

*Rural Cape Breton
District Planning Commission*

2002-2003

Annual Report and Financial Statements



**RURAL CAPE BRETON
DISTRICT PLANNING COMMISSION**

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PORT HAWKESBURY, NOVA SCOTIA
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2002-2003*

Annual Report and Financial Statements

June 2003

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This report for the period April 1, 2002 to March 31, 2003 has been prepared in accordance with Section 256 and 257 of the *Municipal Government Act* which require that a District Planning Commission submit to the Councils of each of the participating Municipalities, on or before June 30, a financial report and a report setting out its activities from the preceding fiscal year.

Planning staff continued to work on plan reviews for Baddeck and Inverness and started a new planning process for the River Inhabitants area and participated in the new St. Joseph Du Moine study for a possible wastewater management district. Also staff worked on sixteen development related reports, rezonings and policy amendments and participated in the Eastern Region Inter Municipal Agreement on Planning, the Port Hawkesbury Civic Centre Selection Committee and the Richmond County Subdivision Proposal Selection Committee.

Planning staff also finalized an initiative to form the "Eastern Region District Planning Commission" through the addition of the Municipality of the County of Antigonish to the Rural Cape Breton District Planning Commission. In anticipation of this proposal staff took the opportunity to provide some

interim mapping services to the County of Antigonish thereby fostering a mutually beneficial working relationship that gave us an opportunity to show some of the resources which are available in the Commission and also provided Antigonish County with a usable end product. Antigonish County Council has approved in principle joining the District Planning Commission during the coming fiscal year

Building Inspection and Development staff saw the number of permits issued decrease slightly by 0.7% with 749 permits issued in 2001-2002 and 744 permits issued this last fiscal year. However building permit revenues increased significantly by 29.7% from \$75,815 to \$107,762 in 2002-2003. Subdivision activity also increased 17.8% from 143 to 174 applications and an increase in revenues of 15.7% from \$28,925 to \$34,325 in this last fiscal year. These increases are a result of both an improving economic picture and the new building permit fee structure. Subdivision applications increased for the first time in the last five years for both Richmond and Victoria Counties while we saw this trend established first in Inverness County the year previous.

The remainder of this report summarizes the activities of the Commission from the last fiscal year in accordance with the *Municipal Government Act*.



Port Hawkesbury Civic Centre



Point Tupper Stora Expansion



Chéticamp Fisherman's Museum



Baddeck Sewage Treatment Plant

2. Structure of the Rural Cape Breton District Planning Commission

2.1	Council	Commission Representative
	Richmond County	Councillor Gerry Bourque, Chair Councillor Malcolm Beaton, Member Louis Digout, Secretary Treasurer
	Inverness County	Councillor Duart MacAulay, Vice Chair Councillor Jim MacLean, Member Kate Beaton, Advisor
	Victoria County	Warden Gerald Sampson, Member Councillor Bruce Morrison, Member Sandy Hudson, Advisor
	Port Hawkesbury	Mayor Billy Joe MacLean, Member Deputy Mayor Joe Janega, Member Councillor Steven MacDougall, Alternate Colin MacDonald, Advisor
2.2	Staff	
	Director	John Bain
	Planners	Shayne Vipond Dawn Sutherland (to November 15, 2002) Kemp Macdonald (to May 3, 2002)
	Development Officers	John Bain Wanda Ryan (Alternate)
	Building Inspectors	Alfred Fougère Cyril Leblanc Paul Burt Leon LeBlanc (Seasonal)
	Planning Technician	Mark Hebert
	Secretary/Book Keeper	Wanda Ryan Tammy MacLellan
	Auditors	KPMG Chartered Accountants
	Solicitor	Pickup and MacDowell

3. Municipal Planning Strategy and Land Use By-law Processes

3.1 Baddeck

The Baddeck Area Advisory Committee has turned its attention to land use issues for the Village after spending much of its time previously with sewer treatment issues. The Committee however was able to address one final issue related to sewage treatment by recommending the approval of amendments to the Municipal Planning Strategy and Land Use By-law to remove special provisions requiring the evaluation of new commercial and industrial development prior to the issuance of a development permit. This recommendation was originally made by Staff in May of 2001 but circumstances worked against the amendments being adopted earlier. An official sod turning for the new sewage treatment plant, held October 17, 2002 however has been one of the major mile stones reached in allowing for the consideration of this amendment. This recommendation received first and second reading from Council and was approved by Municipal Affairs in November 2002.



The Committee also heard representation from BABTA on the need for a coordinated approach to planning in the area from a tourism perspective. Commission staff reviewed tourism marketing plans from other communities. In the end BABTA with the help of the Municipality's Economic Development Officer, Ross MacDonald applied to ECBC for funding for a Marketing Plan for the Village and a new Committee was struck with the Director of District Planning as an ex-officio member.

The Committee is now reviewing all the residential policies for Baddeck as well as the Generalized Future Land Use and the Zoning map and is discussing the boundaries for the plan area. Some consideration has been given to expanding the planning area as both the water and sewer services extend beyond the Village Boundaries.

3.2 Inverness

Since the approval of the current Municipal Planning Strategy and Land Use By-law in 1992, there have been many changes to the proposed new planning documents. To accommodate orderly growth, the plan area boundary has been expanded. The Commercial Mixed Use has been proposed for the north side of Central Avenue from Lower Railway Street and then running on both sides of the street from Cabot Street ending before MacLeod's camping and cottage development. Such zoning recognizes the present residential nature of the area but it will be open to commercial development along Central Avenue as well. The frontage requirements for the R-2 zone have been brought closer to those of the Inverness subdivision by-law in order to better meet the needs of the rural residents. The proposed reduction in frontage is from 100 to 20 feet providing for more effective and efficient use of land. Architectural controls for height, roof shape and siting of buildings on the lot are proposed for commercial area. As residents of Inverness have had and continue to have problems with availability, turbidity and discolouration of their municipal water a well-head protection zone is proposed.

Over the past year staff has met with the AAC committee, resolving a number of other key issues. Presently, staff is preparing examples of architectural and site planning guidelines for the committee's and final edits of the Inverness Plan Area. Staff is proposing to bring this effort forward to the Inverness Area Advisory Committee for a final review, prior to the Public Open House, Inverness PAC and Council for approval.

3.3 Central Richmond Proposed Plan area formerly Lower River Inhabitants

As a result of requests for planning documents from the community, the Planning Advisory Committee of Richmond County has called upon the Commission to initiate a planning process that would cover Evanston, Whiteside, Walkerville, Grantville, Hureauville, Lower River Inhabitants and surrounding areas. Preliminary mapping of possible plan area boundary delineation has been generated and will be reviewed by affected municipal councilors. A draft advertisement soliciting new AAC members has been forwarded to the Chair of the PAC. Once the map and advertisement are reviewed, the Commission will be soliciting new AAC members. The process will begin with an initiation for AAC members on the value of

3.3 Central Richmond (Continued)

planning, roles and responsibilities of AAC members, review of impacting legislation, and outline of planning process procedures.

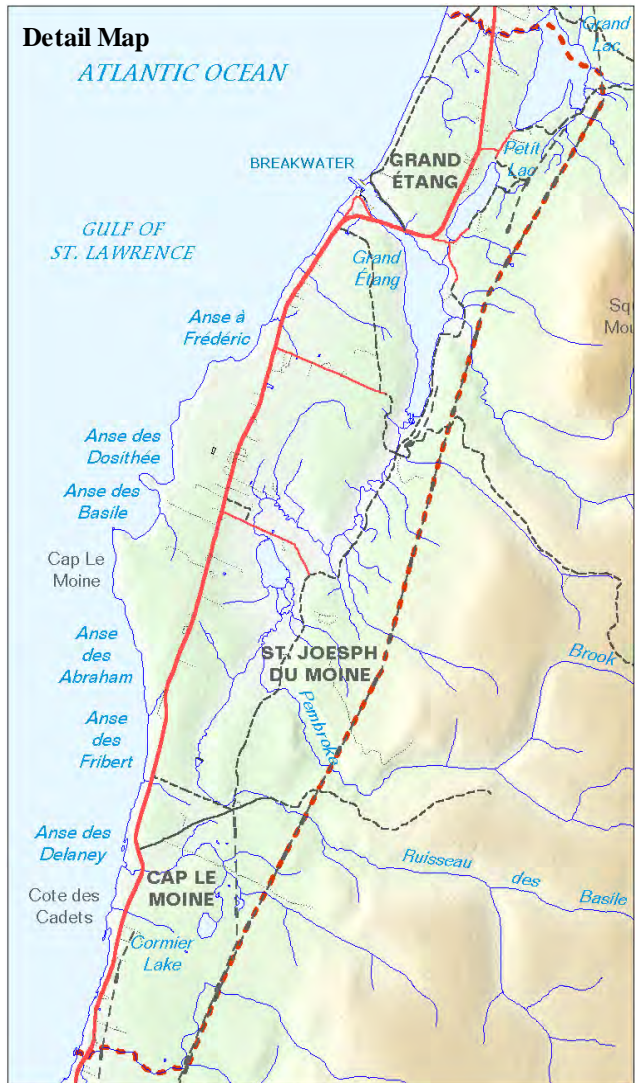
To date the process has undergone changes in Committee membership. Presently there are nine members that sit on the AAC. The Committee has reviewed the stages towards completion and created visioning criteria to guide them. Staff is currently undergoing a zoning categories review with the committee in preparation of applying appropriate policy to the locations within the proposed Plan Area.

