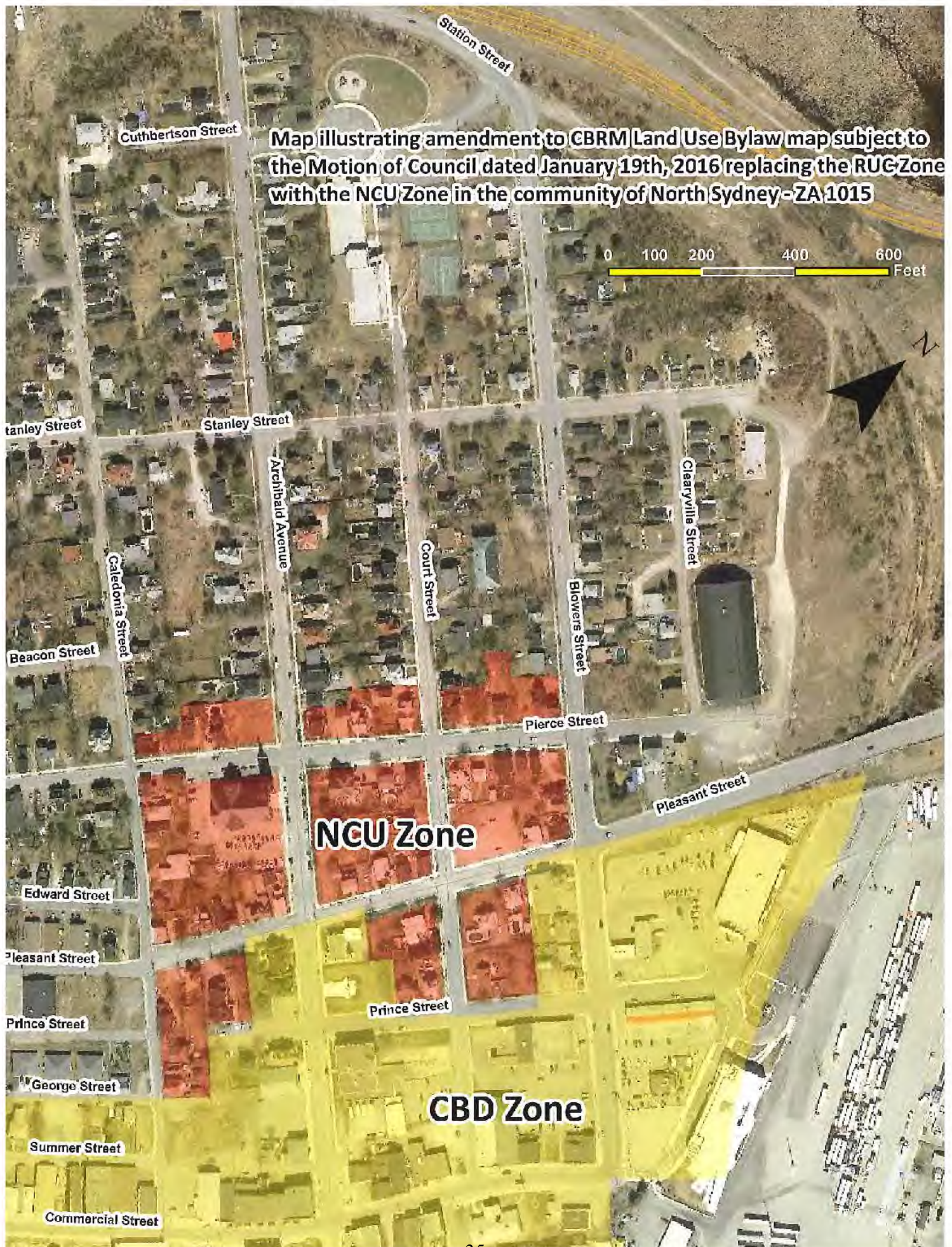
PASSED AND ADOPTED: by a majority of the whole Council at a duly called meeting of the Cape Breton Regional Municipal Council held on January 19th, 2016.

