



Cape Breton Regional Municipality

Council Meeting Agenda

Thursday, July 30, 2026

2:00 p.m.

Council Chambers

Second Floor, City Hall

320 Esplanade, Sydney, Nova Scotia

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Land Acknowledgement**Roll Call****O' Canada**

1. **Approval of Agenda:** (Motion required)
2. **Special Community Announcements and Acknowledgements**
 - 2.1 **CBRM Housing Strategy Receives National Planning Award:** Demetri Kachafanas, KC, Chief Administrative Officer
(See page 6)
3. **Proclamations and Resolutions**
 - 3.1 **Emancipation Day**
Councillor Paul Nickituk (See page 8)
 - 3.2 **Hiroshima Memorial Day**
Councillor Steven MacNeil (See page 9)
 - 3.3 **Pride Week**
Deputy Mayor Glenn Paruch (See page 11)
 - 3.4 **Acadian Day / Journée de l'Acadie**
Councillor Eldon MacDonald (See page 12)
 - 3.5 **Atlantic Burn Camp Week**
Councillor Earlene MacMullin (See page 14)
4. **Public Hearings - Scheduled for 2:00 p.m.**
 - 4.1 **Final Reading – Case #001101 Text Amendments to CBRM'S Land Use By-law:** Peter Vandermeulen, Planner
(See page 15)
 - 4.2 **Final Reading - Repeal of By-law No. B-400 Respecting Open Air Burning and Adoption of New Open Air Burning By-law:** Mark Bettens, Fire Chief /

Director of Fire and Emergency Services (See page 29)

5. Corporate Services Issues

5.1 Three-Year Cost Share Agreement for Subdivision (J-Class) Streets: Wayne MacDonald, P.Eng. Chief Engineer, and Director of Strategic Partnerships (See page 63)

5.2 Solid Waste Go-Forward Plan: John Phalen, Director of Public Works

To be Circulated Prior to Meeting

5.3 Policies Update: Christa Dicks, Municipal Clerk / Director of Corporate Information Services

To be Circulated Prior to Meeting

6. Council Agenda Request

6.1 Solar Feasibility Assessment: Councillor Steven MacNeil (See page 77)

6.2 Solid Waste Resource Management By-law (S-300): Councillor Steven MacNeil (See page 78)

6.3 Small Business Incubator: Councillor Steven MacNeil (See page 79)

6.4 Port File - Update on Next Steps and Timeline: Councillor Steven MacNeil (See page 80)

6.5 Incentive Options for Volunteer Firefighters: Councillor Gordon MacDonald (See page 81)

6.6 Cost-Benefit Analysis of a Pay-Per-Call Compensation System for Volunteer Firefighters: Councillor Gordon MacDonald (See page 82)

7. Committee, Board and Commission Reports

7.1 Police Commission Update June 2026: Deputy

Mayor Glenn Paruch (See page 83)

7.2 Nova Scotia Federation of Municipalities Report to Membership: Councillor Eldon MacDonald (See page 85)

8. In Camera

8.1 Local 1995 NSGEU Employee Engagement and Satisfaction Survey Results: Sergeant Ryan Lawrence,
NSGEU Local 1995 President

(In accordance with section 22(2)(c) of the *Municipal Government Act*.)

8.2 9-1-1 Emergency Reporting Service Contract: Demetri Kachafanas, KC, Chief Administrative Officer

(In accordance with section 22(2)(e)(h) of the *Municipal Government Act*.)

8.3 CISNS Contract: Stephen MacKinnon, Chief of Police

(In accordance with section 22(2)(e)(h) of the *Municipal Government Act*.)

Adjournment

CBRM Housing Strategy Receives National Planning Award

July 16, 2026

The Cape Breton Regional Municipality (CBRM) has earned national recognition for its recently adopted Housing Strategy.

On July 9, 2026, the Canadian Institute of Planners (CIP) presented CBRM with a **Canadian Award for Planning Excellence**, recognizing the municipality's innovative approach to addressing housing challenges and increasing housing supply. CIP is the national voice of Canada's planning profession and represents planning professionals from across the country.

Last week, staff from CBRM's Planning and Development Department accepted the award at the CIP National Conference in Montreal, alongside members of the consultant team that helped develop the strategy.

In announcing the award, CIP highlighted the Housing Strategy's forward-thinking and action-oriented framework. *"By evolving from a traditional regulator to an active facilitator, CBRM provides a sophisticated, scalable roadmap for increasing housing supply and addressing local needs,"* noted CIP. *"Rather than a rigid plan, it empowers staff and Council to select actions tailored to evolving priorities."*

The Housing Strategy was developed to help CBRM respond to housing needs through a flexible and collaborative approach that identifies practical actions the municipality can take to support housing development and growth.

Accepting the award on behalf of CBRM, were Karen Neville, Senior Planner, and Tyson Simms, Director of Planning and Development. Following the event, Simms commented:

"On behalf of CBRM, we are incredibly proud of our consultant team for their dedication, expertise, and collaboration in making this Housing Strategy possible. An award-winning plan is more than recognition of the work completed, it provides momentum for the important conversations we continue to have about housing."

Photo Description: Members of the project consultant team and CBRM staff accept the Canadian Award for Planning Excellence at the Canadian Institute of Planners (CIP) National Conference in Montréal on July 9, 2026.

Pictured (left to right): Consultant team members Lyndsay Francis, Samantha Murphy, and James Coons; CBRM staff members Karen Neville and Tyson Simms; and CIP President Lesly Cabott.





PROCLAMATION

Emancipation Day

WHEREAS:

August 1st is Emancipation Day commemorating the anniversary date of 1834 when the British Parliament abolished slavery across its empire, freeing about 800,000 enslaved people of African descent throughout the British colonies; and

WHEREAS:

Nova Scotia joined the world in recognizing August 1st as Emancipation Day by officially legislating the Emancipation Day Act on April 19th, 2021; and

WHEREAS:

we recognize Marie Marguerite Rose, an enslaved worker brought to Louisbourg in 1736. After being freed, Marie married a Mi'kmaq hunter and opened a local tavern. We recognize the Caribbean workers who settled in Whitney Pier, Glace Bay, and New Waterford in the early 1900s, those whose legacy continues in those communities today through the contributions of the generations of descendants who have followed them; and

WHEREAS:

We encourage all residents of the CBRM to continue striving toward a caring and compassionate society where all individuals regardless of race or ethnic origin are afforded the right to live in conditions of good health, safety, dignity, respect, and peace.

**BE IT THEREFORE
RESOLVED:**

that CBRM Mayor Cecil P. Clarke and Council proclaim **August 1, 2026**, as **“Emancipation Day”** in the Cape Breton Regional Municipality.

Councillor Paul Nickituk - CBRM District #10
July 30, 2026



PROCLAMATION

Hiroshima Memorial Day

WHEREAS:

August 6th, 2026, marks the 81st anniversary of the atomic bombing of Hiroshima, followed three days later by the atomic bombing of Nagasaki; and

WHEREAS:

hundreds of thousands of civilians died in these attacks, and tens of thousands of survivors, or “hibakusha,” have suffered from the wounds, disabilities, diseases, and other traumatic impacts of the explosions; and

WHEREAS:

since 2013 the Cape Breton Regional Municipality has been a member of Mayors for Peace, based in Hiroshima, which now has 8,579 members from 166 countries, including 113 municipalities in Canada; and

WHEREAS:

today’s 12,100 nuclear weapons, possessed by nine states, are equal in their destructive power to hundreds of thousands of Hiroshimas; and

WHEREAS:

in 2025, the nine nuclear-armed states spent \$119 billion on maintaining and modernizing their arsenals, money that could have been better spent meeting the United Nations Sustainable Development Goals (SDGs); and

WHEREAS:

in 2026, the last remaining nuclear arms control agreement, the New START Treaty between the United States and Russia, was terminated, opening the path to a new arms race and a possible resumption of nuclear testing; and

WHEREAS:

Numerous recent scientific studies confirm that even a so-called ‘limited’ nuclear war would, in addition to killing millions of people, cause a global famine and massive damage to the global environment, economy, and climate; and

WHEREAS:

there are no credible means of defense against nuclear attack, and no possibility for any level of government to adequately respond to such an attack; and

WHEREAS:

any use of nuclear weapons in war would be contrary to international humanitarian law and the law of armed conflict; and

WHEREAS:

Russia's illegal invasion of Ukraine and repeated threats to use nuclear weapons illustrates how possessing such weapons, far from deterring conventional war, acts to embolden aggression and incite proliferation; and

WHEREAS:

the Cape Breton Regional Municipality supports the call of Mayors for Peace for all states, including Canada, to join the 2017 UN Treaty on the Prohibition of Nuclear Weapons (TPNW), now ratified by 74 states and signed by 99 states; and

WHEREAS:

The First Review Conference of the Treaty on the Prohibition of Nuclear Weapons will be held in New York from November 30-December 4, a meeting which Canada and other NATO members should attend, to signal their support for the goal of a nuclear-weapon-free world; and

WHEREAS:

it is a day to remember the devastation of Hiroshima and Nagasaki in 1945, and to renew our commitment to ending the threat to human civilization, and all life on Earth, posed by nuclear weapons.

**BE IT THEREFORE
RESOLVED:**

that CBRM Mayor Cecil P. Clarke and Council proclaim August 6th, 2026, as "Hiroshima Memorial Day" in the Cape Breton Regional Municipality.

Councillor Steven MacNeil - CBRM District #8
July 30th, 2026



PROCLAMATION

Pride Week

WHEREAS:

Pride Week is an opportunity to celebrate the diversity, resilience, contributions, and achievements of 2SLGBTQIA+ communities in the Cape Breton Regional Municipality and across Canada; and

WHEREAS:

the Cape Breton Regional Municipality is committed to fostering communities where everyone can live, work, and participate fully, free from discrimination, harassment, and prejudice; and

WHEREAS:

Pride Week provides an opportunity for residents to come together in celebration, solidarity, and support of the community and to reaffirm our shared commitment to equality and inclusion; and

WHEREAS:

Pride Week encourages people across the CBRM to recognize the importance of acceptance, respect, and belonging, while continuing to work toward a more inclusive and equitable community for all.

**BE IT THEREFORE
RESOLVED:**

that CBRM Mayor Cecil P. Clarke and Council do hereby proclaim August 7th to 16th, 2026 as Pride Week in the Cape Breton Regional Municipality.

Deputy Mayor Glenn Paruch - District #6
July 30, 2026



PROCLAMATION

Acadian Day / Journée de l'Acadie

<u>WHEREAS:</u>	August 15 th is National Acadian Day in observance of the first permanent French settlement in North America in 1607; and
<u>ATTENDU QUE:</u>	Le 15 août est la journée nationale de l'Acadie afin de commémorer le premier établissement français en Amérique du nord en 1607, et
<u>WHEREAS:</u>	2026 marks the 142 nd anniversary of the Acadian Flag, designed by Bishop Marcel-François Richard in 1884 as a symbol of Acadian cultural identity; and
<u>ATTENDU QUE:</u>	2026 souligne le 142^e anniversaire du drapeau Acacien, dessiné pour l'évêques Marcel-François Richard en 1884 comme symbole de l'identité culturelle Acadienne, et
<u>WHEREAS:</u>	Acadians are the descendants of the seventeenth-century French colonists who settled in Acadia located in the Canadian Maritime provinces – Prince Edward Island, Nova Scotia, New Brunswick, as well as in Quebec and Maine; and
<u>ATTENDU QUE:</u>	Les Acadiens sont les descendant des colons français du 17^e siècle qui se sont établis en Acadie situé dans les provinces maritimes du Canada – l'île du Prince Édouard, la Nouvelle Écosse, le Nouveau Brunswick de même qu'au Québec et le Maine.
<u>WHEREAS:</u>	Acadians, in view of their origin, history and development, constitute the first permanent settlement from France in Canada; and
<u>ATTENDU QUE:</u>	Les Acadiens, de par leur origine, histoire et leur développement constitue le premier établissement Français au Canada.

<u>WHEREAS:</u>	The Acadian people have contributed, for some 400 years, to the economic, cultural and social vitality in Canada; and
<u>ATTENDU QUE:</u>	Les Acadiens contribuent depuis 400 ans à la vitalité économique, culturelle et sociale du Canada.
<u>WHEREAS:</u>	It is in the interest of all Canadians to be able to share in the rich historical and cultural heritage of Acadians and to become more familiar with all its aspects, both traditional and contemporary; and
<u>ATTENDU QUE:</u>	Il est dans l'intérêt de tous les Canadiens de partager l'héritage historique et culturelle des Acadiens et de se familiariser avec l'Acadie d'aujourd'hui, et
<u>WHEREAS:</u>	It is important to encourage Acadians to be proud of their heritage.
<u>ATTENDU QUE:</u>	Il est important d'encourager les Acadiens d'être fier de leur héritage.
<u>BE IT THEREFORE RESOLVED:</u>	That CBRM Mayor Cecil P. Clarke and Council proclaim Saturday, August 15 th , 2026, as "Acadian Day" and encourage all residents to celebrate the rich heritage and culture of all Acadians in Nova Scotia and Canada.
<u>DONC:</u>	Je, le maire Cecil P. Clarke et le conseil de la municipalité régionale du Cap Breton déclarons que samedi le 15 août 2026 est la journée de l'Acadie et encourageons tous les résidents de célébrer le riche héritage et culture Acadienne en Nouvelle Écosse et au Canada.