3.4 St. Joseph Du Moine

The Communities of Grand Étang and St. Joseph Du Moine are two small communities located between Chéticamp and Margaree Harbour on the Western Shore of Cape Breton Island. According to Civic Addressing data from the Rural Cape Breton District Planning Commission there are approximately 309 civic addressing points from Grand Étang Harbour to Anse Des Abraham for an estimated population of approximately 927 people. These communities are typical of most rural Nova Scotia communities in that they consist of ribbon development along a main highway with a few side roads connecting to other areas of the communities. Where they are unique to many communities in Nova Scotia relates to the historical seigniorial system of subdivision evident in many Acadian communities. In these subdivisions each lot is typical very long and narrow such that each owner received a portion of the water front, a portion of the meadow and a portion of the highlands. This long narrow lot configuration combined with poor soil conditions often make it difficult to locate a traditional septic field on these properties. Also unique to these communities is their location on the world famous Cabot Trail. Close to half a million tourists travel this road each year. Their location on this premier tourist destination is clearly a concern given the magnitude of this problem.

Le Moine Development Association has been involved in seeking a solution to this problem for a number of years. In 1996 the Association commissioned Strait Engineering Limited to complete a Sewer Servicing Assessment of the St. Joseph Du Moine area. The conclusion of the study was that the communities could be serviced with a conventional sewer treatment facility for approximately \$2.9 to \$3.04 million dollars. While Wastewater Management Districts (WMD) were mentioned in the report they

were not given much if any analysis. Recently therefore a Grand Étang and St. Joseph Du Moine Subcommittee was established to examine the possibility of the WMD option for this community. The Committee is comprised of members of the effected communities as well as receiving support from staff from Provincial Department of Environment, Service Nova Scotia and Municipal Relations, the Municipality of the County of Inverness and the Rural Cape Breton District Planning Commission.



Area for proposed St. Joseph Du Moine Wastewater Management District

3.5 Fire Inspections

Discussions with the Fire Marshall's Office have continued in view of the eventual requirement for Municipalities to take over fire inspections. While the *Act to Promote and Encourage Fire Safety* received Royal Assent May 30, 2002 it was not proclaimed until February 28, 2003 with a requirement for Municipalities to appoint a fire inspector by May 1, 2003 with inspections commencing September 1, 2003. After the *Act* was proclaimed we advertised for a Building/Fire Inspector in *the Reporter, Inverness Oran* and the *Victoria Standard* with a starting date of April 1, 2003. Originally the Fire Marshall's Office had expected proclamation immediately (i.e. in October once Legal has completed their review). They were then proposing proclamation during Fire Safety Week., then in November. Also Mr. Robert Cormier had noted that the Commission would receive a list of buildings which require inspections and that Information Sessions throughout the Province would commence in October. The Information Sessions were finally held the end of May 2003 and the training schedule for Fire Inspectors is ongoing.

With the proclamation of the *Fire Safety Act Bill # 101*, the Provincial Government has given the Municipalities the responsibility to provide Fire Inspection and the Commission has been given the mandate to provide this service to the taxpayers of Inverness, Town of Port Hawkesbury, Richmond, and Victoria County.

The duties of the Municipal Government are outlined in Section 19 subsection (1) and (2) of the *Act*. Section 19 Subsection (1a) reads that the municipality shall establish a system of fire-safety inspections of land and premises situate within its jurisdiction, as required by the regulations, to provide for compliance with the *Act*, the regulations and the Fire Code. The *Regulations* specify which buildings must be inspected and how often these inspections are required. The buildings occupancy classifications are defined by the National Building Code.

In total the Commission will be responsible for completing the inspections on 340 buildings in the first three years of required inspections and to carry out a system of inspection on a number of other specified occupancies based on a Risk Management Basis. For example a barbershop would not be done as often as a local automotive body shop.

Commission staff are working hard to be as ready as is possible to take over this new responsibility.

4.0 Amendments

4.1 Isle Madame

4.1.1 Arichat Watershed Boundary Use Revisions

Staff met with Mr. Darrin MacLean on February 7th, 2003 to review the uses that are currently permitted with the Arichat Watershed boundary. Mr. MacLean has agreed to initiate a public review process to examine the possible inclusion or exclusion of uses within the Watershed boundary. Staff has agreed to participate in this process.

4.2 Baddeck

4.2.1 Commercial Development

The Baddeck Municipal Planning Strategy was amended in 1999 to allow new, or additions to existing, commercial and industrial development by development agreement only. This resulted from the Baddeck Pollution Control Study of August 1997 which concluded that the sewer system was operating beyond its capacity and required proponents to prove that their proposed development would not adversely impact the existing centralized services. The final report of Rawdon Technologies and ABL Environmental Consultants was completed in December 2000 and funding for the majority of the Phase I diversions to upgrade the system was imminent. As a result, land use controls over commercial or industrial developments appeared to be no longer necessary and Staff prepared a report to repeal these measures anticipating a six month process. Baddeck PAC considered the repeal of these amendments at their June 26, 2001 meetings but tabled the report pending the final resolution of funding, tendering, and plant management issues. The recommendations received first and second reading from Council and was approved by Municipal Affairs in November 2002.

4.3 Chéticamp

4.3.1 Extension of Commercial Designation

An application was received from Nicola Hasse and Dirk Ebeling to amend the Chéticamp Municipal Planning Strategy and Land Use By-law to change the designation of 15268 Cabot Trail, from Urban Residential to Highway Commercial and also to Rezone the property from Residential General (R-1) to Commercial Highway (C-2) to permit the operation of a take out restaurant/café in an existing dwelling. The application was approved July 31, 2003.

Received: March 5, 2002

4.3.2 Poirier By-law Amendment from Residential Centre to Highway Commercial Zone

Mr. Alfred Poirier requested an amendment to the Chéticamp to Land Use By-law to change the zoning on the subject property from Residential Two (R-2) zone to Highway Commercial (C-2) Zone to permit the operation of a discount retail store located directly on the Cabot Trail. At a Council meeting immediately following a Public Hearing held on February 24, 2003, Council approved an amendment from Residential General (R-1) zone to Highway Commercial (C-2) zone to permit construction and operation of a discount retail at the location. The amendment came into effect with the publication of notice on March 12th, 2003.

Received: July 14, 2002

4.3.3 Mr. André Roach

The Commission received a letter of intent from Mr. Roach of Point Cross Rd to enter into a development agreement to locate a motel development on 7.67 acres on the Old Cabot Trail. The Commission has worked over the past year to finalize particulars as to size, scale, number of units, servicing provisions, access/egress, or siting on lot. To date there are still unresolved issues regarding servicing requirements. Mr. Roach and Staff continue to work towards a resolution of this matter.

Received: 12 March 2002

4.4 Port Hastings

4.4.1 Frank MacNeil's zoning by-law amendment proposal

The Planning Commission received a request to initiate the rezoning of a property located on the west side of the Charles McLean Road in the Town of Port Hastings, from Future Residential (R-2) to Residential Zone (R-1). Mr. Frank MacNeil is proposing to develop approximately 74 acres at this location. The first phase is intended to be 24 residential lots. An initial meeting was conducted with members of the Inverness Engineering Department and the department of the Environment after which it was concluded that the development was premature and therefore should be deferred until such time as then new waster water treatment plant would be constructed in Port Hastings.