MAYOR

CLERK

THIS IS TO CERTIFY that the above text amendments and Land Use Bylaw map amendments on the next page referencing zoning amendment 1015 are a true and correct copy of the Amending By-law of the Cape Breton Regional Municipality adopted by Regional Council during a meeting held on January 19th, 2016 to amend the Cape Breton Regional Municipality's Land Use By-law.

Deborah Campbell, CLERK





TO: CBRM Council

FROM: Malcolm Gillis

**SUBJECT: SHOULD CBRM CONSIDER AMENDING ITS
MUNICIPAL PLANNING STRATEGY AND
LAND USE BYLAW TO ALLOW 2 BUSINESSES
TO RE-LOCATE TO ARCHIBALD AVENUE
NORTH SYDNEY – case 1015**

DATE: September 25th, 2015

Local Councillor Charlie Keagan, the Mayor's office, and the Planning Department have been recently approached by the proprietors of 2 separate businesses asking if they could re-locate their business at different sites within the same block of Archibald Avenue in North Sydney between the Avenue's Intersection with Pleasant Street and Pierce Street. Both sites are outside the jurisdiction of North Sydney's downtown Central Business District Zone. This block of the Avenue is in the jurisdiction of a residential Zone that only permits small scale service based home businesses (e.g. a hair salon is permitted with a maximum of 2 barbers and retail is prohibited as a main use). However, this block of the Avenue is adjacent the Central Business District Zone which ends with the properties on the east side of Pleasant Street. During its September 15th meeting Council instructed Planning Department staff to prepare an issue paper explaining what options are available to the Regional Municipality if this request is to be considered.

Both of these businesses currently are located within commercially zoned areas. The hair salon is located in downtown North Sydney and the craft retailer is in the North Sydney mall. So we have to be careful if the Regional Municipality is to consider allowing two established business developments located in appropriately zoned locations to relocate to sites within a residentially zoned neighbourhood. The proprietor of the craft shop claims their business is suffering because the mall has not been successful in attracting customers. I'm not sure why the proprietor of the hair salon wanted to re-locate her business. Her hair salon is currently located at 26 Archibald Avenue i.e. just across Pleasant Street. She claimed she could not find a suitable site within North Sydney's downtown.

First let's consider this block of Archibald Avenue. On the south side of the Avenue there are just two lot parcels and each has one main building i.e. a modest single detached dwelling assessed at \$40,000 and one of the largest churches on Cape Breton Island i.e. St. Joseph's Catholic church. On the north side of the Avenue there are three lot parcels. Two are occupied and one lot parcel is vacant. Each of the occupied lot parcels have very large and well maintained single detached dwellings with assessed values well above the community's average residential assessment rate. One of the dwellings has a law office on a part of the 1st floor as a home business (33 Archibald Avenue – the building the craft retailer wants to relocate to). What I have described is not a streetscape that warrants inclusion into the jurisdiction of a downtown Central Business District Zone.

The reasons cited by the proponents of this Planning Strategy and Land Use Bylaw amendment request to justify their request is the proximity of this block to North Sydney's downtown i.e. the downtown starts on the next block to the east, and the location of the following business developments in the vicinity i.e. a convenience store at 83 Pierce Street, an insurance business at 92 Pierce Street, a medical practitioner at 96 Pierce Street and the law office within the building the proprietor of the craft retail business wants to occupy, and the large church across the Avenue.

The convenience store has been there for generations and is one of the last remaining neighbourhood convenience stores in the community. All of the other referenced businesses are in beautiful old residential buildings converted for their current purpose. Other than the convenience store, all of the businesses are service based, not retail.

I believe Council has the following options.

1. Simply reject the requested amendment. There is justification for taking this option. The streetscape I described along this block of Archibald Avenue has no retail establishments. And the only retail store in the vicinity is an old convenience store that is further away from the house the craft retailer wants to relocate to than the downtown Zone. And the business is currently operating from the one mall in the community.
2. Extend the boundary of downtown North Sydney's Central Business District Zone to include the entire block. I wouldn't recommend this. The downtown Central Business District Zone permits a wide range of business developments from craft shops to taverns with no provisions in effect to preserve the architecture of beautiful old buildings.
3. Amend the home business General Provision in the Land Use Bylaw and its supporting Planning Strategy policy. CBRM's Planning Strategy has a policy, implemented in the Land Use Bylaw, that allows for the establishment of business developments in residential neighbourhoods at the proprietor's place of residence. But it only allows service based businesses (e.g. small business office like a law office, or personal service like a hair salon) but not retail as a main use. Both the Planning Strategy and Bylaw could be amended to allow certain types of retail (e.g. a craft retailer but not a convenience store) if the business is operated from a building that was originally constructed as a residence several generations ago and its architectural embellishments are to be preserved. And this retail

option would only be available for residential neighbourhoods in proximity to a downtown Central Business District.