Councillor Eldon MacDonald - District #5
Conseiller Eldon MacDonald - District #5

July 30, 2026
30 juillet 2026



PROCLAMATION

Atlantic Burn Camp Week

- WHEREAS:** the Atlantic Burn Camp provides a safe, supportive, and empowering environment for young burn survivors from across Atlantic Canada to heal, grow, and connect with others who share similar experiences; and
- WHEREAS:** the camp fosters resilience, confidence, and lifelong friendships through recreational activities, peer support, and mentorship, helping children and youth overcome the physical and emotional challenges of burn injuries; and
- WHEREAS:** the Cape Breton Regional Municipality recognizes the importance of raising awareness about burn prevention, recovery, and the incredible strength of burn survivors and their families, and
- WHEREAS:** the dedicated volunteers, medical professionals, and community partners who make Atlantic Burn Camp possible deserve recognition and gratitude for their compassion and commitment.
- BE IT THEREFORE RESOLVED:** that CBRM Mayor Cecil P. Clarke and Council do hereby proclaim the week of August 16 to August 23, 2026, as Atlantic Burn Camp Week in the Cape Breton Regional Municipality.

Councillor Earlene MacMullin - CBRM District #2
July 30, 2026

Text Amendments to CBRM's Land Use By-law

Motion

Moved by Councillor MacKeigan, seconded by Deputy Mayor Paruch, that Council amends Subsection 4.2 a) of CBRM's Land Use Bylaw, increasing the maximum gross floor area of Accessory Dwelling Units to 80 m² and schedule a public hearing at an upcoming council meeting.

Discussion:

- Potential revenue increases
- Accessory Dwelling Unit (ADU) definition
- Amendment applies to CBRM in its entirety
- Applicant's intent of application

Motion Carried



CBRM PUBLIC HEARING

The Council of the Cape Breton Regional Municipality (CBRM) has scheduled a Public Hearing to consider amendments to the CBRM Land Use By-law (LUB). The proposed amendments align with existing plan policies and do not change the overall direction of the LUB. Instead, they enhance clarity for both administrators and users.

The Public Hearing is scheduled for Thursday, July 30th, 2026 at 2 p.m. in the Council Chambers, 2nd floor Civic Centre, 320 Esplanade, Sydney. Anyone wishing to comment on this application is welcome to make a presentation at the Public Hearing. Written submissions will be accepted by email or mail until **4:00 p.m. on Wednesday, July 29th, 2026.** Written submissions must include your full name and address for the public record.

For more detailed information on this application please call the Planning and Development Department at 563-5088 or e-mail planningconsult@cbrm.ns.ca.



STAFF REPORT

To: CBRM Mayor and Council

Submitted by: Demetri Kachafanas, CAO

Date: July 21st, 2026

Subject: Case #001101 – Text Amendment to CBRM’s Land Use By-law

ORIGIN

Initiated by citizen request to amend Section 4.2 of the Land Use By-law (LUB), regarding Accessory Dwelling Units.

RECOMMENDATION

It is recommended that Council retain the existing provisions for Accessory Dwelling Units, within the CBRM Forward Land Use By-law, as set out in Attachment A of this report.

PUBLIC HEARING NOTIFICATION

A Public Hearing has been scheduled for these amendments adjoining the presentation of this report. As per the requirements of the Municipal Government Act, notice of the Public Hearing has been posted July 16th, and 23rd in the Cape Breton Post. At the time this report was prepared, no comments were received by the Planning and Development Department.

BACKGROUND

Staff have received a request from an applicant to amend the maximum permitted floor area for an Accessory Dwelling Unit (ADU), which is currently set at 72 square metres (Attachment B).

With the adoption of CBRM Forward in 2023, a wide range of housing options were addressed, including a new housing type in the form of an accessory dwelling unit (ADU). ADUs enable a gentle increase in density without altering the streetscape.

The Land Use By-law defines an ADU as “one dwelling unit accessory to a one-unit dwelling, two-unit dwelling, semi-detached dwelling and intended as an independent and separate living unit which contains its own sleeping, living, cooking and sanitary facilities, and its own entrance. An accessory dwelling unit is detached from the main dwelling, unlike a secondary suite.”

It is important to note that this is a separate independent unit from the main dwelling in its own detached building. This differs from a Secondary suite which is contained wholly within the Main Dwelling.

DISCUSSION

The maximum floor area for accessory dwelling units was determined by consultants working for the CBRM based on their professional experience. The 72 m² standard was adopted to ensure that ADUs function as small, subordinate residential units that remain clearly accessory to the main building.

Jurisdictional Review

As part of this review, Staff completed a jurisdictional scan of ADU regulations across Nova Scotia. The scan indicates that the municipality's current 72 m² maximum places us in the middle of the range of permitted ADU sizes. Some municipalities allow smaller units, while others permit larger ones, but the 72 m² standard reflects a balanced, moderate approach consistent with common practice.

Through this scan it is important to also note that ADUs are not yet common across all Municipalities. Many Municipalities have not yet adopted LUB provisions around these housing types, or they have only recently been adopted.

Review of Recent Applications

Staff have also reviewed several Building and Development permit applications for the development of ADUs since their implementation within the CBRM Forward LUB in 2023. Since then, permit data indicates the average size of approved ADUs is approximately 60m².

Discussion of Proposed Amendments

ADUs remain a relatively new housing form within the Municipality and across Nova Scotia. Their long-term impacts on neighbourhood character, servicing, parking, and enforcement are not yet fully observed. Because this form of development is still emerging, Staff believe it is reasonable to retain the current size limit of 72m² while monitoring uptake and performance over the next several years before considering any expansion of the permitted floor area.

For these reasons, Staff recommend that Council maintain the existing 72 m² maximum floor area for ADUs. This approach provides stability, while the municipality gains experience with this new housing form, and it avoids applying standards designed for a different type of residential unit.

While Staff is recommending maintaining the current provisions, Staff is also presenting an alternative for Council's consideration. Council could choose to align the maximum ADU size with the floor area provisions for secondary suites under the Nova Scotia Building Code. It is important to note that Secondary Suites and ADUs are not the same building type. A Secondary Suite is located within the main building, sharing structural systems, services, and fire separations with the principal dwelling. An ADU, by contrast, is a detached, stand-alone building situated elsewhere on the lot. These differences in location, construction, servicing, and land-use impact mean that the Building Code's secondary suite size limits do not translate directly to the ADU context. However, staff have found some other jurisdictions in Nova Scotia that use the same standards for Secondary Suites and ADUs in their Land Use By-laws.

Excerpts from the Building Code related to secondary suites are provided in Attachment C. For ease of implementation, the 80 square metres referenced in subsection one of the Code provisions is presented as the alternative recommendation for Council's consideration. A draft Amending By-law reflecting this change in size can be found in Attachment D.

FINANCIAL IMPLICATIONS

The applicant has paid the application fee in accordance with CBRM's Fee Policy Planning, Development and Building.

ALTERNATIVES

Council may choose to give Second/Final Reading to consider approval of the proposed amendments to the CBRM Forward Land Use By-law, as set out in Attachment D.

LEGISLATIVE AUTHORITY

Section 210 of the *Municipal Government Act* (MGA) outlines the required process for amendments to the Land Use By-law. An excerpt of the applicable MGA provisions is provided as Attachment E.

ATTACHMENTS

Attachment A:	Excerpt from the LUB regarding Accessory Dwelling Units (ADU)
Attachment B:	Request from Applicant for Proposed Amendments to LUB
Attachment C:	Excerpts from Building Code Related to Secondary Suites
Attachment D:	Proposed Alternative - Amendments to LUB
Attachment E:	Excerpt of <i>Municipal Government Act</i>

A copy of this report can be obtained online at www.cbrm.ns.ca or by contacting the Office of the Municipal Clerk at 902-563-5010.

Report Prepared by: Peter Vandermeulen, Planner, Planning and Development

Attachment A

4.2. ACCESSORY DWELLING UNITS

A lot containing a one or two unit dwelling may also contain an accessory dwelling unit as a secondary use in a separate building subject to the following:

- a) The accessory dwelling unit suite shall not exceed a maximum gross floor area of 72 square metres;
- b) The height of an accessory dwelling unit shall not exceed the height prescribed for an accessory building in Section 4.1 of this By-law;
- c) Unless the accessory building existed legally prior to the adoption of the Land Use By-law, the accessory dwelling unit shall be in the rear yard of the main building;
- d) The accessory dwelling unit shall be of a similar appearance and design as the main building;
- e) Each lot is limited to one accessory dwelling unit; and
- f) Subdivision of an accessory dwelling unit to create a flag lot is prohibited.

ATTACHMENT B

Peter E. Vandermeulen

From: Madison McGillivray [REDACTED]
Sent: May 14, 2026 1:07 PM
To: PlanningConsult
Subject: Land Use By-law Amendment
Attachments: COW.pdf; COI.pdf; Karen Court Plot Plan McGillivray.pdf; Madison Mc Gillivray Karen Lynn Court Ligan.pdf; 2708-24-Aug9-LC.pdf

Some people who received this message don't often get email from [REDACTED] [Learn why this is important](#)

To Whom It May Concern:

I am writing to formally request an amendment to the current Land Use By-law that limits accessory dwelling units to a maximum size of 72 square meters. I have explored various avenues before resorting to this, including being granted a variance, however this situation does not qualify as a "hardship" and was therefore denied.

My situation is somewhat unique. My existing home, located at 16 Karen Lynn Court, River Ryan (PID #15650427), is approximately 844 square feet and was constructed with the long-term plan of building a second dwelling on the same property. This intention was part of the original vision for the property from the beginning.

When I applied for and received the permit for the existing home, I was advised that these specific by-law restrictions would not apply to my property, as it was understood to fall under county regulations rather than municipal limitations. Based on this information, I proceeded in good faith with the current size and layout of the home.

The proposed dwelling would be located in front of the existing home and would be a two-storey residential home of approximately 2,000 square feet. Due to the presence of an on-site septic system, I cannot subdivide the property, as doing so would result in lot sizes that do not meet current environmental requirements. However, I have consulted with multiple

engineers who confirmed that the existing septic system could adequately support both dwellings.

I want to emphasize that this was not an intentional disregard of the by-law. Had I been aware that the 72 square meter restriction would apply, I would have made different decisions regarding the size and design of the existing dwelling.

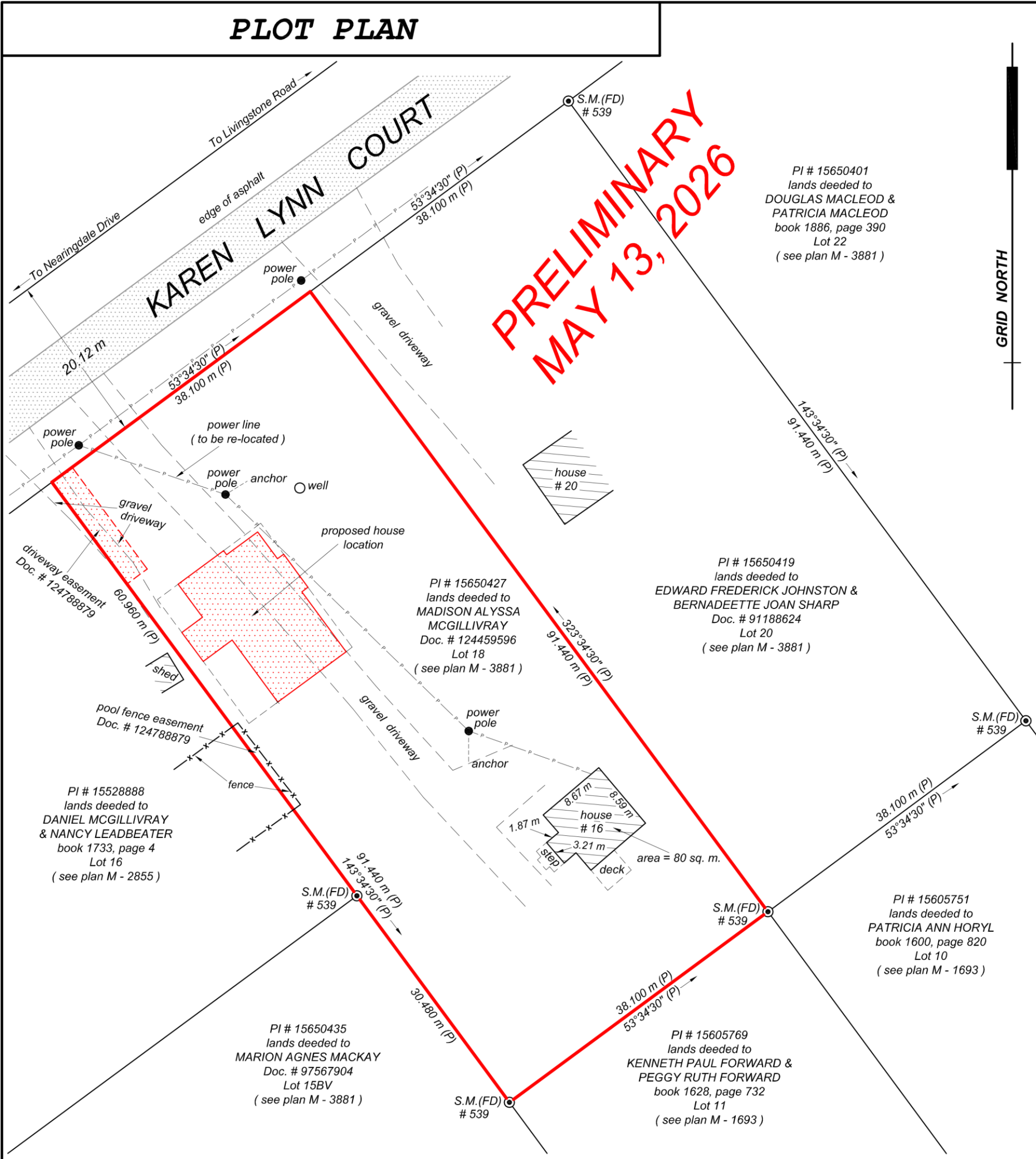
1

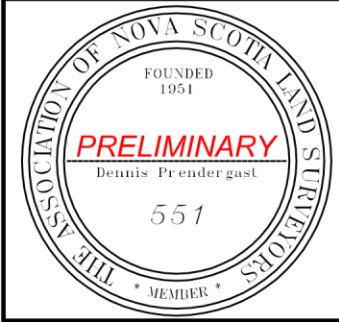
I have attached the required site plan as well as final well and septic reports. If you require any other information, please let me know.