Received: February 12th, 2002

4.5 Port Hawkesbury

4.5.1 Permitted Home Occupations

As the result of dealing with a complaint regarding the operation of an auto body repair shop in an accessory building within the Residential Two Unit (R2) Zone, the Town Planning Advisory Committee reviewed current provisions for home occupations. Staff prepared a report examining in particular home occupations permitted in accessory buildings. Removal of the provision allowing home occupations in accessory buildings would significantly curtail this avenue of employment opportunity. However, prohibition of certain types of home occupations, specifically those involving food services, video/DVD rental outlets, and possibly automobile repair shops may improve the current situation. From an administrative perspective, it was also suggested that it may also be advisable to remove the provision which specifies not more than fifty percent of the total floor area may be used due to monitoring difficulties. A Public Hearing was held May 7, 2002 and the amendments were approved by Council.

Received: April 17, 2001

4.5.2 Definition Review - "Mobile Home"

Staff received a development permit request for an addition to a single unit dwelling consisting of a mobile home, as defined by the Town's Land Use By-law. The proposal involved providing a second unit on the property by attaching a mobile home to the rear of the dwelling with a breezeway,. Although the Town's Municipal Planning Strategy states "mobile homes fulfill a housing need for a number of the Town's residents" and "mobile homes will continue to be permitted to locate in town providing they locate in a mobile home park", a recent Nova Scotia Utility and Review Board decision (later confirmed by the Supreme Court) allowed a similar development to occur in the Cape Breton Regional Municipality (CBRM) based on a definition of "Mobile Home" similar to the one currently found in the Port Hawkesbury Land Use By-law. While the Port Hawkesbury proposal was subsequently abandoned, Staff believe that in light of these judicial decisions they would have been obligated to issue a development permit. In order to prevent any such possibility arising in the future, Staff recommended following the example of the CBRM in dealing with a similar situation and amending the definition of mobile home in the Land Use By-law.

Received: January 16, 2002

4.5.3 Mobile Home Park – Lot Standard Review

Shamrock Homes and Hearth of Antigonish approached the Planning Commission regarding the possibility of rezoning a site in the Town to the Mobile Home Park Zone. One of the major impediments in bringing about this type of development in the Town is a minimum lot size requirement of 10 acres in the R4 (Mobile Home Park) Zone. As a result, Staff initiated a report which proposed reducing the minimum lot size for the zone from 10 acres to 40,000 sq/ft. At their March 4, 2002 meeting, the Port Hawkesbury Planning Advisory Committee recommended that Town Council give consideration to amending the Land Use By-law by reducing the minimum lot size required in the R4 (Mobile Home Park) Zone from 10 acres to 5 acres.

Received: January 28, 2002

4.5.4 MacKichan Variance

The Planning Commission circulated a letter to the applicant, Mr. Carl MacKichan, and area residents within a 30 metres radius of 902 Reeves Street in Port Hawkesbury. The letter indicated that a variance had been approved to reduce the west side yard of a proposed Professional Office building to be constructed to the rear of the westerly portion of the subject property. No appeals were received within the 14 days appeal period and the variance was granted. Subsequently, Mr. MacKichan's development plans required that the proposed use of the building be altered to contain a Bakery/Warehousing operation. Further, it was also indicated that the mass of the building would increase substantially by approximately 33.0%. Given the substantial differences from the earlier proposed building, staff required that Mr. MacKichan apply for a second variance to be circulated to area residents who have the right of appeal to Council. This appeal period would lapse on the 14th of November. Due to changing demands which further altered the development scheme, Mr. MacKichan request another variance to reduce the his side yard to 12 feet. Mr. MacKichan was granted final approval of the variance in early December.

4.6 Port Hood

4.6.1 Max Gantner--Pinocchio Restaurant



Mr. Max Gantner, owner of the Pinocchio Restaurant and Pizzeria, has applied to convert his existing restaurant into a three bedroom residential dwelling. He has indicated that the proposed single-family dwelling would not require changes to the outside dimensions of the building. Presently the Port Hood zoning by-law does not permit residential uses in the Commercial zone except where such use is part of a commercial building, or already exists as a residential building. In order for Mr. Gantner to obtain a building permit for these renovations, he would require a policy change to the Port Hood Municipal Planning Strategy and a subsequent rezoning of his property to convert the existing structure to residential. Upon review of the application staff indicated that the proposal would not be supported given the proposed location of the rezoning to a primary residential use in the middle of commercial core.

4.6.2 Port Hood Arena

Mr. Joe Morris initiated a request to change the municipal plan policy and land use by-law to permit the Arena to operate as a licensed facility. The change was intended to simplify the process whereby the Arena could operate special events without the continuing need to apply for frequent special event permits for the purposes of serving alcoholic beverages. However, as part of the analysis and review of the proposal, it was discovered that the arena has an outstanding requirement to assemble the lots of land that are now separate to satisfy a structural engineering report pertaining to distance separation for fire protection between the existing structure and any future development. Staff and Mr. Morris are addressing the issues at this time.

Received: December 17, 2002

4.6 Port Hood (Continued)

4.6.3 Mary Greenaway

Mary Greenaway, owner of property fronting the north side of Highway 19 directly across from the Dunmore Road, requested an amendment to the Port Hood Municipal Planning Strategy and Land Use By-law to allow “Restaurants” and “Retail shops including gift shops” as permitted uses in the Commercial General (C-4) Zone and a rezoning of the property from R-1 to C-4. This was intended to permit her to refurbish and expand the existing structure to operate a restaurant. This was approved by Council after a Public Hearing June 4, 2002 and came into effect August 1, 2002.

4.6.4 Frontage in the Residential Rural Zone

Staff proposed reducing the frontage requirement for the Residential Rural (R-2) Zone from 100 feet to 20 feet as the result of a subdivision application in Port Hood which proposed creating a lot with 66 feet of frontage. Approval of this lot was not possible and the Port Hood Plan does not allow exemptions to frontage requirements. The did have the option of constructing a private road but this was cost prohibitive to create a single lot. Retaining this standard reduced the development potential of large tracts of land with limited frontage in the R-2 Zone. Council approved this amendment April 2, 2002, and it came into effect April 24, 2002.

4.7 Richmond County

4.7.1 Travel Trailers



4.7.1 Travel Trailers (Continued)

A letter written to Mr. Louis Digout from Mr. Michel Samson, MLA for Richmond County was forwarded to staff with a written request for a review of the process by which the Commission currently requires Qualified Person’s reports prior to the issuance of Building permits for the placement of Travel Trailers in rural locations in Richmond County. Staff has undertaken and was prepared to present a report to the October Planning Advisory Committee (PAC) meeting. However, at that time new information altered staff’s recommendation of the report. As a result staff requested that the report be tabled until the November PAC meeting. Subsequently, all Richmond County PAC have not met since that time. Staff is prepared to bring the matter forward at the next PAC meeting.

4.8 Whycomomagh

4.8.1 Allister Shaw – Tourist Cabins



Allister Shaw owner of the property at on the Trans Canada Highway in Whycomomagh requested an Amendment to change the zoning on the southerly portion of his property from Residential Centre (R-1) zone to Commercial (C-1) zone to permit the construction and operation of a Tourist Cabin development. Mr. Shaw’s proposal was subsequently approved by Inverness Council. The amendment came into effect with the publication of notice on April 16th, 2003.