4. The Planning Strategy currently has a policy that creates a Zone which can be used in neighbourhoods in proximity to a downtown Central Business District permitting a range of service business developments in converted residential buildings provided the architectural integrity of the building is preserved, but the range of permitted uses does not include retail. The only neighbourhood currently under the jurisdiction of this Zone is between Townsend Street and Wentworth Park. The Wentworth Park coffee shop is a well known example of how this Zone works. Council could consider expanding this policy and its implementing Zone to include certain retail types and then introduce this Zone in this neighbourhood in North Sydney.

Recommendation:

At this stage I am not prepared to make a firm recommendation. I believe this matter should be discussed with the local business improvement development association in North Sydney (*why are established businesses wanting to re-locate outside of established business areas*) and Sydney (*because if option 4 is taken that Zone is in effect in the neighbourhood just south of downtown Sydney*) as part of the Public Participation Program. However, if a change in policy is to be made I will only be recommending options 3 or 4 or some variation of each. I recommend that Council instruct staff to conduct a Public Participation Program that would consist of consultation with the North Sydney and Sydney business improvement development associations and the immediately surrounding neighbourhood at Archibald Avenue.

Submitted by:

ORIGINAL SIGNED BY

Malcolm Gillis
Planning Department

1015 MPS and LUB Amendment



Zoning at the Site of Former Heavy Water Plant – Case #1013:

Motion:

Moved by Councillor Saccary, seconded by Deputy Mayor MacDonald, that a recommendation be made to Council for approval to advertise notice of a Public Hearing to be held during the February meeting of Council to consider amending the Municipal Planning Strategy concerning the site of the Former Heavy Water Plant currently zoned for Industrial and Business development, to include residential zoning development – Case #1013.

Public Participation Program:

The Mayor asked if there was anyone present to speak for or against the proposed amendments.

Councillor Saccary raised concerns regarding potential environmental hazards that may exist on the site.

The Director of Planning and Development advised that CBRM will be provided with a map prior to the Public Hearing which will show the areas verified by environmental assessment that have been reclaimed to a residential standard.

The Mayor then called for the vote.

Motion Carried.



TO: CBRM Council

FROM: Malcolm Gillis

**SUBJECT: ZONING AT THE SITE OF THE FORMER
HEAVY WATER PLANT – case 1013**

DATE: January 8th, 2016

Introduction

When the CBRM Municipal Planning Strategy and its implementing Land Use Bylaw came into effect in 2004 there was a policy in the Planning Strategy and a Zone in the Bylaw that identified the highest and best use of all of the lands originally acquired by Deuterium Canada Ltd and the Province when they originally established the long since abandoned and dismantled heavy water plant to be for future industrial and business developments. Responsibility for these assembled lands went to Atomic Energy of Canada, then DEVCO, then ECBC and finally to Public Works Canada. Currently the Federal Government is conveying portions of the former heavy water plant lands to those who make an offer, and that includes the CBRM (the water utility has interest in some of the lands) and private owners wishing to purchase building lots for residential housing.

Much of the former heavy water plant site has been remediated to a residential standard. The Federal Government has no interest in preserving these lands for industrial or commercial purposes since they are entertaining any and all requests to purchase portions of the site. The plant was closed approximately 30 years ago and now we are getting requests from individuals asking for a zoning amendment just for the small part of this large real estate they are in the process of acquiring from the Federal Government. Chipping away at this designation in such a piecemeal way is not the appropriate response. It is time to change land use policy.