Thank you for your time and consideration.

Madison McGillivray





CERTIFIED TO:	Madison Alyssa McGillivray	NOTE: Clearances shown are perpendicular to the boundary and are to the closest corners of the facing of the structure. Clearances are defined to a tolerance of 0.3 m. Deed (D), Measured (M), Plan (P) Survey Marker (S.M.), Iron Bar (I.B.) Wooden Stake Set ----- sk
	16 Karen Lynn Court, River Ryan,	
	Cape Breton Regional Municipality, N.S.	
I, Dennis Prendergast, Nova Scotia Land Surveyor, hereby certify that this Surveyors Location Certificate was prepared under my supervision and in accordance with the Land Surveyors Act, Regulations and Standards made there under. Dated this 13th day of May, 2026. _____, N.S.L.S. no. 551 I have supervised an inspection of the subject lands and have caused such measurements to be made as I deemed necessary to certify that: (1) The <u>proposed house</u> shown here is _____ located entirely within the boundaries of the subject lands as said boundaries are defined by <u>deed : see document # 124459596 on file at The Registry of Deeds, Sydney, N.S.</u> (2) Cultural features shown heron are located to plotting accuracy unless specifically dimensioned. (3) All easements, documented in the deed recorded on <u>document # 124459596</u> in the County of Cape Breton, are reflected hereon. No further certification or assurance is implied by or to be inferred from this document. This Surveyors Location Certificate is not to be used for boundary definition or as a reference document for the preparation of legal descriptions.		
	PRENDERGAST SURVEYS LIMITED NOVA SCOTIA LAND SURVEYORS 646 MAIN STREET, GLACE BAY, CAPE BRETON REGIONAL MUNICIPALITY, N.S., PHONE: (902) 849-7228 WEBSITE : www.nslandsurveyor.com	
FIELD SURVEY: 6 May 2026 PLAN DATED: 13 May 2026	SCALE: 1 : 500	SLC # 00000

ATTACHMENT C

Part 9 Housing and Small Buildings

Section 9.1. General

9.1.1. Application

9.1.1.1. Application

1) The application of this Part shall be as described in Subsection 1.3.3. of Division A. (See Note A-9.1.1.1.(1) regarding application to seasonally and intermittently occupied *buildings*.)

9.1.2. Limits on Floor Area

9.1.2.1. Floor Area Limits for Secondary Suites

- 1) The total *floor area* of all *storeys* of a *secondary suite* shall be not more than the lesser of
- 80% of the total *floor area* of all *storeys* of the other *dwelling unit*, excluding the garage *floor area* and common spaces serving both *dwelling units*, and
 - 80 m².

Section 9.2. Definitions

9.2.1. General

9.2.1.1. Defined Words

1) Words in italics are defined in Article 1.4.1.2. of Division A.

Section 9.3. Materials, Systems and Equipment

9.3.1. Concrete

9.3.1.1. General

- Except as provided in Sentence (2) and Articles 9.3.1.6. and 9.3.1.7., unreinforced and nominally reinforced concrete shall be designed, mixed, placed, cured and tested in accordance with the requirements for "R" class concrete stated in Section 9 of CSA A23.1, "Concrete materials and methods of concrete construction."
- Unreinforced and nominally reinforced site-batched concrete shall be designed, mixed, placed and cured in accordance with Articles 9.3.1.2. to 9.3.1.9.
- Except as provided in Sentence (4), reinforced concrete shall be designed to conform to the requirements of Part 4.

ATTACHMENT D

By-law
of the Cape Breton Regional Municipality
amending the

Cape Breton Regional Municipality’s
Land Use Bylaw

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

THAT: Council amends Subsection 4.2 a) of CBRM’s Land Use Bylaw, increasing the maximum gross floor area of Accessory Dwelling Units to 80m².

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

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 XXXX, XXXX to amend the Cape Breton Regional Municipality’s Land Use By-law.

Christa Dicks, CLERK

ATTACHMENT E

Repeal of planning documents

209 Planning documents may be repealed and the procedure for repealing them is the same as the procedure for adopting them. 1998, c. 18, s. 209.

Amendment of land-use by-law

210 (1) An amendment to a land-use by-law that

- (a) is undertaken in accordance with the municipal planning strategy; and
- (b) is not required to carry out a concurrent amendment to a municipal planning strategy,

is not subject to the review of the Director or the approval of the Minister.

(2) The procedure for the adoption of an amendment to a land-use by-law referred to in subsection (1) is the same as the procedure for the adoption of planning documents, but a public participation program is at the discretion of the council and the amendment may be adopted by a majority of votes of the council members present at the public hearing.

(3) Upon the adoption of an amendment to a land-use by-law referred to in subsection (1), the clerk shall either place a notice in a newspaper circulating in the municipality, or post a notice, including the date the notice is posted, on the municipality's website for at least fourteen days, stating that the amendment has been adopted and setting out the right of appeal.

(3A) Upon the adoption of an amendment to the land-use by-law referred to in subsection (1) and the provisional approval of a development agreement or amendment to a development agreement under Section 225B, the clerk shall either publish a notice in a newspaper circulating in the municipality or post a notice on the municipality's website for at least fourteen days stating

- (a) the date the notice is published or posted;
- (b) that the amendment to the land-use by-law has been adopted; and
- (c) that the development agreement or amendment to the development agreement has received provisional approval and will be approved on the date that the amendment to the land-use by-law takes effect.

(3B) Upon adoption of an amendment to a land-use by-law, the adoption of a supporting amendment to the municipal planning strategy and the provisional approval of a development agreement or an amendment to a development agreement under Section 225C, the clerk shall either publish a notice in a newspaper circulating in the municipality or post a notice on the municipality's website for at least fourteen days stating

- (a) the date the notice is published or posted;
- (b) that the amendment to the land-use by-law has been adopted;
- (c) that the amendment to the municipal planning strategy has been adopted; and

(d) that the development agreement or amendment to the development agreement has received provisional approval and will be approved on the date that the land-use by-law and municipal planning strategy amendments come into effect or, where the land-use bylaw and municipal planning strategy amendments come into effect on different dates, on the later of the two dates.

(4) When notice of an amendment to a land-use by-law referred to in subsection (1) is published, the clerk shall file a certified copy of the amending by-law with the Minister.

(5) Within seven days after a decision to refuse to amend a land-use by-law referred to in subsection (1), the clerk shall notify the applicant in writing, giving reasons for the refusal and setting out the right of appeal.

(6) Where the council has not, within one hundred and twenty days after receipt of a completed application to amend a land-use by-law referred to in subsection (1), commenced the procedure required for amending the land-use bylaw by publishing or posting the required notice of public hearing, the application is deemed to have been refused.

(7) Within seven days after an application to amend a land-use by-law, referred to in subsection (1), being deemed to be refused, the clerk shall notify the applicant in writing that the application is deemed to have been refused and setting out the right to appeal.

(8) An amendment to a land-use by-law referred to in subsection (1) is effective when

(a) the appeal period has elapsed and no appeal has been commenced; or

(b) all appeals have been abandoned or disposed of or the amendment has been affirmed by the

Board. 1998, c. 18, s. 210; 2004, c. 7,
s. 13; 2024, c. 3, s. 87.

Certain amendments by policy

211 (1) A council may, by policy, adopt amendments to

(a) the engineering specifications in a subdivision by-law;

(b) the processing fees set out in a land-use by-law or in a subdivision by-law;

(c) a subdivision by-law resulting from an amendment to the provincial subdivision regulations.

(2) An amendment referred to in subsection (1) is not subject to

the review of the Director or the approval of the Minister. 1998, c. 18, s. 211.

Municipal planning strategy

212 (1) A council shall adopt one or more municipal planning strategies in accordance with the requirements of this Section.

APRIL 9, 2026

Open Air Burning Bylaw (B-400)

Motion

Moved by Councillor MacMullin, seconded by Councillor Nickituk, to direct the CAO to have staff review the Open Air Burning Bylaw (B-400) which was passed and adopted by council May 18, 1999, with particular attention to Schedule A and Schedule B which outline the areas of CBRM that are permitted and prohibited from participating in open air burning.

Motion Carried

Cape Breton Regional Municipality Burning Bylaw (B-400)

Motion

Moved by Councillor MacKeigan, seconded by Councillor MacMullin, to direct staff to conduct a comprehensive review of the current Burning Bylaw B400, and prepare a proposed new bylaw that aligns with and is consistent across all communities within the Cape Breton Regional Municipality. That the enforcement of the Burning Bylaw also be reviewed and addressed to ensure the safety of our firefighters and first responders.

Motion Carried

Repeal of By-law No. B-400 Respecting Open Air Burning and Adoption of New Open Air Burning By-law

Motion

Moved by Councillor MacKeigan, seconded by Councillor MacMullin, to give first reading to the new Open Air Burning By-law, which is included in the agenda package; and direct staff to undertake all required advertising and legislative processes necessary for adoption of the new by-law; and schedule the proposed by-law for second reading and final consideration at a future meeting of Council.

Discussion:

- Enforcement concerns and by-law enforcement processes
- Consideration of a nuisance-based approach, particularly in urban settings
- Request for a review within a year
- Process regarding amending motions

Motion Carried



Cape Breton Regional Municipality

PUBLIC NOTICE

TAKE NOTICE that the proposed Open Air Burning By-law will be brought to Council for second (final) reading on Thursday, July 30, 2026, at 2:00 p.m., Council Chambers, 2nd Floor, City Hall, 320 Esplanade, Sydney, NS.

Intent:

- To repeal the existing Burning By-law and adopt a new Open Air Burning By-law that modernizes the Municipality's regulations governing outdoor burning, improves public and firefighter safety, aligns with current provincial wildfire restrictions, and establishes clear requirements for permitted open-air burning.

Copies of the proposed New Open Air Burning By-law are available from the Office of the Municipal Clerk and on the CBRM website.

Anyone wishing to comment on the proposed amendments is welcome to make a presentation at the Public Hearing or make a written submission. Written submissions will be accepted by email (clerksoffice@cbrm.ns.ca) or mail no later than 4:00 p.m. on July 29th, 2026. Written submissions must include your full name and address for the public record.

For further information, please contact:

Office of the Municipal Clerk

Cape Breton Regional Municipality

clerksoffice@cbrm.ns.ca

[902-563-5010](tel:902-563-5010)

Public Notice – Open Air Burning By-law

Published: July 15, 2026, 11:52 am

TAKE NOTICE that the proposed Open Air Burning By-law will be brought to Council for second (final) reading on Thursday, July 30, 2026, at 2:00 p.m., Council Chambers, 2nd Floor, City Hall, 320 Esplanade, Sydney, NS.

Intent:

- To repeal the existing Burning By-law and adopt a new Open Air Burning By-law that modernizes the Municipality's regulations governing outdoor burning, improves public and firefighter safety, aligns with current provincial wildfire restrictions, and establishes clear requirements for permitted open-air burning.

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For further information, please contact:

Office of the Municipal Clerk
Cape Breton Regional Municipality
clerksoffice@cbrm.ns.ca
902-563-5010



STAFF REPORT

TO: Mayor Clarke and CBRM Council
SUBMITTED BY: Mark Bettens, Fire Chief
DATE: July 21, 2026
SUBJECT: **Repeal of By-law no. B-400 Respecting Open Air Burning and Adoption of New Open Burning By-law**

Purpose

The purpose of this report is to seek Council's approval for Second Reading and final adoption of the new Open Air Burning By-law and repeal of By-law No. B-400 Respecting Open Air Burning.

Recommendation

It is recommended that Cape Breton Regional Municipality Council:

- Give Second Reading to the Open Air Burning By-law;
- Adopt the Open Air Burning By-law as presented; and
- Repeal By-law No. B-400 Respecting Open Air Burning upon the coming into force of the new by-law.

Background

At its meeting of June 23, 2026, Council gave First Reading to the proposed Open Air Burning By-law and directed staff to undertake the required advertising and legislative processes necessary for adoption. Council also scheduled the by-law for Second Reading and final consideration.

The proposed by-law was developed following a comprehensive review of the Municipality's existing Open Air Burning By-law (By-law No. B-400), which has been in place since 1999. The review identified a need to modernize municipal regulations governing open air burning to better align with current fire prevention practices, provincial wildfire regulations, and contemporary outdoor burning activities.

The required notice and advertising requirements have been completed in accordance with the Municipal Government Act.

Discussion

The proposed Open Air Burning By-law modernizes and simplifies the regulation of outdoor burning within the Cape Breton Regional Municipality.

A significant change is the removal of the existing permit-based system for routine residential burning activities. Under the current by-law, many forms of outdoor burning require a permit issued through the local Fire Chief. The proposed by-law instead establishes clear regulations and performance standards that residents can follow without requiring routine permits while still maintaining compliance with provincial burn restrictions.

The proposed by-law introduces:

- Consistent regulations throughout the municipality rather than different rules based on community boundaries;
- Clear setback requirements from dwellings, structures, fuel sources, and combustible materials;
- Maximum fire size limitations for residential burning;
- Requirements for spark arresting screens and approved burning appliances;
- Defined permitted fuels and prohibited materials;
- Enhanced supervision and extinguishment requirements;
- Regulations governing brush burning, land clearing, and industrial burning activities;
- Authority for municipal enforcement officers to order unsafe fires extinguished; and
- Alignment with the Nova Scotia Burn Safe Map, provincial burn bans, and other provincial wildfire prevention measures.