Received: October 22, 2002

Development Control
5.1 Inverness County**5.1.1 Building Permits (April 1, 2002 - March 31, 2003)**

	Permits	Value
Residential Buildings		
New	55	\$6,524,346
Mobile Homes	35	\$1,369,800
Cottages	23	\$662,022
Additions, Alterations and Renovations	88	\$1,188,150
Garages and Accessory Buildings	57	\$524,300
Multiple Units	-	\$0
	258	\$10,268,618
Commercial and Industrial Buildings		
New	14	\$1,601,000
Additions and Alterations	41	\$1,051,835
	55	\$2,652,835
Institutional Buildings		
New	1	\$357,480
Additions and Alterations	-	\$0
	1	\$357,480
Other	6	\$78,400
Total	320	\$13,357,333

5.1.2 Subdivision Activity (April 1, 2002 - March 31, 2003)

	Applications	Lots	Fees
Final Plan	79	160	\$15,800
Extra Lots	n/a	2	\$50
Tentative Plan	1	7	\$50
Preliminary Plan	0	0	\$0
	80	169	\$15,900

Development Control (Continued)

5.2 Richmond County

5.2.1 Building Permits (April 1, 2002 - March 31, 2003)

	Permits	Value
Residential Buildings		
New	30	\$3,121,697
Mobile Homes	15	\$475,000
Cottages	8	\$400,800
Additions, Alterations and Renovations	84	\$1,298,200
Garages and Accessory Buildings	36	\$431,440
Multiple Units	-	\$0
	173	\$5,727,137
 Commercial and Industrial Buildings		
New	3	\$5,320,000
Additions and Alterations	11	\$1,422,095
	14	\$6,742,095
 Institutional Buildings		
New	-	\$0
Additions and Alterations	2	\$25,900
	2	\$25,900
 Other	 -	 \$0
 Total	 189	 \$12,495,132

5.2.2 Subdivision Activity (April 1, 2002 - March 31, 2003)

	Applications	Lots	Fees
Final Plan	46	102	\$9,200
Extra Lots	n/a	1	\$25
Tentative Plan	1	7	\$50
Preliminary Plan	1	24	\$0
	48	134	\$9,275

5. Development Control (Continued)

5.3 Victoria County

5.3.1 Building Permits (April 1, 2002 - March 31, 2003)

	Permits	Value
Residential Buildings		
New	49	\$4,809,000
Mobile Homes	14	\$620,000
Multiple Units	1	\$250,000
Cottages	4	\$375,000
Additions, Alterations and Renovations	63	\$1,384,000
Garages and Accessory Buildings	38	\$359,500
	<u>169</u>	<u>\$7,797,500</u>
Commercial and Industrial Buildings		
New	5	\$177,000
Additions and Alterations	14	\$580,150
	<u>19</u>	<u>\$757,150</u>
Institutional Buildings		
New	1	\$1,900,000
Additions and Alterations	2	\$44,000
	<u>3</u>	<u>\$1,944,000</u>
Other	0	\$0
Total	191	\$10,498,650

5.3.2 Subdivision Activity (April 1, 2002 - March 31, 2003)

	Applications	Lots	Fees
Final Plan	39	55	\$7,800
Extra Lots	n/a	34	\$850
Tentative Plan	2	10	\$100
Preliminary Plan	3	5	\$0
	<u>44</u>	<u>104</u>	<u>\$8,750</u>

5. Development Control (Continued)

5.4 Port Hawkesbury

5.4.1 Building Permits (April 1, 2001 - March 31, 2002)

	Permits	Value
Residential Buildings		
New	1	\$175,000
Mobile Homes	6	\$403,970
Cottages	-	\$0
Additions, Alterations and Renovations	16	\$161,500
Garages and Accessory Buildings	8	\$52,500
	31	\$792,970
Commercial and Industrial Buildings		
New	1	\$150,000
Additions and Alterations	12	\$1,317,300
Other	-	\$0
	13	\$1,467,300
Institutional Buildings		
New	-	\$0
Additions and Alterations	-	\$0
	-	\$0
Other	-	\$0
Total	44	\$2,260,270

5.4.2 Subdivision Activity (April 1, 2001 - March 31, 2002)

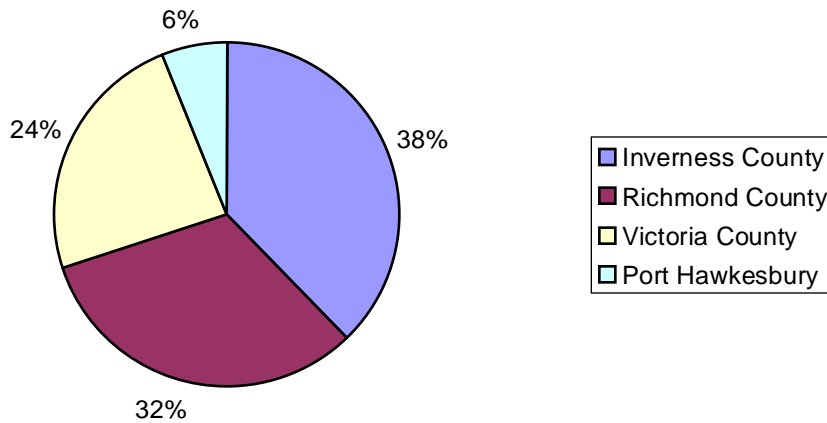
	Applications	Lots	Fees
Final Plan	2	2	\$400
Extra Lots	n/a	0	\$0
Tentative Plan	0	0	\$0
Preliminary Plan	0	0	\$0
	2	2	\$400

5. Development Control (Continued)

5.5 Development Summary

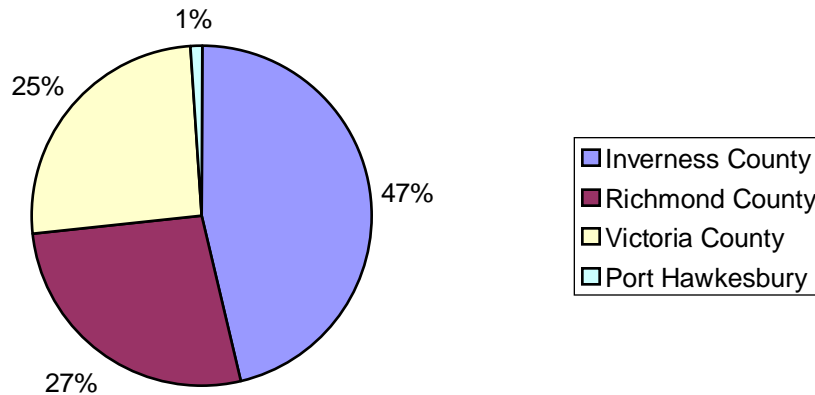
5.5.1 Building Permits (April 1, 2001 - March 31, 2002)

	Port Hawkesbury	Inverness	Richmond	Victoria
Construction Value	\$2,260,270	\$13,357,333	\$12,495,132	\$10,498,650
Fees (See Chart)	\$6,471	\$40,712	\$34,844	\$25,735
Permits Issued	44	320	189	191