Recommendation:

I recommend that Council schedule a Public Hearing to consider adopting the necessary amendments to the CBRM Planning Strategy and Land Use Bylaw , and after conducting the Public Hearing I recommend that a Motion be passed :

- amending the CBRM Planning Strategy by revising Policy 19 of Part 3, including its preamble, to reference that only the part of the former heavy water plant site which was

not remediated to a residential standard continue to be designated and zoned in an industrial and commercial category; and

- amending the CBRM Land Use Bylaw Map to implement this amended policy directive by reducing the jurisdiction of the Donkin Highway Business and Manufacturing (DBM) Zone to just the area referenced above. The zoning in effect in the surrounding area, i.e. the Rural Cape Breton (RCB) Zone, will be used to replace it where it will no longer be in effect.

Submitted by:

ORIGINAL SIGNED BY

Malcolm Gillis

Planning and Development Department



MEMO TO: CBRM Council

FROM: Malcolm Gillis

SUBJECT: APPOINTING A NEW DEVELOPMENT OFFICER

DATE: January 11th, 2016

With the retirement of Brian Spicer this fall a position of Development Officer became vacant here in the CBRM. After posting the position both internally and externally we hired David Paton to replace Mr. Spicer. David has a Masters of Urban Planning from McGill University. Although he has no experience as a Development Officer, I am confident the combination of his education, his work ethic, intelligence and congeniality will make him a very competent Development Officer representing the CBRM.

It is for these reasons I recommend asking that Council pass a Motion appointing David Paton as Development Officer in accordance with Section 243 of the Municipal Government Act.

ORIGINAL SIGNED BY

Malcolm Gillis
Director of Planning
Cape Breton Regional Municipality

Draft Travel Policy for Civilian Police Commissioners:

Motion:

Moved by Commissioner MacLeod, seconded by Commissioner Gillis, that a recommendation be made to Council to approve the draft Travel Policy for Civilian Police Commissioners as presented.

Motion Carried.

Travel Policy for Civilian Police Commissioners

STATEMENT OF POLICY:

It is the policy of the Cape Breton Regional Municipality to encourage civilian appointees on the Board of Police Commissioners to participate in appropriate Board training and development opportunities.

OBJECTIVES:

This Policy identifies the annual conference of the Nova Scotia Association of Police Governance (NSAPG) as the most appropriate forum for training and development of civilian commissioners.

The Policy acknowledges that periodically there are Provincial cost-shared orientation training programs offered for new commissioners and those orientation sessions are also deemed beneficial training for CBRM civilian commissioners.

CRITERIA:

- Authority to grant permission for travel by Commissioners is not a staff function.
- Civilian Commissioners, including the Provincial Appointee, are eligible to attend the NSAPG annual conference. CBRM will sponsor two civilian commissioners to attend the annual conference, noting that priority will be given to those civilian commissioners who have not attended the Conference in the previous year.
- Requests for additional travel, including any Provincial cost-shared orientations sessions, must be submitted by the Civilian Commissioner in sufficient time to be considered at a Police Commission meeting.
- For any additional travel requests, the Board will, by motion, authorize the travel after reviewing the availability of funds.
- The rates for meals, mileage and accommodations, as well as the filing requirements for expense claims, shall be the same as required in the Council Expense Policy.

Approved by Council: _____

M-E-M-O

320 Esplanade

Sydney, Nova Scotia, B1P 7B9

902-563-5010

To: CBRM Board of Police Commissioners
From: Deborah Campbell, Municipal Clerk
Date: November 25, 2015
Re: Draft Travel Policy for Civilian Police Commissioners

In August of this year, a request was received from civilian representatives on the Police Commission to attend the Nova Scotia Association of Police Governance Conference being held in Truro on September 17-19, 2015.

Upon a review of the current CBRM policies and by-laws, it was determined that travel expenses for non-local travel by civilian members of the Commission was not addressed in a policy. However, the Police Chief's office advised that the police service usually sponsors two civilian board members to attend the annual conference.

In discussions with the CAO, it was agreed that it would be beneficial to have a policy in place that outlines the parameters of CBRM's financial support for non-local travel by civilian members of the Police Commission.