The proposed by-law also recognizes modern recreational burning practices while maintaining a strong focus on public safety, wildfire prevention, nuisance reduction, and protection of neighbouring properties.

By replacing the existing by-law with a simplified and contemporary framework, the Municipality will improve public understanding of burning requirements, reduce administrative burdens associated with permit processing, and provide clearer enforcement tools for Fire Services and Municipal By-law Enforcement Officers.

Benefits of the Proposed By-law

The proposed by-law will:

- Improve public safety by establishing clear and consistent burning requirements;
- Support wildfire prevention efforts and align municipal regulations with provincial restrictions;

- Reduce confusion among residents regarding permitted burning activities;
- Improve enforceability through modernized definitions and compliance provisions;
- Reflect current outdoor burning technologies and recreational fire practices; and
- Provide a consistent regulatory framework across all areas of the municipality.

Financial Implications

There are no anticipated direct capital or operating budget impacts associated with the repeal of the existing by-law and adoption of the proposed by-law.

Any education, communication, or enforcement requirements associated with implementation are expected to be managed within existing departmental resources.

Strategic Alignment

The proposed by-law supports Council's objectives relating to:

- Public safety;
- Risk reduction and emergency preparedness;
- Environmental stewardship;
- Efficient municipal service delivery; and
- Regulatory modernization.

The by-law also supports Fire and Emergency Services' ongoing efforts to reduce preventable fires and improve community resilience to wildfire events.

Consultation

The proposed by-law has been developed through a review of:

- The existing CBRM Burning By-law B-400;
- Current provincial wildfire prevention legislation and restrictions;
- Nova Scotia Burn Safe Program requirements;
- Current fire service best practices; and

Alternatives

Council may:

- Adopt the proposed Open Air Burning By-law and repeal By-law No. B-400;
- Amend the proposed by-law and postpone adoption pending further review; or
- Decline to adopt the proposed by-law and retain the existing by-law.

Conclusion

The existing Open Air Burning By-law has served the Municipality for more than twenty-five years. However, significant changes in fire prevention practices, provincial wildfire regulations, and public expectations warrant the adoption of a modernized regulatory framework.

The proposed Open Air Burning By-law provides clear, practical, and enforceable regulations that support public safety while allowing residents and property owners to continue appropriate outdoor burning activities. Repealing By-law No. B-400 and adopting the new by-law will ensure that municipal regulations remain current, consistent, and aligned with modern fire safety practices.

Attachments

1. Draft Open Air Burning By-law
2. Existing Open Air Burning By-law (By-law No. B-400)

A copy of this report can be obtained online at www.cbrm.ns.ca or by contacting the Office of the Municipal Clerk at 902-563-5010.

Report Prepared by: Stephen MacKenzie, Fire Prevention Officer, Cape Breton Regional Fire and Emergency Services

CAPE BRETON REGIONAL MUNICIPALITY

BY-LAW NUMBER _____

A By-Law Respecting Open Air Burning Within the Cape Breton Regional Municipality

1. SHORT TITLE

1.1 This By-Law may be cited as the “Open Air Burning By-Law”.

2. PURPOSE

2.1 The purpose of this By-Law is to regulate Open Air Burning within the Cape Breton Regional Municipality.

3. DEFINITIONS

3.1 In this By-Law:

3.1.1 “Accessory Building” means a detached subordinate structure located on the same property as a main building.

3.1.2 “Approved Device” means a Canadian Standards Association (CSA) or Underwriters Laboratories of Canada (ULC) approved appliance designed for outdoor burning or heating purposes.

3.1.3 “Brush Burning” means the outdoor burning of brush, branches, yard waste, or similar vegetative material.

3.1.4 “Burn Barrel” means a metal container designed for the controlled burning of dry wood.

3.1.5 “Burn Safe Map” means the Nova Scotia Burn Safe Map published by the Province of Nova Scotia.

3.1.6 “Campfire” means a small outdoor recreational fire used for warmth or cooking.

- 3.1.7 “Chiminea” means a freestanding outdoor fireplace or enclosed fire chamber, typically made of metal or clay, designed for outdoor burning or heating purposes.
- 3.1.8 “Combustible Material” means any material capable of igniting and burning.
- 3.1.9 “Dwelling” means a building or portion of a building used or intended to be used as a residence.
- 3.1.10 “Enforcement Officer” means a person appointed or authorized by the Municipality to administer and enforce this By-Law.
- 3.1.11 “Fire Bowl” means a portable or fixed outdoor receptacle designed to contain an open flame for recreational burning or outdoor heating.
- 3.1.12 “Fuel Source” means any propane cylinder, fuel tank, gas meter, fuel storage container, or other flammable fuel source.
- 3.1.13 “Industrial Burning” means burning associated with land clearing, forestry, commercial, industrial, or construction activities.
- 3.1.14 “Land Clearing” means the removal of trees, brush, stumps, or other vegetation from land for development, construction, or other purposes.
- 3.1.15 “Open Air Burning” means any fire set outdoors and includes recreational fires, Brush Burning, Burn Barrels, and Industrial Burning.
- 3.1.16 “Provincial Burn Ban” means any burn ban, restriction, or condition imposed by the Province of Nova Scotia, including those shown on the Burn Safe Map.
- 3.1.17 “Residential Burning” means recreational or backyard burning conducted on residential property.

4. GENERAL PROVISIONS

4.1 A person must not carry out Open Air Burning except in accordance with this By-Law.

4.2 An owner or occupier must not permit Open Air Burning on property owned or occupied by that person except in compliance with this By-Law.

4.3 A person must not carry out Open Air Burning in a manner that causes excessive smoke, sparks, ash, or odour so as to create a nuisance, danger, or unreasonable

interference with the use and enjoyment of neighbouring property.

4.4 The Municipality may impose temporary restrictions or a temporary prohibition on Open Air Burning where necessary for public safety, wildfire risk reduction, or emergency response.

4.5 Where a provision of this By-Law conflicts with another applicable law, regulation, or permit condition, the more restrictive provision governs.

5. RESIDENTIAL BURNING

5.1 Location Requirements

5.1.1 A person must not ignite or maintain Residential Burning except in compliance with this section.

5.1.2 Residential Burning must be located a minimum of 3 metres from:

5.1.2.1 any Dwelling;

5.1.2.2 any Accessory Building or other structure;

5.1.2.3 any Fuel Source; and

5.1.2.4 any Combustible Material.

5.1.2 A Fire Pit, Campfire, Chiminea, Fire Bowl, Stove, or Burn Barrel must not be located:

5.1.3.1 on a deck, or

5.1.3.2 on a combustible surface, unless the manufacturer specifically approves such use.

5.2 Fire Size Limits

5.2.1 A person must not ignite or maintain Residential Burning that exceeds:

5.2.1.1 0.6 metres in width; and

5.2.1.2 0.45 metres in height.

5.3 Approved Devices

5.3.2 A gas-fired device, including a propane or natural gas barbecue, fire bowl, stove, or patio heater, must:

5.3.2.1 be designed and certified for its intended purpose; and

5.3.2.2 be operated in accordance with the manufacturer's instructions.

5.3.3 A metal mesh screen with openings not exceeding 13 mm must be installed over the top opening of a wood-burning fire pit or appliance while it is in operation.

5.3.4 A person operating an Approved Device or other burning appliance must ensure that it:

5.3.4.1 is maintained in safe operating condition;

5.3.4.2 remains properly closed while in operation; and

5.3.4.3 has all screens securely installed.

5.4 Permitted Fuel

5.4.1 Only dry, seasoned wood is to be burned for Residential Burning.

5.5 Prohibited Materials

5.5.1 A person must not burn any of the following materials:

5.5.1.1 Garbage or household waste;

5.5.1.2 Food scraps;

5.5.1.3 Petroleum-based products;

5.5.1.4 Tires;

5.5.1.5 Cardboard;

5.5.1.6 Plastic;

- 5.5.1.7 Construction or demolition materials;
- 5.5.1.8 Wet or green wood; or
- 5.5.1.9 Any material that creates excessive smoke, sparks, or toxic emissions.

5.6 Supervision and Safety Requirements

- 5.6.1 A person must not leave Residential Burning unattended.
- 5.6.2 At least one person who is nineteen (19) years of age or older must be present at all times while Residential Burning is occurring.
- 5.6.3 A person carrying out Residential Burning must keep suitable fire suppression equipment readily available, including:
 - 5.6.3.1 a water source;
 - 5.6.3.2 a shovel; or
 - 5.6.3.3 other suitable extinguishing equipment.
- 5.6.4 A person must not ignite or maintain Residential Burning during:
 - 5.6.4.1 high winds;
 - 5.6.4.2 extreme dry conditions; or
 - 5.6.4.3 any other weather or site condition that makes burning unsafe.

5.7 Extinguishment

- 5.7.1 All Residential Burning must be fully extinguished before the site is left unattended.
- 5.7.2 The person responsible for Residential Burning must:
 - 5.7.2.1 apply sufficient water to the fire and ashes; and
 - 5.7.2.2 stir the ashes until all materials are cool to the touch.

5.8 General Residential Burning Provisions

5.8.1 No more than one Residential Burning fire is permitted on a property at any one time.

5.8.2 Residential Burning must comply with:

5.8.2.1 any Provincial Burn Ban in effect;

5.8.2.2 the Burn Safe Map; and

5.8.2.3 any burn times, seasonal restrictions, or fire bans established by the Municipality or the Province of Nova Scotia.

5.8.3 Burn Barrels are prohibited where prescribed by the Province of Nova Scotia.

6. INDUSTRIAL BURNING, LAND CLEARING, AND BRUSH BURNING

6.1 Setback Requirements

6.1.1 A person must not carry out Industrial Burning, Land Clearing, or Brush Burning within 15 metres of:

6.1.1.1 any Dwelling;

6.1.1.2 any Accessory Building;

6.1.1.3 any tree line; and

6.1.1.4 any property line.

6.2 Burning Limits

6.2.1 No more than two piles of Combustible Material are to be present on a property at one time for the purposes of Industrial Burning, Land Clearing, or Brush Burning.

6.2.2 Only one pile of Combustible Material is to be actively burned at any given time.

6.2.3 A person must not ignite or maintain a pile of Combustible Material that exceeds:

6.2.3.1 3 metres in diameter; and

6.2.3.2 2 metres in height.

6.3 Supervision Requirements

6.3.1 At least two persons who are nineteen (19) years of age or older must be present at all times during Industrial Burning, Land Clearing involving burning, or Brush Burning.

6.3.2 A person carrying out Industrial Burning, Land Clearing, or Brush Burning must keep adequate firefighting equipment available on site to control and extinguish the fire.

6.4 Permit Requirements

6.4.1 A person conducting Industrial Burning, Land Clearing, or Brush Burning must:

6.4.1.1 obtain all required permits issued by the Province of Nova Scotia or any other competent authority; and

6.4.1.2 comply with all applicable permit conditions, provincial requirements, and other legal requirements governing the burning activity.

6.5 Compliance with Provincial and Municipal Restrictions

6.5.1 Industrial Burning, Land Clearing, and Brush Burning must comply with:

6.5.1.1 the Burn Safe Map;

6.5.1.2 Provincial burn times; and

6.5.1.3 any municipal restriction or fire ban in effect.

7. ENFORCEMENT

7.1 Inspections and Compliance

7.1.1 An Enforcement Officer may, at any reasonable time and in accordance with law, enter upon property for the purpose of administering and enforcing this By-Law.

7.1.2 A person carrying out Open Air Burning must, upon request of an Enforcement Officer, provide any permit or other information reasonably required to determine

compliance with this By-Law.

7.2 Orders to Extinguish

7.2.1 An Enforcement Officer may order any Open Air Burning to be reduced, controlled, or extinguished immediately where, in the opinion of the Enforcement Officer:

7.2.1.1 the fire presents a safety hazard;

7.2.1.2 the fire creates excessive smoke or nuisance;

7.2.1.3 weather or site conditions make burning unsafe; or

7.2.1.4 the fire contravenes this By-Law, a permit condition, or any applicable law.

7.2.2 A person to whom an order is given under subsection 7.2.1 must comply with the order immediately.

7.2.3 Where a person fails to comply with an order under this By-Law, the Municipality may take such action as is reasonably necessary to carry out the order, at the expense of the person in default.

7.3 Offence and Penalty

7.3.1 A person who contravenes this By-Law or fails to comply with an order made under this By-Law is guilty of an offence and liable, on summary conviction, to a penalty as provided by law.

8. SEVERABILITY

8.1 If any provision of this By-Law is held by a court of competent jurisdiction to be invalid, that provision is severed and the remainder of the By-Law will remain in force.

9. EFFECTIVE DATE

9.1 This By-Law comes into force on the date adopted by the Council of the Cape Breton Regional Municipality.

PASSED AND ADOPTED by a majority of the whole Council at a duly called meeting of the Cape Breton Regional Municipal Council held on _____, 2026.

Cecil P. Clarke, Mayor

Christa Dicks, Municipal Clerk

THIS IS TO CERTIFY that the attached is a true and correct copy of the Open Air Burning By-Law of the Cape Breton Regional Municipality as adopted by Council on _____, 2026.

Christa Dicks, Municipal Clerk

BE IT ENACTED by the Cape Breton Regional Council that Bylaw _____ Respecting Open Air Burning is hereby enacted:

**CAPE BRETON REGIONAL MUNICIPALITY
BYLAW NUMBER B _____
RESPECTING OPEN AIR BURNING**

Title

1. This Bylaw shall be known as the “Cape Breton Regional Municipality Burning Bylaw”.

Definitions

2. In this Bylaw;

- a) “Fire Chief means , for the purposes of this Bylaw, the Captain or Chief Officer of “fire department” or “fire company”, or his designate, in and for the fire protection district of the Municipality in which the fire is proposed to be ignited;
- b) “Fire Protection District” means that area of the Municipality which a fire department or a fire company serves and for which it is responsible.
- c) “Municipality” means Cape Breton Regional Municipality;
- d) “Permit” means a Permit for burning in the open air issued by the Fire Chief under the authority of this Bylaw;
- e) “Suitably Equipped” means being in possession of tools or equipment, including without limitation, brooms, rakes, back-tanks, shovels, hoses and an adequate water supply, which may be used to contain and/or prevent the spread of a fire ignited in the open air;
- f) “Grate” means a metal rack supported on a non-combustible enclosure;
- g) “Open Air” means not within a building;

Area of Application

3. a) The Permitting provisions of this Bylaw shall apply to those areas of the Municipality listed in Schedule “A”.
- b) Burning is prohibited in the areas of the Municipality listed in Schedule “B”.