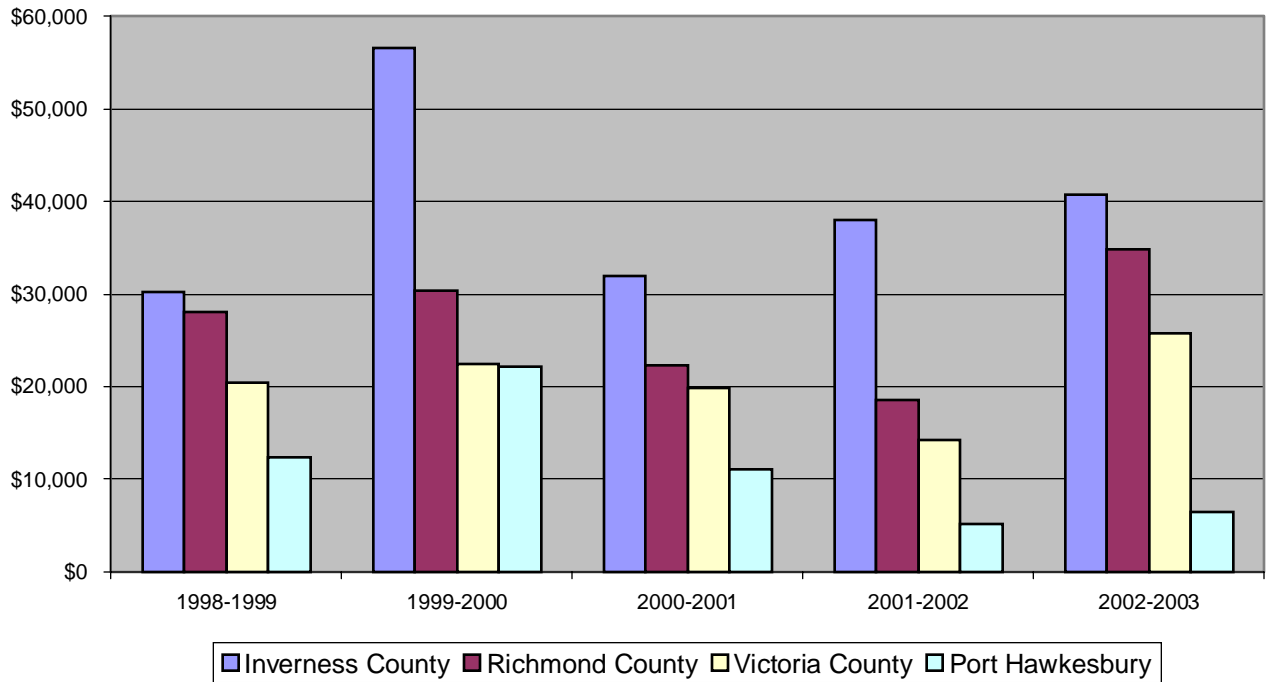


5.5.2 Subdivision Activity (April 1, 2001 - March 31, 2002)

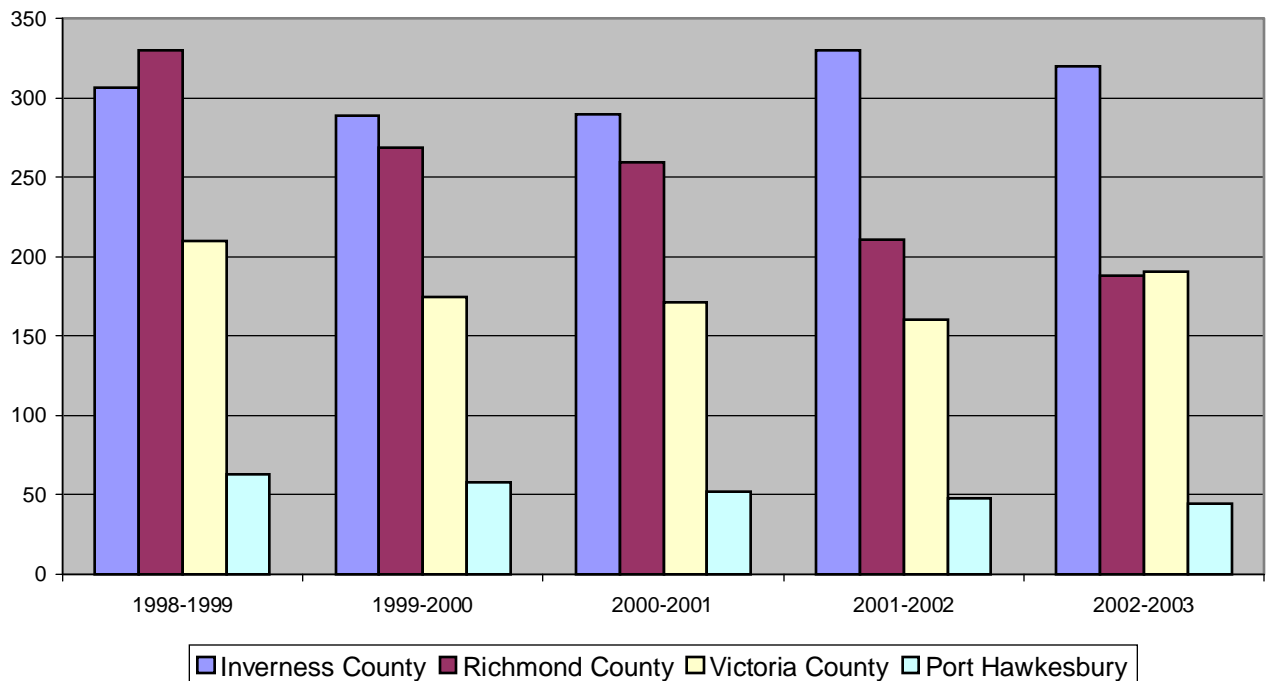
	Port Hawkesbury	Inverness	Richmond	Victoria
Final and Tentative Plans	2	80	48	44
Proposed Final Lots	2	169	134	101
Total Subdivision Fees (See Chart)	\$400	\$15,900	\$9,275	\$8,750



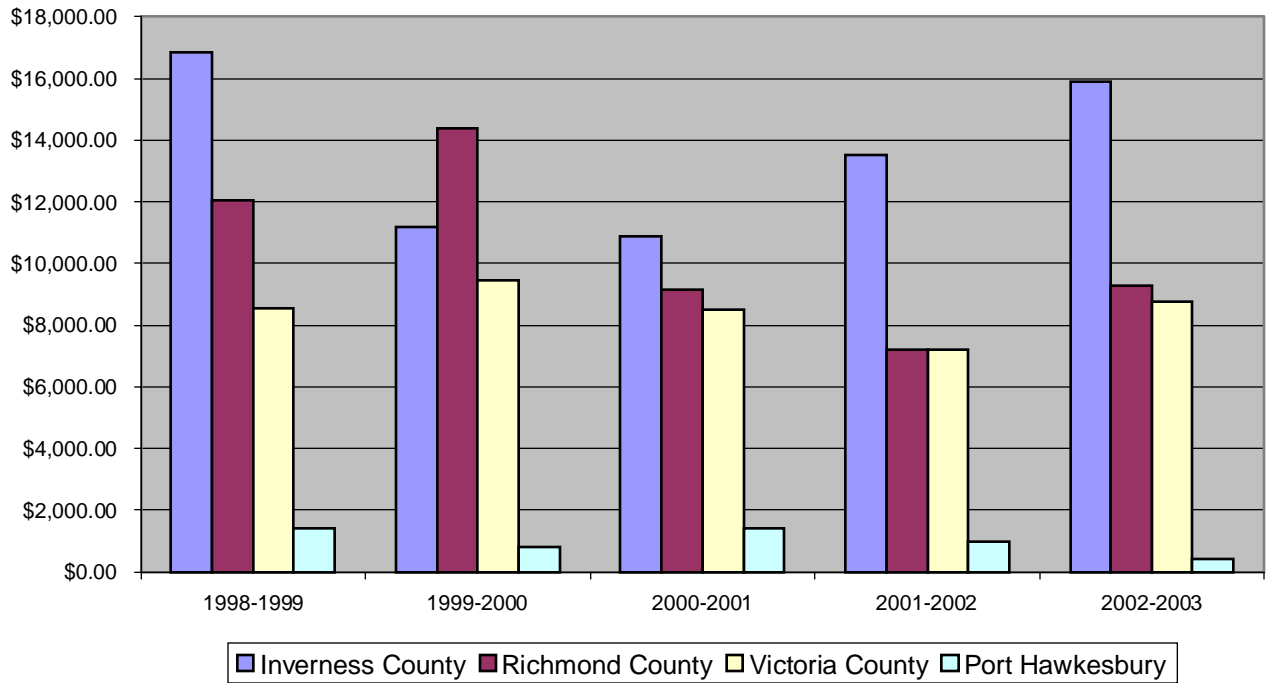
5.5.3 Figure 1: Building Permit Revenues 1998 - 2003