In preparing this report, a search of the Minutes of the Police Commission was carried out regarding past travel by civilian representatives. It was learned that in April of 2009, the Police Commission approved a draft Travel Policy Statement for Civilian Police Commissioners (see attached - excerpt from the April 7, 2009 Minutes, staff Issue Paper dated February 27, 2009 and the draft Policy Statement). However, this Policy Statement was not referred to Council for approval. Therefore the Policy is being presented to the Commission for review and referral to Council for approval, with minor revisions based on the past practice that CBRM will sponsor two civilian commissioners to attend the annual conference, noting that priority will be given to those civilian commissioners who have not attended the Conference in the previous year. (see Revised Policy attached)

Recommendation:

That the attached revised Travel Policy for Civilian Commissioners be recommended to Council for approval.

ORIGINAL SIGNED BY

Deborah Campbell, Municipal Clerk

Excerpt – CBRM Board of Police Commissioners Minutes – April 7, 2009

Policy Statement on Travel Expense for Commissioners:

Bernie White, Secretary to the Board of Police Commissioners

At the last Police Commission meeting, staff were directed to draft a policy statement with regards to Travel Expense for Civilian Members of the Police Commission. The composition of the Police Commission has changed and there is more civilian oversight than there has been in the past. This change has brought about a need for training for the Members. The funds have been put in place and do include Citizen Appointees as well as the Provincial Appointee.

The authorization for Commissioners to travel is not a Staff function. The authorization will be a collective decision of the Commission if it is not clearly defined in the Policy Statement.

Motion:

Moved by Commissioner Saccary, seconded by Commissioner Jim MacLeod, to approve the policy statement on Travel Expense for Police Commissioners. The Primary training opportunity would be participation at the annual meeting of the Nova Scotia Association of Police Boards (NSAPB) or orientation sessions cost shared with the Province for new Commissioners.

Motion Carried

CBRM

Clerk's Office

M·E·M·O

COPY

320 Esplanade

Sydney, Nova Scotia, B1P 7B9

902-563-5010

To: CBRM Board of Police Commission

From: Bernie White, Secretary to Police Commission

Date: February 27th, 2009

Re: Policy Statement on Travel Expense for Commissioners

At the last meeting of the Commission a motion was passed directing staff to formulate a policy statement on travel expenses for civilian members of the Police Commission, including the Provincial appointee.

Upon review of existing CBRM policies on citizen appointees and travel expense claims in general it is noted that authorization currently exists to pay citizens for expenses they incur for travel to and from meetings of committees to which they are appointed.

This statement clearly gives direction outlining expense entitlement for citizens for "meetings of the Committee". Depending on different perspectives the above statement could be read to mean travel to such events as annual Police Board Association annual conferences.

The Police Commission is subject to both CBRM policy and Provincial legislation especially in relation to board structure. Changes to the Police Act in 2007 resulted in a shift in the civilian oversight component of local Police Board. In Nova Scotia municipal units with Police Commissions there are more civilian appointees then elected police Commissioners.

The need to provide appropriate training opportunities for these civilian appointees is even more important today then in the past.

To that end the CBRM Police Commission have instructed staff to compose clarifying criteria for civilian Commissioners when they travel and in the interim have directed that funds be included in the 2009/2010 police estimates for civilian Commissioners. An amount of \$7,000 has been included in the police budget estimates that will be discussed by the commission and eventually by Council in the budget deliberations.

The above noted \$7,000 is an arbitrary figure which is an estimate of what it would cost for the travel of civilian commissioners, including the Provincial appointee who may wish to attend the annual association meetings of the Nova Scotia Association of Police Boards (NSAPB).

Other training opportunities might present themselves in future relating to possible additional participation of one of our civilian Commissioners at the National Police Association level. Authorization for civilians to travel to training exercises would be subject to Board approval and availability of funds.

The authorization for civilian Commissioners to travel will not be determined by any staff member, but will come from criteria established in the policy. It will also be linked to availability of funding.

As noted at present the CBRM has some authority to pay expenses for civilian appointees, however no funding is identified in the CBRM departmental budgets for same. The Police Commission is the most likely "Committee" that would have civilian members travelling.

Other CBRM Committees have civilian members i.e. Affirmative Action, Heritage Advisory, Planning Advisory, however these citizen appointees tend to have only local expenses if any.