Prohibition

4. (1) Notwithstanding any other provision of this Bylaw, but subject to Section 4 (3) and (4), no person shall ignite a fire in the open air in any area of the Municipality identified in Schedule “B” attached to and forming part of this Bylaw.
- (2) Except as hereinafter provided, and while a Permit is in force, no person shall light, ignite or start to allow or cause to be lighted, ignited or started, a fire of any kind whatsoever in the open air without first having obtained a Permit to do so from the Fire Chief in the form set out at Schedule “C” attached to and forming part of this Bylaw.
- (3) Nothing in this Bylaw shall prohibit the making of a fire by a person travelling in the woods for the purpose of cooking or obtaining warmth or as a distress signal if the fire is made in a suitable place and precautions are taken against the spreading of the fire.
- (4) This Bylaw does not apply to fires made to cook food in barbecues, grates, or other cooking appliances.

Permit Application

5. (1) Any person who proposes to ignite a fire shall make application to the Fire Chief for a Permit.
- (2) The Fire Chief may issue a Permit where it is determined that the provisions of this Bylaw are met and that the proposed burning does not pose a hazard to persons or property.
- (3) In making a determination under subsection (2) the Fire Chief shall take into consideration the following:
 - a) the number of Permits issued on a particular day;
 - b) the velocity of the wind;

- c) the general weather conditions prevalent;
 - d) whether or not the applicant is suitably equipped to ensure the fire is maintained and under control;
 - e) the proposed manner and method of burning;
 - f) whether the applicant owns or is the occupant of the land upon which the burning is intended to occur, or has the written consent, produced prior to the issuance of the Permit, of the owner of the land upon which the burning will occur;
 - g) whether the applicant is 19 years of age or older and ensures that at least one other person, of 19 years of age or greater, suitably equipped to control the fire, will be present while the fire is burning or smouldering;
 - h) any other matter that the Fire Chief determines is relevant to safety.
- (4) A Permit issued under the authority of this Bylaw may be revoked by the Fire Chief at any time where it is determined that the proposed burning will pose a hazard to persons or property;
- (5) Where the Fire Chief determines that the proposed burning would be a hazard to safety or where there is a failure to meet the requirements of the Bylaw, the Fire Chief shall refuse to issue a Permit.
- (6) The Fire Chief may designate the location where and hours during which applications for Permits shall be received.
- (7) The Fire Chief may specify on the Permit the hours of the day and the number of days during which the Permit shall be valid, and in so doing, may distinguish between Permits issued for commercial or other uses, but no Permit shall be issued for a period exceeding two weeks.
- (8)
- a) A Domestic Permit may be issued to a landowner, or an occupant with the landowners permission, to burn Permitted material on a single lot.
 - b) A Domestic Permit may be issued to Permit burning of blueberry fields under two hectares.
 - c) An Industrial/Commercial Permit shall be required for:
 - I) blueberry burning in excess of 2 hectares
 - II) any burning that an individual or contractor has been paid to do
 - d) The fees for burning Permits shall be:

Domestic	Not Determined
----------	----------------

Industrial

- e) The fees for burning Permits will not be added to those already required from the Department of Natural Resources.
- (9) Taking into respect all other conditions, the issuing of a Permit to burn at any time of year, during our frequent periods of wet weather, may apply. i.e. grass, sticks, garden stumble, etc. may be piled and protected by a tarp until rainy weather.

Restrictions

6. The following requirements shall apply at all times to the making of the fire for which a Permit is issued:
- a) the holder of the Permit shall ensure that the Permit is available at the scene of the fire;
 - b) no person shall burn rubber tires, oil, plastic, petroleum products or other like materials;
 - c) all material to be burned shall be piled and placed at least 15 metres from other combustible material;
 - d) where two or more piles to be burned are situate on a single site, only one pile may be burned at a time;
 - e) no fire shall be ignited when the wind is blowing off sufficient velocity such that it may jeopardize the Permit holder's ability to control the fire;
 - f) the person to whom a Permit is issued shall ensure that the fire is not left unattended and that all smouldering embers are completely extinguished after burning is completed;
 - g) the person to whom a Permit is issued shall ensure that the method of burning and material burned is consistent with the information provided to the Fire Chief when the Permit was issued;
 - h) the fire department shall be notified immediately if the fire is or appears to be getting out of control;
 - i) no burning shall commence before 8:00 am and fires must be extinguished by 9:00 p.m. of the same day;

- j) The Permit Holder may be required to pay all expenses incurred in controlling or extinguishing any fire which may get beyond control or be in danger of doing so or extend to lands of others.

Penalty

- 7. (1) Any person who makes, lights, ignites, or starts or allows or causes a fire to be lighted , ignited or started in the open air without a Permit shall be liable to a penalty on conviction of not less than One Hundred Dollars (\$100) and not more than Five Thousand Dollars (\$5000) or in default of payment, to imprisonment for a period not exceeding thirty (30) days;
- (2) Any person to whom a Permit has been issued who fails to comply with any provision of this Bylaw or any Permit issued hereunder or any condition of such a Permit shall be liable to a penalty on conviction of not less than One Hundred Dollars (\$100) and not more than Five Thousand Dollars (\$5000) or in default of payment, to imprisonment for a period not exceeding thirty (30) days.

Compliance With Other Acts

- 8. Nothing in this Bylaw serves to exempt any person from obtaining any license, permission, Permit, authority or approval required by any other Bylaw or regulation of the Municipality or any statute or regulation of the Province of Nova Scotia.

Previous Bylaws Repealed

- 9. All Burning Bylaws or similar Bylaws adopted by the former municipalities of Cape Breton County to regulate and prohibit open air burning are hereby repealed and the provisions of this Bylaw substituted therefore.

PASSED AND ADOPTED by a majority of the whole Council at a duly called meeting of the Cape Breton Regional Municipal Council held on May 18th, 1999.

MAYOR

CLERK

THIS IS TO CERTIFY that the attached is a true and correct copy of the Burning Bylaw of the Cape Breton Regional Municipality adopted by Council during a meeting held on May 18th, 1999.

BERNIE WHITE, CLERK

PUBLICATION DATE: May 28, 1999

SCHEDULE “A”

Burning in the open air is Permitted in the following areas of the Municipality as defined on (date of Bylaw):

Albert Bridge
Bateston
Big Pond
Birch Grove
Boisdale
Christmas Island
Coxheath
Donkin
East Bay
Florence
Frenchvale
Gabarus
George’s River

Grand Lake Road
Howie Centre
Marion Bridge
Mira Road
New Victoria
Northside East Bay
Port Morien
Reserve Mines
Scotchtown
South Bar
Southside Boularderie
Sydney River
Tower Road
Westmount

SCHEDULE “B”

Burning in the open air is prohibited in the following areas of the Municipality as defined on (date of Bylaw):

Dominion
Glace Bay
Louisbourg

New Waterford
North Sydney
Sydney
Sydney Mines

SCHEDULE "C"

CAPE BRETON REGIONAL MUNICIPALITY PERMIT TO BURN

Issued to:	Telephone	Date
Address		Community
Civic Address of burn site	Valid from	Expires

DESCRIPTION OF PROPOSED BURNING

As holder of this Permit, I assume all responsibility for Complaints or damage resulting from the burning authorized by this Permit.	I am aware that an additional Permit may be required to Comply with the <i>Forest Act.</i>	I understand and agree to Comply with the terms and Conditions of the Bylaw and of this Permit.
--	---	---

Signature of Permit holder

Date

Pursuant to Cape Breton Regional Municipality Burning Bylaw, permission is hereby granted to the above named to burn material at the site and during the time period specified, subject to the conditions set forth in the Bylaw and this Permit. (See Reverse)

This Permit may be revoked at any time.

Signature of Fire Chief of
Designated Issuing Officer

Date

Fee Collected	Mailed to Prevention	Customer Service Centers xxx-xx-x-x---xxxx3700
---------------	----------------------	---

1. In determining whether or not to issue a Permit, the Fire Chief shall take into consideration the following:
 - (a) the number of Permits issued on a particular day;
 - (b) the velocity of the wind;
 - (c) the general weather conditions prevalent;
 - (d) whether or not the applicant is suitable equipped to ensure the fire is maintained under control;
 - (e) the proposed manner and method of burning
 - (f) whether the applicant owns or is the occupant of the land upon which the burning is intended to occur, or has the written consent, produced prior to the issuance of the Permit, of the owner of the land upon which the burning will occur;
 - (g) whether the applicant is 19 years of age or older and ensures that at least one other person, of 19 years of age or greater, suitable equipped to control the fire, will be present while the fire is burning or smouldering;
 - (h) any other matter that the Fire Chief determines is relevant to safety.
2. The following requirements shall apply at all times to the making of the fire for which a Permit is issued:
 - (a) the holder of the Permit shall ensure that the Permit is available at the scene of the fire;
 - (b) no person shall burn rubber tires, oil, plastic, petroleum products or other like materials
 - (c) all material to be burned shall be piled and placed at least 15 metres from other combustible material;
 - (d) where two or more piles to be burned are situate on a single site, only one pile may be burned at a time;
 - (e) no fire shall be ignited when the wind is blowing of sufficient velocity such that it may put at risk the Permit holder's ability to control the fire;

- (f) the person to whom a Permit is issued shall ensure that the fire is not left unattended and that all smouldering embers are completely extinguished after burning is completed;
- (g) the person to whom a Permit is issued shall ensure that the method of burning and material burned is consistent with the information provided to the Fire Chief when the Permit was issued;
- (h) the fire department shall be notified immediately if the fire is or appears to be getting out of control
- (i) all burning shall be conducted between the hours of 8:00 am and 9:00 p.m.

From: [REDACTED]
To: [ClerksOffice](#)
Subject: Cbrm fire
Date: July 19, 2026 4:19:54 PM

Some people who received this message don't often get email from [REDACTED]. [Learn why this is important](#)

I want to be able to have a fire on my property. Theres nothing better then sitting out in your yard around a small controlled fire pit.

Sent from my Bell Samsung device over Canada's lest network.

From:

[ClerksOffice](#)

Subject:

New Burning Bylaw - Public Comment - [REDACTED]

Date:

July 19, 2026 8:47:43 PM

Some people who received this message don't often get email from [REDACTED].com. [Learn why this is important](#)

Hello,

I have read the proposed new bylaw and would like clarification on how “excessive smoke” is defined and enforced. PM2.5 is relatively easy to measure, so why not establish clear, measurable limits in the bylaw? Based on my own measurements, I strongly suspect that if meaningful PM2.5 limits were applied, residential burning would be extremely difficult to permit without significantly affecting neighbouring properties. Even a single fire can produce an incredible amount of smoke and particulate matter.

For approximately five years, I have been studying air quality in the CBRM through my work at Cape Breton University. I have also been measuring PM2.5 in my own yard and inside my home. I am a healthy 46-year-old man, yet I spend a significant amount of time dealing with throat and lung irritation due to the illegal burning taking place.

The fires around me are often not particularly large, but they can still cause the air quality in my yard to reach levels classified as unhealthy to extremely hazardous according to the World Air Quality Index. My concern is how nuisance burning will actually be enforced, particularly late at night. Are bylaw officers realistically going to be available at 11 p.m. to respond to complaints? If not, how are residents expected to protect themselves from repeated exposure to smoke?

Every child in Glace Bay knows what burning plastic smells like. The proposed bylaw will not stop this type of burning if there is no realistic way to identify the source, respond to complaints, and impose meaningful penalties. I am also concerned that the proposed bylaw does not even appear to specify a dollar amount for fines. What is the actual consequence for someone who creates hazardous smoke for their neighbours?

Why not have the police enforce this bylaw? Police are already available outside normal municipal office hours and are routinely called to deal with complaints and offences occurring late at night. If the municipality is serious about stopping illegal burning and protecting residents from hazardous smoke, enforcement needs to be practical and available when the problem is actually occurring.

What concerns me most is that this proposed bylaw appears to be moving in the opposite direction of where many municipalities are heading. Across Canada, municipalities are increasingly restricting or eliminating residential burning because of concerns about smoke, air quality, and public health. While other communities are moving toward stronger restrictions and, in many cases, no-burning policies, this proposal appears to be expanding or preserving the ability to burn.

This is not progress. It is moving us backwards.

Children—and everyone else—should not be exposed to toxic smoke from unnecessary

residential burning. My background studying air quality in the CBRM, combined with the ability to measure PM2.5 in my own yard and home, has made the scale of this problem impossible to ignore. A fire does not need to be large to create dangerous air quality on a neighbouring property or even on properties in the general area.

I strongly believe the bylaw should simply say no burning and include realistic and effective enforcement mechanisms. Residents should not be expected to remain indoors, shutdown their home HVAC systems or tolerate hazardous air quality because nuisance burning is difficult to enforce.

Regards,

[REDACTED]

[REDACTED]

[REDACTED]

From: [REDACTED]
To: [ClerksOffice](#)
Subject: Open Air burning bylaw second (final) reading request for council to confirm section 5.2 Fire Size Limits
Date: July 16, 2026 9:11:04 PM

Some people who received this message don't often get email from [REDACTED]. [Learn why this is important](#)

Good day,

Please accept these comments in consideration of the Open Air burning bylaw second (final) reading.