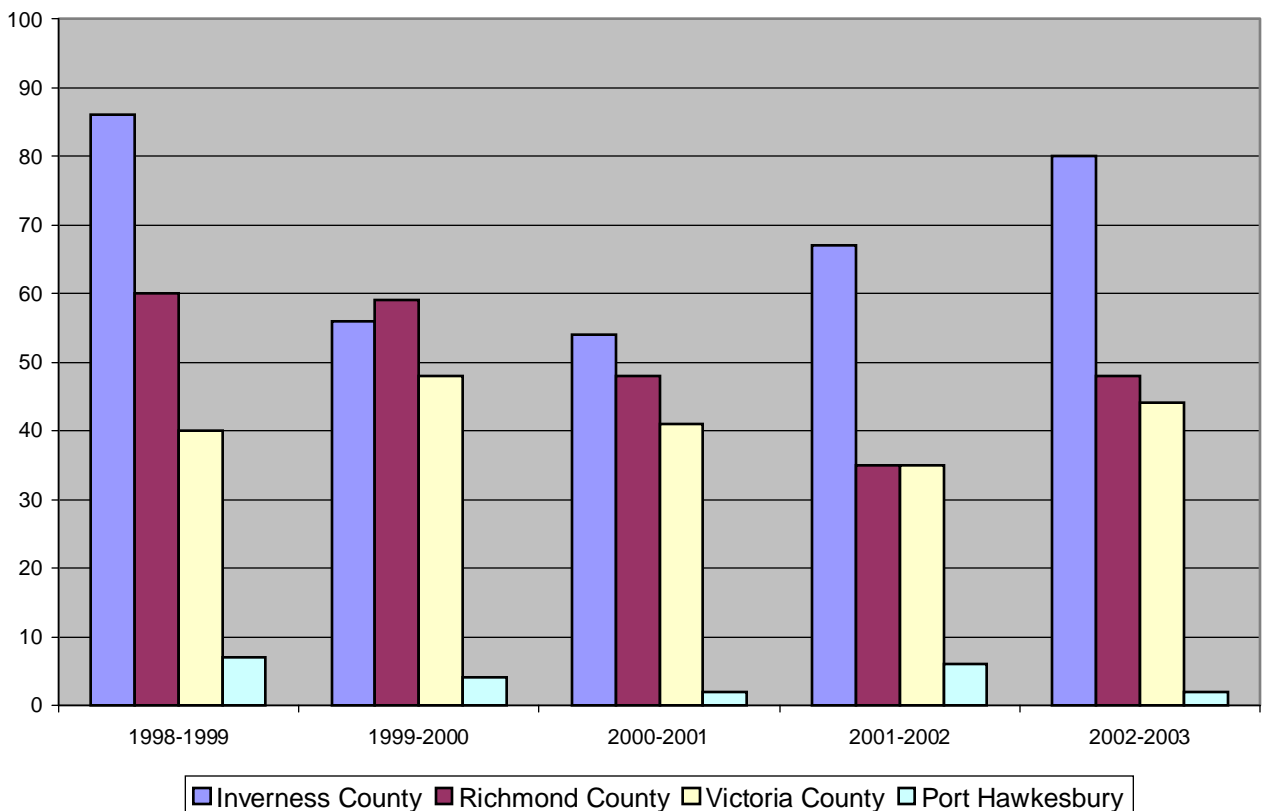
5.5.4 Figure 2: Number of Building Permits 1998 - 2003



5.5.5 Figure 3: Subdivision Fee Revenues 1998 - 2003



5.5.6 Figure 4: Subdivision Applications 1998 - 2003



6. Other Related Activities:

E-911 Civic Addressing

We are continuing to issue new civic address as well as assisting in the correction existing mistakes. The E-911 database has been modified to include Property Identifiers (PID) and the Modified dates of records. These two sources of information act as a basis for notifying several key agencies requiring civic addressing information and to help in the creation of a digital geo-referenced civic address file. During the past year, the RCBDFPC has been working in cooperation with the Province of Nova Scotia, Canada Post and other agencies to maintain and improve the current 911 emergency service.

Over the past year, the Commission has issued 218 new civic numbers in Inverness, Richmond and Victoria Counties. In addition, 41 roads were edited in our Master Street Address Guide. This includes road name and range changes.

In The Municipality of the County of Inverness there was a total of 107 civic numbers issued. This is a decrease from 2001-2002. The majority of new numbers were issued in the month of July and the least number in January.

In The Municipality of the County of Richmond there was a total of 41 civic numbers issued. This is an decrease from 2001-2002. The majority of new numbers were issued in the month of August and the least number in March and April.

In The Municipality of the County of Victoria there was a total of 70 civic numbers issued. This is an increase from 2001-2002. The majority of new numbers were issued in the month of August and the least number in December.

New civic numbers have been issued in various locations throughout Rural Cape Breton. There is no significant growth in one particular area. However, the majority of civic numbers issued were located along the coastal communities.

Assisting the Province of Nova Scotia with the Nova Scotia Civic Address File.

The Commission made a commitment in 2000 to work in cooperation with the Province of Nova Scotia to create the province wide Nova Scotia Civic Address File (NSCAF). The NSCAF is essentially a computerized map that will pinpoint the location of roads, homes, business and other facilities across our region. The Civic Address Project includes several

stakeholders, including: Service Nova Scotia and Municipal Relations, the Department of Transportation and Public Works, Emergency Health Services, Emergency Measures Organization, The Nova Scotia Electoral Office and all Municipalities in the Province.

Over the past year, we have continued to help enhance the NSCAF. The majority of the work was editing and correcting digital data captured last year. This information is now available on a web site for editing. In addition, it will soon be available for Fire and Police Departments for browsing.

The Commission entered into an extensive digital data license agreement with the Province as a result of the Commission's role it has played in the development of this project. This is part of the GEONova initiative and allows the Commission to receive free updates of Provincial data sets in exchange for updated civic address information.

The Commission is committed to continue working with the Province to upgrade the NSCAF ensuring the 911 system remains state-of-the-art.

Civic Address Notification Program

Over the past year, the Commission has continued to communicate civic address changes between various Departments and organization. The Civic Address Notification program has been a huge success. The program was implemented in 2001. It was intended to improve accuracy of the E-911 system and to ensure there is one known civic address being used for each resident in Rural Cape Breton.

When a new road, address, or road name change occurred, a letter was sent immediately to the resident, EMO, the local Fire Department and the RCMP detachment in that area. Once a month a complete list of database activities were reported to several agencies. These included: Emergency Health Services, the Department of Transportation and Public Works, Canada Post, Elections Canada, Nova Scotia Power and the Land Information Centres. In addition, when a change occurred to our Master Street Address Guide, we used our web site to post the change and a map of the area. This proved to be very effective when locating the roads in question.

As a result, we have noticed a major decline in number of inquiries from various Departments and agencies. For example, the Emergency Measures Organization rarely calls to confirm locations of roads and other changes.

Fire and Police Boundary Delineation

In an effort to improve the E-911 system, the Commission digitized the 1992 Oldham Engineering Fire and Police Boundaries for Rural Cape Breton in 2001. Since then, changes have occurred to several boundaries. In order to keep our digital data accurate, meetings have been held with several fire and police departments. This ensures the boundaries we are using are correct. For example, Inverness County RCMP made some significant changes to their coverage area in 2002. As a result, we worked in cooperation to help delineate new boundaries and notify the Emergency Measures Organization of these changes.

This information will act as a basis for the Civic Address Notification Program and will be used for other related mapping products such as the Nova Scotia Civic Address Project.

Web Page Enhancements

The Commission continues to change, upgrade and improve the state of its web-site. Changes to page content and the addition of interactive Zoning, and other maps continues to be the Commissions main focus in maintaining the site.

Last year, a new web based mapping application was created allowing users to easily interact with our maps. This MapServer application allows users to browse geographic information free of charge. Unfortunately, due to the digital data license agreement signed with the Province we are unable to display datasets provided by Service Nova Scotia and Municipal Relations. To date, the only plan area available is Port Hastings and has been set up as a demonstration only. We continue to negotiate with the province to allow us to use their data in this manner. In addition, we plan to provide more information using the MapServer application throughout the next year.

Hard Copy Map Products

During the past year, the Commission provided high quality hard copy map products to its clients. For a reasonable fee, citizens were able to contact the office and purchase maps. This has proven to be very successful with over \$6000.00 worth of revenues generated. The majority sales were to citizens, however, most of the revenues came from sales to the Provincial and Federal Government, and businesses throughout the area.

The Commission has worked hard to generate new hard copy mapping products. Custom mapping work has increased significantly and has generated

significant revenues. Compared to 2002 we have tripled our revenues.

In the Summer of 2002 the Commission was notified that selling hard copy map products was a violation of our digital data license agreement. As a result, we had to request permission to use their data to produce and distribute hard copy maps. We were granted permission and now have a special license and number appearing on all our hard copy maps.