Recommendation:

A specific policy statement for travel expenses for civilian police commissioners be composed (draft attached). The primary training opportunity would be participation at the annual meeting of the Nova Scotia Association of Police Boards (NSAPB) or orientation sessions cost shared with the Province for new Commissioners

ORIGINAL SIGNED BY

Bernie White
Secretary to Police Commission

/lak

DRAFT

Travel Policy Statement - Civilian Police Commissioners

Statement of Policy:

The Cape Breton Regional Municipality encourages civilian appointees to the Board of Police Commissioners to participate in appropriate Board training and development opportunities.

Objective:

This policy identifies the annual meetings of the Nova Scotia Association of Police Boards (NSAPB) as the most appropriate forum of training and development for Police Commissioners.

The Policy acknowledges that periodically there are Provincial cost shared orientation training programs offered for new commissioners and that such are also deemed beneficial training for local civilian commissioners.

This policy is based on the following criteria:

- Authority to grant permission for travel by Commissioners is not a staff function.
- Civilian commissioners including the Provincial appointee are automatically authorized to attend the annual meeting of the NSAPB, if funding exists in the annual CBRM Police budget.
- For any additional travel requests the Board will by motion authorize the travel after reviewing the availability of funds.
- Requests for additional travel other than the NSAPB annual meeting or Provincial cost shared orientations sessions must be submitted by the requesting Civilian commissioner in sufficient time to be considered at a Police Commission meeting.
- The rate for meals mileage and accommodations and requirements for filing expense claims shall be the same as required in the Council Expense Policy.

Bernie White

Secretary to the Board of Police Commissioners

/de



M·E·M·O

320 Esplanade

Sydney, Nova Scotia, B1P 7B9

902-563-5010

To: CBRM Mayor and Council

From: Deborah Campbell, Municipal Clerk

Date: January 15, 2016

Subject: Proposed Changes to CBRM Policies (reference to the "General Committee")

At the January 5, 2016 meeting of the General Committee, a motion was passed recommending that Council approve the proposed amendments to the following policies to reflect reference to the "General Committee":

- Constructive Discipline Policy
- Employee Assistance Program Policy
- Reporting of Accidents WCB Policy
- Civic Addressing Policy
- Get Well & Bereavement Acknowledgement Policy
- Meeting Rooms Usage Policy
- Photocopier Service Policy
- CBRM Planning Fees Policy
- Property Management Policies

The full documents with the proposed amendments are in a separate attachment to the Council agenda (see Appendix "A"). The seven (7) days' notice of these changes was provided to Council in accordance with Section 48(1) of *Municipal Government Act*.

Staff Recommendation:

I recommend that Council approve the proposed amendments to the foregoing CBRM Policies.

Yours truly,

ORIGINAL SIGNED BY

Deborah Campbell
Municipal Clerk

Proposed Changes to CBRM Policies and Bylaws:

Motion:

Moved by Councillor Rowe, seconded by Councillor Eldon MacDonald, that a recommendation be made to Council to approve the proposed amendments to the CBRM Policies and Bylaws as outlined in Appendix “A” of the staff report of December 30, 2015, noting that the amendments to the Bylaws require two readings by Council.

Motion Carried.