One - Section 5.2 Fire Size Limits lists:

"5.2.1 A person must not ignite or maintain Residential Burning that exceeds:

*5.2.1.1 0.6 metres in width; and
5.2.1.2 0.45 metres in height."*

I find this description is ambiguous as written as there is no description to determine if this means:

A stack of fuel (wood): or

If it intended to mean the fuel from base to the tip of a flame; or

If it is the size of the flame; or

If it is the enclosed dimensions of an approved device, burn barrel, or chimnea.

The dimensions should also be listed in imperial measurements for easy clarification for visitors to CBRM (seasonal residents, tourists, etc.)

Two - Construction material may already be defined by CBRM bylaws, but clarity should be provided on what this means. If it is defined elsewhere a hyperlink to the definition should be provided. If is intended to mean milled wood (like old 2" x 4", 2" x 6", 4" x 4") - then, no, please allow that. If it means roofing shingles, plywood, painted deck boards then include those items by name.

Three - Acceptable burning devices should be available to view in person at local fire stations. Both store-bought and home-made.

Four - reference to dryer drums and washer baskets, stainless steel, enamel, and any other should be mentioned. Let's get real here - this is what people use currently.

Thanks

[REDACTED]



STAFF REPORT

TO: Mayor Clarke and CBRM Council

FROM: Demetri Kachafanas, Chief Administrative Officer

DATE: July 30, 2026

SUBJECT: Three Year Cost Share Agreement for Subdivision (J-Class) Streets

ORIGIN

Correspondence was received from the Nova Scotia Department of Transportation and Infrastructure Renewal (NSTIR) regarding the status of the three-year cost share agreement for the paving of subdivision (J-Class) streets between NSTIR and Cape Breton Regional Municipality (CBRM).

RECOMMENDATION

It is recommended that CBRM Council approve a motion authorizing CBRM Mayor and Clerk to sign the Cost Share Agreement No. 2026-005, as outlined in Attachment A.

BACKGROUND

The Province of Nova Scotia administers their paving of subdivision (J-Class) streets program in coordination with three-year municipal cost sharing agreements. These agreements articulate the responsibilities of each party and describe how the 50-50% cost share is apportioned between the Province and Municipality.

The current cost share agreement between NSTIR and CBRM expires on March 31, 2027. Attachment A outlines the proposed new three-year cost sharing agreement, which is applicable to Fiscal Years 2027-28, 2028-29 and 2029-30.

DISCUSSION

By signing this agreement, CBRM will be in position to consider cost sharing the paving on Provincially owned subdivision (J-Class) streets. With no binding commitments, this provides

CBRM with the flexibility to consider the paving of J-Class roads annually for each of the next three Fiscal years.

FINANCIAL IMPLICATIONS

There are no financial implications to signing this agreement. All financial components are subject to council approval through annual budget deliberations.

Please refer to the below quote referenced in the NSTIR correspondence from January 29, 2026 – *“Signing the outline agreement in no way commits the Municipality to the cost sharing of the paving of any subdivision roads, unless an approved list is accepted in any fiscal year of the agreement. However, not having a signed agreement on file will prevent the Municipality from requesting any subdivision paving under this program for the next three fiscal years.”*

ALTERNATIVES

CBRM Council could choose to opt out of consideration for cost sharing the paving of J-Class roads for Fiscal Years 2027-28, 2028-29, and 2029-30 by not approving a motion to sign the agreement.

ATTACHMENTS

Attachment A: NSTIR Cost Sharing Agreement No. 2026-005

Report Prepared by: Wayne MacDonald, P.Eng., Chief Engineer, Engineering

Attachment A: NSTIR Cost Sharing Agreement No. 2026-005



**Department of Transportation
& Infrastructure Renewal**
Capital Programs
Highway Engineering and
Construction

Johnston Building, 4th Floor
1672 Granville Street
PO Box 186
Halifax, Nova Scotia
B3J 2N2

Bus: 902-424-0897
Fax: 902-424-0571
E-mail:
laura.cunningham@novascotia.ca

January 29, 2026

Mr. Demetri Kachafanas
Chief Administrative Officer
Cape Breton Regional Municipality
320 Esplanade
Sydney, NS B1P 7B9

Dear Mr. Kachafanas:

RE: THREE YEAR COST SHARE AGREEMENT FOR SUBDIVISION STREETS

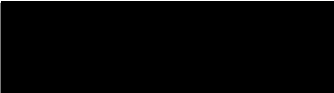
The current three-year agreement for the paving of subdivision streets expires March 31, 2027. Attached is an electronic copy of the new three-year agreement to be entered into with the Minister of Transportation and Infrastructure Renewal to continue this program.

The document will cover the terms of the agreement but will not list any specific subdivision roads that are to be paved. For each of the three years covered by the agreement, the Municipality will be asked to submit a prioritized list of roads for the next fiscal year. The Minister will return a letter advising of the approved roads for that fiscal year. Once the Municipality agrees to the approved list, it will become part of the agreement.

Please complete and affix Municipal Seal on the Resolution of Council authorizing the Mayor and a designate to sign the agreements, then have the Mayor and the designate sign the agreement, have witnessed, and affix the Municipal Seal. Please return all documents to me on or before July 3, 2026.

The Department requests that the Municipality return the attached agreement, whether or not you currently intend to submit subdivision roads for the program. Signing the outline agreement in no way commits the Municipality to the cost-sharing of the paving of any subdivision roads, unless an approved list is accepted in any fiscal year of the agreement. However, not having a signed agreement on file will prevent the Municipality from requesting any subdivision paving under this program for the next three fiscal years.

Yours truly,


Laura Cunningham
Capital Program Administration Officer



Public Works

COST SHARING AGREEMENT NO. 2026-005

THIS COST SHARING AGREEMENT ON THE PAVING OF SUBDIVISION (J-CLASS) STREETS (this “Agreement”) is effective as of the ____ day of _____, 2026 (the “Effective Date”).

BETWEEN:

HIS MAJESTY THE KING IN RIGHT OF THE PROVINCE OF NOVA SCOTIA, as represented by the Minister of Public Works (the “Province”)

-and-

CAPE BRETON REGIONAL MUNICIPALITY, a municipal corporation incorporated pursuant to the *Municipal Government Act*, S.N.S. 1998, c. 18 (the “Municipality”)

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BACKGROUND:

1. Section 308 of the *Municipal Government Act*, S.N.S. 1998, c. 18 (the “**Act**”), provides that all streets in a municipality are vested absolutely in the municipality. Section 307 of the Act provides that this does not include streets that are vested in His Majesty in Right of the Province.
2. The parties agree that it is in the best interests of the public to cooperate with each other on the construction, improvement, alteration, repair, cleaning and clearing of Village and Subdivision Streets (as hereinafter defined).
3. By Order in Council dated May 12, 1988, the Province’s Executive Council approved a paving and cost-sharing program for these Village and Subdivision Streets.
4. The *Provincial-Municipal Service Exchange Agreement(s)* (collectively, the “**Service Exchange Agreement**”) specify that cost-sharing on Village and Subdivision Streets is to be apportioned between the Province and the participating municipalities on a uniform 50-50% basis.
5. This Agreement outlines the parties’ joint understandings, commitments, and terms and conditions associated with the paving and cost-sharing of Village and Subdivision Streets, all in accordance with the Service Exchange Agreement, the *Public Highways Act*, R.S.N.S. 1989, c. 371 and the *Municipal Government Act*, S.N.S. 1998, c. 18.

AGREEMENT:

In consideration of the mutual covenants and agreements in this Agreement, the receipt and sufficiency of which are acknowledged by the parties, and subject to the terms and conditions of this Agreement, the parties, intending to be bound, agree as follows:

1. **Definitions.** In this Agreement, unless something in the subject matter or context is inconsistent

therewith, the following terms have the meanings set forth below:

- (a) “*Additional Work*” has the meaning given to it under Section 5 (*Additional Works*).
- (b) “*Agreement*” means this Agreement.
- (c) “*Business Day*” means any day other than a Saturday, Sunday or a holiday as defined in the *Interpretation Act*, R.S.N.S. 1989, c. 235.
- (d) “*Confidential Information*” has the meaning given to it in Section 15 (*Confidentiality*).
- (e) “*Cost Estimate*” has the meaning given to it in Subsection 3.3.
- (f) “*Fiscal Year*” means the 12-month period beginning on April 1 and ending on March 31.
- (g) “*Force Majeure Event*” has the meaning given to it in Section 16 (*Force Majeure*).
- (h) “*Notice of Acceptance*” has the meaning given to it in Subsection 3.4.
- (i) “*Paving*” means: (i) the work of grading, gravelling, culvert repair and required upgrading of Village and Subdivision Streets to meet industry-standard specifications; (ii) paving, repaving, or double chip sealing of Village and Subdivision Streets; and (iii) pre-engineering, design, on-site engineering supervision and inspection, and incidental services that are required from the edge of the roadway to the limit of the right of way. For greater certainty, “*Paving*” does not include feasibility studies, construction, reconstruction, relocation, repairs, or adjustments of sidewalks, water lines, fire hydrants, sanitary sewers, sanitary sewer manholes, catch basins, water valves, utility poles, street lighting or similar work on infrastructure that accompanies a Village and Subdivision Street.
- (j) “*Village and Subdivision Street(s)*” means streets located in the Municipality that are: (i) constructed prior to April 1, 1995; and (ii) under the administration and control of the Province.

2. ***Term of Agreement.*** This Agreement shall be effective from the Effective Date to the earlier of: (i) the date on which the Service Exchange Agreement expires or is terminated; or (ii) March 31, 2030. This Agreement applies to Fiscal Years 2027-28, 2028-29 and 2029-30.

3. ***Designation and Acceptance of Streets.***

3.1 In order to have the Paving of one or more Village and Subdivision Streets cost-shared under this Agreement for a Fiscal Year, the Municipality must first provide the Province with advance notice of its intention to participate in the Province’s Paving program. This notice must be provided to the Province on or before October 31 of each year (commencing in the year prior to the first Fiscal Year to which this Agreement applies).

3.2 If the Municipality provides notice to the Province in accordance with Subsection 3.1, then

the Municipality shall, at the same time, submit a list of the Village and Subdivision Streets it proposes be considered by the Province for Paving (the "**Road Submission List**").

- 3.3 After receiving the Road Submission List, the Province shall review the Road Submission List and notify the Municipality of: (i) the Village and Subdivision Streets that the Province accepts for Paving; and (ii) the anticipated costs for such Paving (the "**Cost Estimate**").
- 3.4 After receiving the Cost Estimate (but in no event later than twenty 20 Business Days from the date of its receipt), the Municipality shall notify the Province whether it accepts the Province's list of approved Village and Subdivision Streets and the related Cost Estimate for Paving such streets (the "**Notice of Acceptance**").
- 3.5 If the Municipality does not provide a notice to the Province under Subsection 3.1 or a Notice of Acceptance under Subsection 3.4 by the specified times, the Municipality will be deemed to have elected not to participate in the Province's paving and cost-sharing program for the Fiscal Year in question.
- 3.6 After receipt of the Municipality's Notice of Acceptance, the Province shall perform the Paving and any Additional Work that may be required for the identified Village and Subdivision Streets. As between the parties, the Province shall be responsible for all construction oversight and management of work required for Paving and any Additional Works.
4. **Payment of Construction Costs.** The Municipality shall pay: (i) fifty percent (50%) of the costs related to Paving performed by the Province, plus applicable taxes; and (ii) one hundred percent (100%) of the costs related to any Additional Work performed by the Province, plus applicable taxes. These payments must be made within sixty (60) days of the Municipality's receipt of the Province's applicable invoice(s).
5. **Additional Works.** If the Paving of a Village and Subdivision Street requires that the Province adjust manholes, catch basins, or water valves, then the Province shall perform such adjustments as part of the subject street's Paving ("**Additional Work**"). Additional Work will be performed at the Municipality's full cost, in accordance with Section 4 (*Payment of Construction Costs*). The Municipality will be invoiced by the Province at the standard unit price for the required Additional Work, and the Municipality shall pay the Province promptly (and in no event later than sixty (60) days) after its receipt of any such invoice).
6. **Work May be Subcontracted.** The Province may conduct a competitive tendering process for the selection of one or more contractors capable of completing the Paving and any Additional Work contemplated by this Agreement, in accordance with the Province's *Procurement Policy*.
7. **Costs Over Estimate.** Where the Province conducts a tendering process pursuant to Section 6 (*Work May be Subcontracted*), and the total approved tender price exceeds the Province's Cost Estimate by more than ten percent (10%), then the Province shall, before awarding a contract for Paving and any Additional Work, and subject to any confidentiality requirements outlined in its tender documents and the proponent's bid submission, provide the Municipality with the details of the successful bid, including all details pertaining to the proponent's pricing submission. The

Municipality shall, within ten (10) Business Days of receipt of such bid details, provide the Province with written acknowledgment of its consent to the Province awarding the tender, which consent will not be unreasonably withheld. If the Municipality reasonably withholds its consent to the award of the tender, then the subject Paving or Additional Work will not proceed.