Appendix A. 2003 - 2004 Operating Estimates

**Operating Estimates
Rural Cape Breton District Planning Commission
2003 - 2004**

	2003-04
Staff	
Wages	\$362,000
UIC, CPP, Group Insurance	\$35,117
Pension Plan	\$18,100
Membership Dues and Fees	\$2,500
	<hr/> \$417,717
Administrative Overhead	
Advertising	\$1,000
Bank Charges	\$2,000
Insurance	\$12,000
Library	\$2,500
Misc. Operating Costs	\$1,000
Office Rent	\$23,024
Office Supplies	\$3,500
Computers	\$3,000
Photocopying	\$3,500
Postage	\$5,000
Telephone and Fax	\$10,000
	<hr/> \$66,524
Travel and Training	
Mileage Compensation	\$42,000
Conference Fees and Expenses	\$12,000
	<hr/> \$54,000
Additional Fees	
Legal	\$1,000
Auditor	\$3,450
Technical and Mapping	\$4,000
Commission Expenses	\$4,500
	<hr/> \$12,950
TOTAL	<hr/> \$551,191 <hr/>

Operating Estimates 2003 - 2004
continued: Page 2

2003-04	
	\$551,191
Building Permits	
Building Permits Fees	(\$100,000)
Subdivision Fees	(\$30,000)
Miscellaneous Revenues	(\$5,000)
E-911 Funding	(\$10,000)
Net Budget	\$406,191
Total Contributions	
Inverness County	\$117,305
Richmond County	\$149,251
Victoria County	\$88,954
Port Hawkesbury	\$50,681
Total	\$406,191

Uniform Assessment Sharing Base (03-04)

Municipality	Assessment	Percentage
Inverness	\$541,927,315	30.15%
Richmond	\$729,485,359	40.58%
Victoria	\$375,474,228	20.89%
Hawkesbury	\$150,772,473	8.39%
	\$1,797,659,375	1.00

Appendix B. Ministerial Order

ORDER TO RESCIND AND REPLACE PREVIOUS MINISTERIAL ORDERS

WITH RESPECT TO THE

INVERNESS RICHMOND DISTRICT PLANNING COMMISSION

AND TO ESTABLISH THE

RURAL CAPE BRETON DISTRICT PLANNING COMMISSION

WHEREAS the Inverness Richmond District Planning Commission was established by Order of the Minister of Municipal Affairs dated July 18, 1991;

AND WHEREAS by Order dated March 24, 1993 the Minister of Municipal Affairs, with the approval of all participating municipalities and upon the request of the Town of Port Hawkesbury, rescinded and replaced the previous Order of the Minister of Municipal Affairs by making the Town of Port Hawkesbury a participating municipality in the Inverness Richmond District Planning Commission, effective April 1, 1993;

AND WHEREAS, with the approval of all participating municipalities and upon the request of the Municipality of the County of Victoria, the Municipality of the County of Victoria is to be made a participating municipality in the District Planning Commission effective April 1, 1995 upon certain terms and conditions, effective April 1, 1995;

AND WHEREAS the following Order is intended to rescind and replace the Order of the Minister of Municipal Affairs dated March 24, 1993;

NOW THEREFORE under the authority of the *Planning Act*, Revised Statutes of Nova Scotia 1989, c.346, as amended, Section 16, and by all other authority vested in the Minister of Municipal Affairs, the Rural Cape Breton District Planning Commission is hereby established in accordance with the following terms and conditions:

1. In this Order:
 - (a) "Commission" means the Rural Cape Breton District Planning Commission;
 - (b) "Minister" means the Minister of Municipal Affairs;
 - (c) "Participating municipality" means the Municipality of the County of Inverness, the Municipality of the County of Richmond, the Municipality of the County of Victoria, and the Town of Port Hawkesbury; and
 - (d) "District" means the geographical areas of the Municipality of the County of Inverness, including the Town of Port Hawkesbury, the Municipality of the County of Richmond, and the Municipality of the County of Victoria.
2. There shall be a Commission which shall be called the Rural Cape Breton District Planning Commission.

3. The area with respect to which the Commission shall exercise its powers is the District.
4. The municipalities to be represented on the Commission are the Municipality of the County of Inverness, the Municipality of the County of Richmond, the Municipality of the County of Victoria, and the Town of Port Hawkesbury.
5. The Commission shall consist of 8 members as follows:
 - (a) 2 members to be appointed by the Municipal Council of the County of Inverness;
 - (b) 2 members to be appointed by the Municipal Council of the County of Richmond;
 - (c) 2 members to be appointed by the Municipal Council of the County of Victoria; and
 - (d) 2 members to be appointed by the Town Council of the Town of Port Hawkesbury.
6.
 - (1) Each participating municipality shall be entitled to appoint one person as an alternate member of the Commission who, in the absence of the regular member appointed by that municipality, shall be entitled to exercise all of the powers, privileges and responsibilities of the regular member for whom the person is alternate.
 - (2) Each participating municipality shall advise the Commission of the names of all regular and alternate members appointed by that participating municipality as soon as possible after their appointments.
 - (3) All regular and alternate members of the Commission shall be members of a Municipal Council and shall hold office subject to the provisions of subsection 17(2) and (3) of the *Planning Act*.
7. Each member of the Commission regular and alternate, shall hold office for a term of one year from their effective date of that member's appointment or until a successor is appointed.
8.
 - (1) At the first meeting of the Commission after each participating municipality has appointed regular members, the Commission shall elect a Chairperson from amongst its members.
 - (2) Thereafter, the chairmanship of the Commission shall alternate annually among the participating municipalities.
9. The Commission shall elect a Vice-Chairperson in the same manner, for the same term and at the same meeting as the Chairperson, who shall perform the functions of the Chairperson in the absence of the Chairperson.
10.
 - (1) The Commission shall appoint a Secretary-Treasurer from the staff of one of the participating municipalities who, with the consent of the employer municipality, shall hold office until a successor is appointed.
 - (2) The Secretary-Treasurer shall not be a member of the Commission or have a vote at any Commission meeting.
11. There shall be at least four meetings of the Commission per annum to be held quarterly, one of which shall be the annual meeting; and such other meetings as may be called from time to time by the Chairperson or by any two members of the Commission.
12. Five members of the Commission shall constitute a quorum.

13. Each member shall be entitled to one vote on any voting matter of the Commission.
14. A passing vote shall be a majority of votes at a properly constituted meeting where the majority vote includes a vote cast by a representative of each of the participating municipalities.
15. The Chairperson shall be entitled to vote on all questions arising before the Commission, however should the Chairperson not vote at the time of the call for the question the Chairperson's vote shall be lost.
16.
 - (1) Unless the participating municipalities otherwise agree, the proportion in which each participating municipality shall contribute to provide the funds required to meet expenses of the Commission shall be at a fixed base rate with the remainder of the budget contributed to in the same proportion as their respective contributions to other objects of joint expenditure for their joint benefit and the operations of the Commission shall be deemed to be an object of joint expenditure by the participating municipalities.
 - (2) Notwithstanding Subsection (1) the Municipality of the County of Victoria shall not make any payment to the Commission representing a proportional share of capital assets acquired by the Commission between September 1, 1991 and March 31, 1995 inclusive, and further the Municipality of the County of Victoria shall not have any claim to these assets in the case where the Commission is dissolved according to Section 27(2) of the *Planning Act*.
17.
 - (1) The Commission shall provide building inspection services to the participating municipalities in return for which each of the participating municipalities shall pay to the Commission, in addition to their regular contributions pursuant to Section 16., the amounts received from fees charged for building permits.
 - (2) In the event that a participating municipality does not charge fees for building permits at least equal to the Commission's prescribed scale of fees, that participating municipality shall pay to the Commission, in addition to its regular contribution pursuant to Section 16., an amount equal to the building permit fees that would have been receivable had such participating municipality charged fees based on the Commission's scale of fees.
 - (3) The Commission shall staff three sub-offices, one in Inverness County, one in Richmond County and one in Victoria County, for the purpose of providing building inspection services.
18.
 - (1) The Commission shall provide subdivision services to the participating municipalities in return for which each of the participating municipalities shall pay to the Commission, in addition to their regular contributions pursuant to Section 16., the amounts received from fees charged for subdivision applications.
 - (2) In the event that a participating municipality does not charge fees for subdivision applications at least equal to the Commission's prescribed scale of fees, that participating municipality shall pay to the Commission, in addition to its regular contribution pursuant to Section 16., an amount equal to the subdivision application fees that would have been receivable had such participating municipality charged fees based on the Commission's scale of fees.

19. The participating municipalities shall each pay their respective contributions, required to be paid pursuant to Sections 16, 17 and 18, to the Commission in twelve equal monthly installments, on the first day of each month, in advance, commencing on a date to be determined by the Commission and continuing on the first day of each month thereafter throughout the year and every year thereafter.
20. This Order shall have effect on, from and after April 1, 1995.
21. The Order of the Minister of Municipal Affairs dated March 24, 1993 establishing the Inverness Richmond District Planning Commission with three participating municipalities, namely, the Municipality of the County of Inverness, the Municipality of the County of Richmond and the Town of Port Hawkesbury is rescinded effective immediately before the coming into effect of this Order.