Summary

Statement of Revenue

November 30, 2015

Revenue	Year To Date Assigned	8 Month Budget	8 Month Budget Variance	Annual Budget	Annual Budget Remaining
Total Taxes	\$ 68,329,907	\$ 67,922,637	\$ 407,271	\$ 101,883,955	\$ 33,554,048
Total Federal Government	1,690,704	1,690,704	-	2,536,056	845,352
Total Federal Government Agencies	792,463	785,007	7,457	1,177,510	385,047
Total Provincial Government	883,264	883,265	(1)	1,324,898	441,634
Total Provincial Government Agencies	2,133,442	1,952,047	181,395	2,928,070	794,628
Total Services to Other Local Government	286,520	286,519	1	429,779	143,259
Total Transit	409,617	420,000	(10,383)	630,000	220,383
Total Environmental Development Services	229,645	173,445	56,199	260,168	30,523
Total Licenses & Permits	121,418	119,333	2,085	179,000	57,582
Total Fines & Fees	357,365	368,902	(11,537)	553,353	195,988
Total Rentals	391,930	366,667	25,264	550,000	158,070
Total Concessions & Franchises	268,360	244,345	24,016	366,517	98,157
Total Return on Investments/Interest on Taxes	980,043	833,667	146,376	1,250,500	270,457
Total Finance Revenue	20,925	20,333	592	30,500	9,575
Total Solid Waste Revenue	1,777,216	1,480,750	296,466	2,267,000	489,784
Total Recreation & Cultural Service Programs	890,660	861,520	29,140	1,789,105	898,445
Total Water Utility Charges	3,301,007	3,301,007	(0)	4,951,510	1,650,503
Total Unconditional Transfers	10,582,268	10,614,305	(32,037)	15,921,458	5,339,190
Total Conditional Transfers	2,481,344	2,481,347	(3)	4,178,021	1,696,677
Year To Date Assigned	\$ 95,928,099	\$ 94,805,800	\$ 1,122,300	\$ 143,207,400	\$ 47,279,301

ORIGINAL SIGNED BY

Departmental

ORIGINAL SIGNED BY

Reviewed

Summary

Statement of Expenditures

November 30, 2015

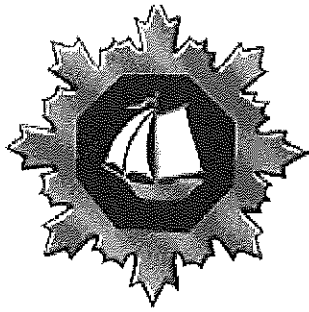
Expenditures	Year to date Expended	8 Month Budget	8 Month Budget Variance	Annual Budget	Annual Budget Remaining
Legislative	\$ 966,681	\$ 950,959	\$ (15,722)	\$ 1,415,714	\$ 449,033
Administration	716,966	774,838	57,871	995,609	278,643
Finance	1,668,258	1,817,287	149,029	2,739,607	1,071,349
Legal	302,641	378,428	75,787	565,444	262,803
Human Resources	981,494	1,077,811	96,317	1,600,549	619,055
Technology & Communications	594,287	633,153	38,866	1,153,099	558,812
Municipal Clerk	224,616	257,917	33,301	480,466	255,850
Fiscal Services	28,391,386	28,492,050	100,664	34,772,031	6,380,645
Occupational Health & Safety	129,057	145,022	15,965	215,532	86,475
Facilities: Centre 200 & Arenas	2,137,926	2,104,751	(33,175)	3,127,620	989,694
Police Services	16,671,125	17,137,215	466,090	25,110,074	8,438,949
Fire Services (Incl EMO)	11,111,334	11,624,078	512,744	16,550,728	5,439,394
Engineering & Public Works	32,287,770	32,543,331	255,561	48,849,744	16,561,975
Planning	1,592,081	1,742,947	150,866	2,650,361	1,058,280
Recreation	2,534,637	2,529,600	(5,038)	2,980,821	446,184
Total expended to date	\$ 100,310,261	\$ 102,209,386	\$ 1,899,125	\$ 143,207,400	\$ 42,897,139

ORIGINAL SIGNED BY

Departmental

ORIGINAL SIGNED BY

Reviewed



CAPE BRETON REGIONAL MUNICIPALITY

NOTICE

By-Law for Second (Final) Reading by Council

TAKE NOTICE that the following By-Law will be brought to Council for second (final) reading on **Tuesday, January 19, 2016** at 6:00 p.m., Council Chambers, 2nd Floor, City Hall, 320 Esplanade, Sydney, NS:

By-Law	Intent
Amendments to the CBRM Defined Benefit Pension Plan By-Law	• To consolidate and restate the Plan Text which contains all amendments up to January 1, 2014.

The above By-law amendments may be inspected at the Clerk's Office, 4th Floor, Room 403, City Hall, 320 Esplanade, Sydney, N.S.

Signed: Deborah Campbell
Municipal Clerk
January 2, 2016

Amendments to the Defined Benefit Pension Plan By-Law – Consolidated Plan Text:

Motion:

Moved by Councillor Rowe, seconded by Councillor Flynn, that the consolidated restated Plan Text for the Defined Benefit Pension Plan By-Law dated August 2015, effective January 1, 2014, be approved for First Reading.