8. **Cost Overruns.** Subject to Section 7 (*Costs Over Estimate*), the Municipality shall pay for any cost overruns associated with the Paving of the Village and Subdivision Streets or any Additional Work. Cost overruns (if any) will be reflected on the Province's invoice(s) to the Municipality.
9. **Appropriation of Future Funds.** Notwithstanding anything else contained in this Agreement, in the event this Agreement extends into a Fiscal Year subsequent to its execution, continuation of this Agreement is conditional upon an appropriation of sufficient monies under the *Finance Act* (Nova Scotia) to enable the Province to make the payments committed to the Municipality. In the event that sufficient monies are not available as a result of: (i) non-appropriation for the Fiscal Year in which payment becomes due; and (ii) the payment being neither charged nor chargeable to an appropriation for a previous Fiscal Year, the Province may terminate this Agreement, without any further liability, cost or penalty whatsoever, upon giving thirty (30) days' notice to the Municipality. Termination will become effective on the date of the beginning of the first Fiscal Year for which funds have not been appropriated.
10. **Permits and Approvals.** The Municipality shall obtain all material permits, approvals, authorizations and consents that may be required in order for the Province to perform its duties and obligations under this Agreement. The Municipality acknowledges and agrees that the Province shall not be obligated to perform any Paving or any other duty until such permits, approvals, authorizations and consents are obtained. For greater certainty, this includes any leases to or licences over land that may be required to perform Paving of the Village and Subdivision Streets.
11. **Indemnification by the Municipality.** The Municipality agrees to indemnify and save harmless the Province and its officers, employees and agents from all liabilities, fines, suits, claims, demands and actions, of any kind and nature for which the Province or its officers, employees or agents shall or may become liable or suffer by reason of any breach, violation or non-performance by the Municipality of any covenant, term or provision hereof or by reason of any death or injury of any person or any damage or destruction of any property resulting from any act, neglect or default on the part of the Municipality or any of its servants, employees, agents, invitees or licensees whatsoever.
12. **Release from Liability.** The Municipality hereby releases the Province from any claim that may arise from construction delays or cost overruns in relation to the Paving of Village and Subdivision Streets.
13. **Disclaimer of Consequential or Indirect Damages.** Neither party will be liable to the other for any special, incidental, punitive, indirect or consequential damages arising out of or in connection with this Agreement, including lost revenue or lost profits, even if foreseeable or if a party has been advised of the possibility of such damages, and regardless of the basis on which a party is entitled to claim (including fundamental breach, negligence, misrepresentation, or other contract or tort claim).

14. **Construction Warranty.** The Province shall obtain a contractual warranty under its contract with the contractor(s) for the Work. This warranty will be in accordance with the requirements under the *Standard Specification – Highway Construction and Maintenance*. The Province makes no other warranties whatsoever with respect to the Work, express or implied, including warranties of merchantability and warranties of fitness. The Municipality acknowledges that all such warranties are disclaimed by the Province.
15. **Confidentiality.** The Municipality acknowledges and agrees that all Confidential Information will be received in the strictest confidence and will be held and used only in accordance with and subject to the terms of this Agreement. The Municipality shall retain such information in confidence and shall treat such information with a degree of care no less than the degree of care that the Municipality employs for the protection of its own information of a similar nature. “**Confidential Information**” means any and all information identified as confidential or marked as confidential Information by the Province or is clearly recognizable as confidential information to a prudent person with no special knowledge of the Province’s business, that has or will come into the possession or knowledge of the Municipality, or to which the Municipality has access in connection with or as a result of this Agreement. “Confidential Information” does not include information that is: (a) publicly available when it is received by or becomes known to the Municipality; (b) is already known to the Municipality at the time of its disclosure to the Municipality and is not known by the Municipality to be the subject of an obligation of confidence of any kind; (c) independently developed or obtained by the Municipality; or (d) received by the Municipality in good faith without an obligation of confidence of any kind from a third party who the Municipality had reason to believe was lawfully in possession of such information free of any obligation of confidence of any kind.
16. **Force Majeure.** No party is responsible for a failure to fulfil its obligations under this Agreement or for delay in doing so if such failure or delay is due to a Force Majeure Event. If either party is prevented from or delayed in performing any of its obligations under this Agreement because of a Force Majeure Event, then the party claiming the Force Majeure Event shall promptly notify the other party which outlines the particulars of the Force Majeure Event including details of the nature of the event, its expected duration and the obligations under this Agreement that will be affected by the Force Majeure Event. A “**Force Majeure Event**” means the occurrence of one or more of the following events or any other event that is beyond the reasonable control of a party, and that interferes with, delays or prevents performance of the obligations of a party under the Agreement, provided that the nonperforming party is without fault in causing or failing to prevent such occurrence: (a) catastrophic weather conditions or other elements of nature or acts of God; (b) acts of war (declared or undeclared), acts of terrorism, insurrection, riots, civil disorders, rebellion or sabotage; and (c) other events which the parties expressly agree in writing as constituting a “Force Majeure Event”.
17. **Interpretation.** In this Agreement, unless something in the subject matter or context is inconsistent therewith, words importing the singular number include the plural and *vice versa*; words importing a gender include the masculine, feminine and neutral genders; and words importing persons include individuals, partnerships, companies, associations, trusts, government agencies and any other form of organization or entity whatsoever.

18. **Governing Laws.** This Agreement will be governed by and construed in accordance with the laws of the Province of Nova Scotia.
19. **Entire Agreement.** This Agreement constitutes the entire agreement between the parties hereto with regard to the subject matter hereof and supersedes all prior agreements, understandings, representations or warranties, negotiations and discussions, whether oral or written, among the parties hereto with respect thereto, entered into prior to the date hereof, which are hereby terminated.
20. **Amendments.** No amendment of this Agreement will be binding unless in writing and signed by all the parties hereto.
21. **Waiver.** No waiver by any party hereto of any breach of any of the provisions of this Agreement will take effect or be binding upon such party unless in writing and signed by such party. Unless otherwise provided therein, such waiver will not limit or affect the rights of such party with respect to any other breach.
22. **Severability.** If any provision of this Agreement is held by a court of competent jurisdiction to be illegal, invalid or unenforceable, such provision will be deemed to be severed from this Agreement and the remaining provisions will nevertheless remain in full force and effect.
23. **Further Assurances.** The parties agree to execute and deliver all such further documents and instruments and do, or cause to be done, all such acts and things as either party may reasonably consider necessary to evidence the intent and meaning of this Agreement.
24. **Counterparts; Electronic Execution.** This Agreement may be executed in several counterparts, each of which will be an original and all of which will constitute one and the same instrument. The parties agree that signatures transmitted, received and reproduced via electronic transmission, email or electronic signatures will be treated for all purposes of this Agreement as original signatures and will be deemed valid, binding and enforceable by and against all parties.
25. **Notices.** All notices, demands or other communications to be given in connection with this Agreement will be in writing and will be given by personal delivery, registered mail or by electronic means of communication addressed to the recipient as follows:

(a) to the Municipality at

Demetri Kachafanas
Chief Administrative Officer
320 Esplanade
Sydney, NS B1P 7B9
Tel (902) 563-5009
Email: dkachafanas@cbrm.ns.ca

(b) to the Province at

Laura Cunningham
Capital Program Administration Officer
Johnston Building, 1672 Granville St.
P.O. Box 186
Halifax, NS B3J 2N2
Tel: (902) 424-0897
Email: laura.cunningham@novascotia.ca

(c) or, to such other address, individual or electronic communication number as may be designated by notice given by either party to the other in accordance herewith. Any demand, notice or other communication given by personal delivery will be conclusively deemed to be given on the day of actual delivery thereof and, if given by registered mail, on the fifth (5th) Business Day following the deposit thereof in the mail and if given by electronic communication, on the day of transmittal thereof if given during normal business hours of the recipient and on the Business Day during which such normal business hours next occur if not given during such hours on any day. If the party giving any demand, notice or other communication knows or ought reasonable to know of any difficulties with the postal system which might affect the delivery of mail, any such demand, notice or communication will not be mailed but will be given by personal delivery or by electronic communication.

[signature page follows]

IN WITNESS WHEREOF the Province has hereunto subscribed its hand and affixed its seal and the Municipality has set and affixed its corporate seal authenticated by the signatures of the Mayor and the witness hereunto duly authorized.

SIGNED, SEALED and DELIVERED in
the presence of:

**His Majesty the King in Right of the
Province of Nova Scotia**, as represented
by the Minister of Public Works

Witness

Fred Tilley, Minister of Public Works

Date (Day-Month-Year)

Cape Breton Regional Municipality

Witness

Cecil Clarke, Mayor

Witness

Resolution of Council Designate

[
Provincial Seal
]

[
Municipal Seal
]

Resolution of Council

Cost Share Agreement No. 2026-005

The following Resolution was passed at a meeting of the Council of the Cape Breton Regional Municipality on the _____ day of _____ A.D., 2026.

Moved by: _____

Seconded by: _____

“That the Mayor and _____ be authorized to sign Cost Share Agreement No. 2026-005”

Motion Carried.

I certify that the above Resolution was passed at the duly called meeting of the Cape Breton Regional Municipality on _____ A.D., 2026.

Signature

Name (Print)

Title

Municipal Seal



Councillor Agenda Request Form

X Included on Agenda (Submitted to Municipal Clerk's Office by 4:30 pm seven days before the meeting)	Late Item (Submitted to Municipal Clerk's Office by Noon the day before the meeting)	Request from the Floor: (New Business) - Announcement - Referral - Submit Petition - Notice of Motion
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Date of Council Meeting: July 30, 2026

Subject: Request for Staff Report: Solar Feasibility Assessment

Motion for Council to Consider: That CBRM Council request the Chief Administrative Officer to direct staff to prepare a report on the feasibility of installing solar panels on CBRM owned buildings and facilities, with the objective of reducing the Municipality's operational energy costs and helping move away from fossil fuels. It is requested that the report be returned to Council by February 2027.

In preparing the report, staff are asked to also consider:

- (a) whether community-use facilities, such as Legion buildings and community hubs including the Savoy Theatre and the Playhouse, could be included, and the liability and legal implications of doing so;
- (b) a third-party ownership option, under which the work is tendered to a company that finances, owns, and maintains the system, with CBRM receiving a smaller saving but no capital cost up front;
- (c) potentially utilizing surplus land the Municipality owns that could be used for solar panels or a solar farm.

Rationale: CBRM owns a large portfolio of buildings, including City Hall, fire stations, arenas, recreation centres, libraries, and depots, that together carry a significant and rising electricity cost. Solar panels may lower long-term operating costs, earn bill credits or revenue from surplus power, and help with the move away from fossil fuels.

Before any commitment of capital, Council would benefit from staff advice on what is technically, financially, and legally feasible: which buildings are suitable, the expected cost and payback, available grants, liability where non-municipal community buildings are involved, and the regulatory pathway with Nova Scotia Power or a third-party ownership option.

Outcome Sought: A staff report to Council by February 2027, setting out options, costs, projected savings, funding sources, and a recommended next step, in time to inform the 2027–28 capital budget

Steven MacNeil – District 8 Councillor
Date: July 21, 2026

Received by Clerk's Department (date):
July 21, 2026



**City Hall
320 Esplanade
Sydney, NS B1P 7B9**

Councillor Agenda Request Form		
X Included on Agenda (Submitted to Municipal Clerk's Office by 4:30 pm seven days before the meeting)	Late Item (Submitted to Municipal Clerk's Office by Noon the day before the meeting)	Request from the Floor: (New Business) - Announcement - Referral - Submit Petition - Notice of Motion
Date of Council Meeting: July 30, 2026		
Subject: Staff report: Solid Waste Resource Management By-law (S-300)		
Motion for Council to Consider: That CBRM Council request the Chief Administrative Officer to direct staff to prepare a staff report assessing amendments to the Solid Waste Resource Management By-law (S-300), or related policy, that would improve the end user's experience, with consideration of the operational, financial, and provincial compliance implications, and report back at the October 2026 Committee of the Whole. Rationale: Residents have expressed concerns with the solid waste changes. The purpose of this request is to ask staff to bring forward practical options for applying the by-law with a measure of flexibility, while preserving the source separation and contamination standards the Province requires, and while still ensuring the end user has a quality, reliable service. Outcome Sought: Reliable curbside collection is a core municipal service. Missed pickups erode public confidence and create sanitation and nuisance concerns between bi-weekly cycles, including attracting wildlife in rural areas, and they particularly affect seniors and residents with disabilities or mobility challenges. A measured and flexible approach ensures materials are collected, while keeping our waste diversion commitments intact.		
Steven MacNeil – District 8 Councillor Date: July 21, 2026		Received by Clerk's Department (date): July 21, 2026



City Hall
320 Esplanade
Sydney, NS B1P 7B9

Councillor Agenda Request Form

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| X Included on Agenda
(Submitted to Municipal Clerk's Office by 4:30 pm seven days before the meeting) | Late Item
(Submitted to Municipal Clerk's Office by Noon the day before the meeting) | Request from the Floor: (New Business) <ul style="list-style-type: none">- Announcement- Referral- Submit Petition- Notice of Motion |
|---|--|--|

Date of Council Meeting: July 30, 2026

Subject: Small business incubator

Motion for Council to Consider: That CBRM Council request the Chief Administrative Officer to direct staff to prepare a report, no later than January 2027, on the feasibility of creating a small business incubator in underused municipal space or other space options, in partnership with the Cape Breton Partnership and other potential partners who may have a vested interest or could provide value to the initiative. The concept is to lease space to new and growing businesses on clear, short-term, well defined terms. As each business grows and graduates to its own new location, the space is recirculated to the next entrepreneur.

Rationale: CBRM may have building space that is not fully utilized, or there may be other options. At the same time, new entrepreneurs in the region face a real barrier in finding affordable, flexible, professional space in which to start out and grow. A short-term-lease incubator turns an underused municipal asset into a launch pad for local business, while keeping the Municipality's commitment clear and time limited. Delivered in partnership with the Cape Breton Partnership and other potential partners, the program could be established with limited CBRM resources, with strong partners providing the business supports.

Outcome Sought: The defining feature of the program is recirculation. Unlike a conventional lease, it is designed so that businesses cycle through a fixed term and then graduate on to bigger and better things, or return to re-tune. This recirculation model allows a single space to support many businesses over time, and signals that the Municipality's role is to help businesses start through strong community partnerships.