Dated at Halifax, Province of Nova Scotia, July 4, 1995

Original signed by the
Honourable Sandra Jolly
Minister of Municipal Affairs

Appendix C. Auditors Report



KPMG LLP
Chartered Accountants

Commerce Tower
15 Dorchester Street
PO Box 1
Sydney NS B1P 6G9
Canada

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Telefax (902) 564-6062
www.kpmg.ca

AUDITORS' REPORT

To the Chairperson and Members of
Rural Cape Breton District Planning Commission

We have audited the balance sheets of Rural Cape Breton District Planning Commission as at March 31, 2003 and the statements of operations, surplus, investment in capital assets and cash flows for the year then ended. These financial statements are the responsibility of the Commission's management. Our responsibility is to express an opinion on these financial statements based on our audit.

We conducted our audit in accordance with Canadian generally accepted auditing standards. Those standards require that we plan and perform an audit to obtain reasonable assurance whether the financial statements are free of material misstatement. An audit includes examining, on a test basis, evidence supporting the amounts and disclosures in the financial statements. An audit also includes assessing the accounting principles used and significant estimates made by management, as well as evaluating the overall financial statement presentation.

In our opinion, these financial statements present fairly, in all material respects, the financial position of the Commission as at March 31, 2003 and the results of its operations and the changes in its financial position for the year then ended in accordance with Canadian generally accepted accounting principles adopted for Nova Scotia Municipalities.

KPMG LLP

Chartered Accountants

Sydney, Canada
May 12, 2003

RURAL CAPE BRETON DISTRICT PLANNING COMMISSION

Operating Fund Balance Sheet

March 31, 2003, with comparative figures for 2002

	2003	2002
Assets		
Current assets:		
Cash	\$ 18,314	\$ -
Accounts receivable:		
Employees	320	294
Goods and services tax	9,011	9,634
Other	6,956	4,632
Prepaid expenses	1,896	1,441
	<u>\$ 36,497</u>	<u>\$ 16,001</u>
Liabilities and Operating Surplus (Deficit)		
Current liabilities:		
Cheques issued in excess of funds on deposit	\$ -	\$ 7,930
Bank indebtedness	-	18,000
Accounts payable and accrued liabilities	10,339	13,821
	<u>10,339</u>	<u>39,751</u>
Operating surplus (deficit)	26,158	(23,750)
Commitments (note 2)		
	<u>\$ 36,497</u>	<u>\$ 16,001</u>

See accompanying notes to financial statements.

On behalf of the Commission:

_____ Chairperson

_____ Member

RURAL CAPE BRETON DISTRICT PLANNING COMMISSION

Statement of Operations

Year ended March 31, 2003, with comparative figures for 2002

	2003		2002
	Budget	Actual	Actual
Revenue:			
Municipality of the County of Inverness	\$ 116,134	\$ 118,511	\$ 99,415
Municipality of the County of Richmond	145,481	143,859	119,587
Municipality of the County of Victoria	87,447	87,116	74,431
Town of Port Hawkesbury	49,553	49,130	44,202
Building permit fees	95,000	111,207	80,890
Subdivision fees	35,000	34,325	28,725
Miscellaneous	5,000	6,155	4,743
E-911 Funding	10,000	11,397	-
	543,615	561,700	451,993
Expenditures:			
Administrative:			
Advertising and promotion	1,000	2,475	1,126
Conferences	10,000	9,280	4,760
Interest and bank charges	2,000	2,107	2,218
Liability insurance	6,500	9,699	6,781
Maps	2,000	1,050	956
Membership dues and subscriptions	2,500	5,244	3,770
Miscellaneous	1,000	3,542	3,304
Office supplies and postage	12,000	15,487	11,372
Photography	-	519	996
Professional fees	4,450	4,151	3,406
Salaries and employee benefits	403,769	374,671	385,740
Telephone	7,500	9,586	8,354
Travel and meetings	39,500	44,582	37,397
Occupancy:			
Insurance	500	877	745
Rent	21,374	22,228	21,653
Capital out of revenue	-	6,294	-
	514,093	511,792	492,578
Excess of expenditures over revenue	\$ 29,522	\$ 49,908	\$ (40,585)

See accompanying notes to financial statements.

RURAL CAPE BRETON DISTRICT PLANNING COMMISSION

Statement of Operating Fund Surplus

Year ended March 31, 2003, with comparative figures for 2002

	2003	2002
Surplus (deficit), beginning of year	\$ (23,750)	\$ 16,835
Excess of expenditures over revenue	49,908	(40,585)
Surplus (deficit), end of year	\$ 26,158	\$ (23,750)

See accompanying notes to financial statements.

RURAL CAPE BRETON DISTRICT PLANNING COMMISSION

Statement of Cash Flows

Year ended March 31, 2003, with comparative figures for 2002

	2003	2002
Cash provided by (used in):		
Operations:		
Excess of expenditures over revenue	\$ 49,908	\$ (40,585)
Capital expenditure out of revenue	6,294	-
Decrease (increase) in accounts receivable	(1,727)	13,110
Increase in prepaid expenses	(455)	(721)
Increase (decrease) in accounts payable and accrued liabilities	(3,482)	2,357
	<u>50,538</u>	<u>(25,839)</u>
Financing and investing:		
Investment in capital assets	(6,294)	-
Increase (decrease) in bank indebtedness	(18,000)	18,000
	<u>(24,294)</u>	<u>18,000</u>
Increase (decrease) in cash position	26,244	(7,839)
Cash position, beginning of year	(7,930)	(91)
Cash position, end of year	<u>\$ 18,314</u>	<u>\$ (7,930)</u>

See accompanying notes to financial statements.

RURAL CAPE BRETON DISTRICT PLANNING COMMISSION

Capital Fund Balance Sheet

Year ended March 31, 2003, with comparative figures for 2002

	2003	2002
Assets		
Capital assets:		
Office furniture and equipment	\$ 47,150	\$ 45,371
Computer equipment	23,596	19,081
Library	12,037	12,037
Maps	5,762	5,762
	\$ 88,545	\$ 82,251

Equity

Investment in capital assets	\$ 88,545	\$ 82,251
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On behalf of the Commission:

_____ Chairperson

_____ Member

Statement of Investment in Capital Assets - Capital Fund

Year ended March 31, 2003, with comparative figures for 2002

	2003	2002
Balance, beginning of year	\$ 82,251	\$ 82,251
Capital expenditure out of revenue	6,294	-
Balance, end of year	\$ 88,545	\$ 82,251

See accompanying notes to financial statements.

RURAL CAPE BRETON DISTRICT PLANNING COMMISSION

Notes to Financial Statements

Year ended March 31, 2003

Biography:

The Rural Cape Breton District Planning Commission is incorporated under the Planning Act of the Province of Nova Scotia. The object and purpose of the Commission is to provide planning, zoning and building inspection services to the Municipality of the County of Inverness, Municipality of the County of Richmond, Municipality of the County of Victoria and Town of Port Hawkesbury.

1. Significant accounting policies:

(a) Basis of presentation:

These financial statements have been prepared to conform in all material respects to the accounting principles prescribed for Nova Scotia municipalities by the Department of Municipal Affairs.

(b) Operating fund:

Major revenue and expenditure items are recorded on an accrual basis.

Acquisition of tangible assets acquired with operating funds are recorded as an expenditure when incurred.

(c) Capital fund:

Tangible assets are recorded at cost less specific contributions towards these assets. The Commission does not record depreciation on its tangible assets.

2. Commitments:

The Commission rents premises under a long-term lease which expires in 2008. The annual rent is 2004 - \$19,800; 2005 - \$19,800; 2006 - \$23,100; 2007 - \$23,100; and 2008 - \$23,925. The lease provides an option to renew.

3. Pension costs and obligations:

The Commission is required to match contributions to a group registered retirement savings plan for all full time employees to a limit of 5% of the yearly maximum pensionable earnings under the Canada Pension Plan. Total contributions during the period by the Commission amounted to \$15,403 (\$14,933 in 2002).

RURAL CAPE BRETON DISTRICT PLANNING COMMISSION

Notes to Financial Statements

Year ended March 31, 2003

4. Fair value of financial assets and liabilities:

The fair value of the Commission's cash, accounts receivable and accounts payable and accrued liabilities approximate their carrying amounts.