Motion Carried.

ISSUE PAPER

December 2, 2015

To: Mayor and Council

**RE: CBRM Defined Benefit (DB) Contribution Pension Plan
Consolidation and Restated Plan Text**

Background:

Consolidation and Reinstated Plan Text January 1, 2014

The CBRM Defined Benefit (DB) Pension plan has been in place since 1962. The plan has been amended on many occasions for various reasons. These amendments eventually become part of the plan text when consolidated and restated. The last time the plan was restated was 1999.

The attached document is a new consolidation and restatement of the plan text which contains all amendment up to January 1, 2014.

The new Plan text was reviewed by the CBRM Defined Benefit Pension Committee November 18, 2015 which resulted in the following motion.

Moved by Gussie Gouthro, seconded by Councillor Rowe, that the Defined Benefit Pension Committee recommend to Council to approve the new plan text for the DB Pension Plan dated August 2015. Motion carried

Recommendation:

Based on the Committee's recommendation, I would request Council approve the attached resolution to adopt the consolidated and restated Plan Text effective January 1, 2014.

Original Signed By

Angus Fleming
Human Resources

Attachment

Consolidated Plan Text:

- Resolution to Adopt Consolidated and Restated Plan Text effective January 1, 2014

Motion:

Moved by Gussie Gouthro, seconded by Councillor Rowe, that the Defined Benefit (DB) Committee recommend to Council to approve the new plan text for the Defined Benefit Pension Plan dated August 2015.

Motion Carried.



M·E·M·O

320 Esplanade

Sydney, Nova Scotia, B1P 7B9

902-563-5010

To: CBRM Mayor and Council

From: Deborah Campbell, Municipal Clerk

Date: January 15, 2016

Subject: Proposed Changes to CBRM By-Laws (reference to the "General Committee")

At the January 5, 2016 meeting of the General Committee, a motion was passed recommending that Council approve the proposed amendments to the following By-laws to reflect reference to the "General Committee":

- * Building By-Law
- * Civic Addressing By-law
- * Parking Meter By-law
- * Taxi By-law
- * Vending Machines By-law

The full documents with the proposed amendments are in a separate attachment to the Council agenda (see Appendix "B").

Staff Recommendation:

I recommend that Council approve the proposed amendments to the foregoing CBRM By-laws, noting that these amendments require two readings by Council.

Yours truly,

ORIGINAL SIGNED BY

Deborah Campbell
Municipal Clerk

Proposed Changes to CBRM Policies and Bylaws:

Motion:

Moved by Councillor Rowe, seconded by Councillor Eldon MacDonald, that a recommendation be made to Council to approve the proposed amendments to the CBRM Policies and Bylaws as outlined in Appendix “A” of the staff report of December 30, 2015, noting that the amendments to the Bylaws require two readings by Council.

Motion Carried.

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

January 19th, 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

January 19th, 2016

A PROCLAMATION IN RECOGNITION
OF AN HONOUR & ACHIEVEMENT



CAPE BRETON REGIONAL MUNICIPALITY
A COMMUNITY OF COMMUNITIES

PROCLAMATION

WHEREAS the Cape Breton Regional Municipality honours
our best citizens; and

WHEREAS today, at the age of 104, we honour Janet
Anderson, the founder of the Memory Lane Fun Band; and

WHEREAS Janet is also a lifelong member of the Sydney
Mines Seniors and Pensioners Club and received the
Outstanding Senior Citizen of Cape Breton Award; and

WHEREAS she is also a lifelong member of Branch #8 Legion
and received the meritorius service award; therefore

BE IT RESOLVED THAT Cape Breton Regional Municipality
recognize today, December 20, 2015, as “Janet Anderson Day”
in our municipality and may peace, contentment and
prosperity prevail this day and every day hence.

Hon. Cecil. P. Clarke
Mayor, Cape Breton Regional Municipality

Clarence Prince
Councillor, District 1

Dated this 20th day of December, 2015

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 MacLellan, 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 live 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

January 19th, 2016