The requested staff report could consider: identifying a suitable municipal space; shaping the roles of the Cape Breton Partnership and other potential partners; recommending lease terms and a fair, open intake process; confirming the Municipality's authority under the Municipal Government Act; and outlining any costs and administrative resources that would be required.

Steven MacNeil – District 8 Councillor/ Steve Gillespie – District 4
Date: July 21, 2026

Received by Clerk's Department (date):
July 21, 2026



City Hall
320 Esplanade
Sydney, NS B1P 7B9

Councillor Agenda Request Form	
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Request from the Floor: (New Business) - Announcement - Referral - Submit Petition - Notice of Motion	
Date of Council Meeting: July 30, 2026	
Subject: Port File: Update on Next Steps and Timeline	
Motion for Council to Consider: That CBRM Council request the Chief Administrative Officer to provide Council with a public update on the next steps for the port file, including key milestones and the earliest realistic timeline by which CBRM can advance this file; such update to be provided at the next regular meeting of Council or Committee of the Whole. Rationale: The potential future development of the greenfield site is an important community issue that deserves regular public updates. Outcome Sought: A clear, time bound path forward on the port file. The update will give Council and residents confidence that the Municipality is advancing this opportunity transparently, identify the resources and decisions required to proceed, and establish the earliest practical timeline for launching the next stage.	
Steven MacNeil – District 8 Councillor Date: July 20, 2026	Received by Clerk's Department (date): July 21, 2026



City Hall
320 Esplanade
Sydney, NS B1P 7B9

Councillor Agenda Request Form

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Date of Council Meeting: July 30, 2026

Subject: Request for Staff Report: Incentive Options for Volunteer Firefighters

Motion for Council to Consider: That CBRM Council request the Chief Administrative Officer to direct staff to prepare a staff report, that considers fair incentives for those volunteer firefighters, including options that account for different circumstances, such as renters versus property owners who may be eligible for a tax break.

Rationale: Federal and provincial governments provide incentives to volunteer firefighters and CBRM should consider incentives that support ongoing retention and recruitment efforts for volunteers.

Outcome Sought: To obtain a staff report that evaluates equitable incentive options for volunteer firefighters and provides recommendations to enhance recruitment, retention, and recognition of volunteers while ensuring fairness for all members, regardless of property ownership status.

*Gordon MacDonald – District 1 Councillor
Date: July 22, 2026*

*Received by Clerk's Department (date):
July 22, 2026*



City Hall
320 Esplanade
Sydney, NS B1P 7B9

Councillor Agenda Request Form

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Date of Council Meeting: July 30, 2026

Subject: Request for Staff Report: Cost-Benefit Analysis of a Pay-Per-Call Compensation System for Volunteer Firefighters

Motion for Council to Consider: That CBRM Council request the Chief Administrative Officer to direct staff to prepare a staff report, including a cost-benefit analysis of a pay-per-call system for volunteer firefighters, that explores feasibility, benefits, a qualified call-out list system, and the ongoing evaluation of the fire department stipend.

Rationale: A staff report and cost-benefit analysis would provide Council with the information needed to assess the financial, operational, and service-level impacts of a pay-per-call system for volunteer firefighters, including how it may support recruitment, retention, accountability, and emergency response readiness while ensuring any changes to compensation or stipend structures are sustainable and fair.

Outcome Sought: To provide Council with a comprehensive assessment of a pay-per-call system for volunteer firefighters, including its costs, benefits, operational impacts, qualified call-out procedures, and implications for the existing stipend model, to support informed decisions on volunteer firefighter compensation and service sustainability.

Gordon MacDonald – District 1 Councillor
Date: July 22, 2026

Received by Clerk's Department (date):
July 22, 2026



Cape Breton Regional Municipality
320 Esplanade
Sydney, NS B1P 7B9

REPORT TO COUNCIL

To: Mayor and Council
Submitted by: Police Commission Chair Glenn Paruch
Date: July 30, 2026
Subject: Police Commission Update June 2026

Dear Council:

This report is submitted to Council on behalf of CBRM Police Commission and is for information only. It is worth noting there have been recent developments with recommendations for policing in Nova Scotia. These recommendations were not available during the June meeting. As information becomes available it will be brought to Council and Commission as necessary.

The following is a synopsis of the last Commission meeting.

During the June 17, 2026, meeting of the Board of Police Commissioners, Commissioner Tom Vickers introduced a motion regarding future public engagement initiatives involving policing matters within the municipality. The discussion focused on the Board's legislated role as the civilian oversight body responsible for governance of the police service and as a formal link between the community and police leadership.

Commissioners discussed the importance of ensuring that public engagement activities related to policing are coordinated through the governance framework established by the Nova Scotia Police Act. The motion proposed that the CBRM Council consult with the Board of Police Commissioners regarding future public engagement initiatives concerning policing matters. The rationale presented was that the Board serves as the community's formal civilian oversight mechanism and provides an established channel through which residents can express concerns, priorities, and expectations regarding policing services.

Commissioners emphasized that public consultation remains important and encouraged; however, the Board believes its involvement in such engagement would help ensure that community feedback is received, reviewed, and acted upon through the appropriate governance structure. The discussion also highlighted the need for clear communication and collaboration among Council, the Board of Police Commissioners, and the Cape Breton Regional Police Service when addressing community concerns surrounding public safety, crime prevention, policing priorities, and service delivery. There is no action required by Council.

In conclusion the Board of Police Commissioners wishes Council to be aware that it considers public engagement on policing matters to be an important component of effective civilian oversight and police governance. The Board believes that consultation and coordination between Council and the Police Commission on such initiatives will strengthen communication with residents, ensure alignment with legislative responsibilities, and support transparent and accountable policing within the Cape Breton Regional Municipality.

An additional motion was made regarding a stipend for Commissioners. This motion will be brought forward by the Commission Chair for Council action and determination.

Respectfully submitted,

Councillor Glenn Paruch
CBRM Police Commission Chair

NSFM JUNE 2026 BOARD OF DIRECTORS MEETING



Date: June 26, 2026

Chair: Mayor David Mitchell, NSFM President

On June 26, the NSFM Board of Directors met by online video conference, where it advanced several advocacy, governance, and member communication files. The Board approved new advocacy direction on library funding, continued work on proposed *Municipal Government Act* amendments, and received updates on programs and services that affect municipalities across Nova Scotia.

ADVOCACY AT THE BOARD TABLE

Library Funding: Library funding remains a priority advocacy file. Acting on a recommendation from the Equity and Community Wellbeing Committee, the Board directed NSFM to advocate for:

- meaningful, adequate, and immediate bridge funding for regional libraries
- release of findings and updates from the 2024 Library Funding Formula Review, and
- long-term library funding model that is sustainable and reflective of all municipal contributions to public libraries

Property tax relief for homes rebuilt after disasters. NSFM, AMANS, and the Property Valuation Services Corporation have developed a draft model policy to guide municipalities in reducing taxes on homes rebuilt following natural disasters. The Department of Municipal Affairs has indicated support for amending Section 69B of the *Municipal Government Act* to enable a more uniform approach across the province. The Board directed the working group to continue, with a focus on developing proposed legislative amendments to Section 69B, in collaboration with the Department.

A new Traffic Safety Act: The Board received an overview of the Province's planned transition from the *Motor Vehicle Act* to the *Traffic Safety Act*, with proclamation anticipated in Fall 2026. The change includes several provisions affecting municipal traffic authorities. The Board emphasized the need for a significant education campaign before proclamation, particularly for smaller municipalities that may not have designated traffic authority expertise. NSFM will continue to follow the file on behalf of members.

FROM THE PRESIDENT AND CEO

From the President. President David Mitchell reported that NSFM has been working with its Atlantic provincial and territorial association counterparts to organize an Atlantic session and to explore advocacy opportunities the region can pursue as a group.



From the CEO. CEO Juanita Spencer reported on attendance at the Atlantic PTA retreat and the Federation of Canadian Municipalities Annual Conference and AGM, along with continued engagement with provincial and federal partners, member organizations, and other stakeholders. The CEO noted that staff continue to advance a significant number of projects and reporting commitments.

NSFM ON THE INTERNATIONAL STAGE

The Board approved the CEO's participation in the International Network of Michelin Cities conference in Fall 2026, where Nova Scotia municipalities will share best practices with peer communities around the world.

NSFM is working with the FCM to explore potential participation in the Viet Nam Climate Resilient Municipalities Project, an international initiative focused on coastal erosion. The project is funded through Global Affairs Canada.

SUPPORTING MEMBERS: EDUCATION AND COMMUNICATION

Report to Membership and Fact Sheets. The Board received an overview of two new member communication tools. A Board meeting summary report will be prepared after each Board meeting, shared with Regional Representatives for distribution to members, and posted on the NSFM website.

NSFM has begun developing plain-language fact sheets on priority advocacy and policy issues. The draft examples presented to the Board set out the background, why the issue matters, NSFM's advocacy to date, and next steps. Once finalized, the fact sheets will be posted in a dedicated section of the NSFM website and updated as issues progress.

REPORT TO MEMBERSHIP & FACT SHEET

REPORT TO MEMBERSHIP
May 26, 2026

**NSFM APRIL 2026
BOARD OF DIRECTORS MEETING**

Date: April 29, 2026
Chair: Mayor David Mitchell, NSFM President

On April 29, the NSFM Board of Directors met in Yarmouth, where it approved the organization's Strategic Plan, heard from leadership, and acted on items that affect every municipality in the province.

NSFM STRATEGIC PLAN 2026–2030
The Board of Directors approved the NSFM Strategic Plan 2026–2030, which sets the organization's direction for the next four years. The plan is based on five pillars:

STRATEGIC PILLARS

- Strengthen Advocacy
- Invest in Education, Training & Mentorship
- Expand Programs & Fund Administration
- Know & Reach Our Members
- Strengthen the Organization (a foundational pillar)



FACT SHEET
June 2026

**RURAL CELLULAR COVERAGE
FOR EMERGENCY PREPAREDNESS**



BACKGROUND INFO
Cellular coverage is a longstanding concern for rural municipalities as economic opportunities and quality of life can be diminished by poor coverage. A study commissioned by Develop Nova Scotia (which has now been renamed Build Nova Scotia) was completed by FarrPoint to identify the large swaths of provincial highways and civic addresses that exist in areas of poor cellular coverage. The report was submitted in July 2022 and demonstrated that in some rural areas up to 35% of civic addresses have no cellular coverage.

NSFM received letters from 6 municipalities across the province calling for the provincial government to address poor cellular coverage in rural areas. This issue was reviewed by the Public Safety Advisory Committee and was approved as an Advocacy Priority by the Board of Directors on September 6, 2024.

Based on the findings of the FarrPoint study, the provincial government initially invested \$47.3 million for Build Nova Scotia to work with telecommunications providers, existing infrastructure, and untraditional infrastructure to fill gaps in cellular service across the province.

Following Hurricane Fiona, the Minister of Municipal Affairs made amendments to the *Emergency*

Prevention Academy 2026: The Board approved the appointment of four elected leaders to Cohort #2 of Prevention Academy Canada, a learning opportunity for elected municipal leaders:

- Councillor Christina Sappington, Municipality of the County of Kings
- Councillor Danielle Fraser, Town of Westville
- Councillor Katherine McCarron, Town of Mahone Bay
- Mayor Amery Boyer, Town of Annapolis Royal

EDIA training recommendations. The Board approved the staff report on implementing EDIA training recommendations developed by the Equity and Community Well-Being Committee. The approved approach includes promoting existing training opportunities, integrating EDIA considerations into conference planning, and exploring partnership opportunities for future video materials featuring municipal leaders.

PROGRAMS AND SERVICES

Health & Benefits: The Board received an update on the Health & Benefits Program, which remains in a strong financial position. Participating organizations and plan members in the program's Pool "A" will receive a one-time one-month premium holiday in October 2026. Participation now stands at 37 municipal units in Pool "A" and 15 in Pool "B."

Municipal Wellness Program. The Board received an update on the transition of the Municipal Wellness Program from AMANS to NSFM administration, scheduled to take effect at the end of November 2026. Staff have met with AMANS to identify transition topics and timelines. A draft job description and work plan for the Program Coordinator position have been prepared, with the job posting expected near the end of July. Financial review and transition planning are ongoing.

AMANS Report. AMANS has received the report on the Municipal Website Venture Program from its consultants and is reviewing modernization of the platform. The AMANS Spring Conference was also reported to be successful.

Fund Navigator. Survey results and strong interest from outside the municipal sector point to growing demand for the Fund Navigator and Funding Portal. NSFM will discuss with the Department of Municipal Affairs whether the program's reach might be expanded, along with the resources that would be required.

GOVERNANCE AND OPERATIONS

Appointments to the Property Valuation Services Corporation Board. The Board appointed Cheryl Hodder, King's Counsel, Jerry Blackwood, Chief Financial Officer of the Halifax Regional Municipality, and Earlene MacMullin, Councillor with the Cape Breton Regional Municipality, to the Property Valuation Services Corporation Board for a four-year term beginning January 1, 2027.

Nominations Committee and Board vacancy. The President appointed Mayor Amery Boyer, Councillor Alison Smith, and Councillor Sam Austin to the Nominations Committee. The Committee will support the regular fall Board election process and any related nomination matters that may arise.

Proposed by-law changes. The Board reviewed proposed by-law changes for discussion in advance of the Annual General Meeting in November. No decisions were made at this meeting. The proposed changes relate to filling Board vacancies, e-voting notice periods, committee mandates, the by-law treatment of the organization's objectives, and Board composition. The Board supported bringing the proposed changes back for consideration at the next meeting.

NSFM Listserv. Uptake of the NSFM listserv continues to grow, with roughly 140 individuals signed up and about 45 of the province's 49 municipalities represented. The next phase of outreach, in July, will focus on elected officials. The listserv is a direct channel for sharing information across the municipal sector, at no cost to members.

