

*Rural Cape Breton  
District Planning Commission*

*2005-2006*

*Annual Report and Financial Statements*



**RURAL CAPE BRETON  
DISTRICT PLANNING COMMISSION**

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2005-2006*

*Annual Report and Financial Statements*

*June 2006*

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This report for the period April 1, 2005 to March 31, 2006 has been prepared in accordance with Sections 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.

The 2005-2006 fiscal year marks the fifteenth year the Commission has been in operation and is the last year of the Rural Cape Breton District Planning Commission. With the addition of the Municipality of the County of Antigonish as a full partner the Commission was re-named the Eastern District Planning Commission effective April 1, 2006. While the name has changed the Commission still provides the same full range of planning, development and inspection services to her member units.

Planning staff continued to work on the plan reviews for Baddeck, and St. Peters. The Port Hawkesbury and Whycomogah Plan Reviews were both completed in this fiscal year and a new planning process was started in Central Antigonish. Staff also continued participation in the Antigonish Subdivision By-law. Also staff worked on twenty-six development related reports, rezonings and policy amendments and continued participation in the Eastern Region Inter Municipal Agreement on Planning, the Canada-Nova Scotia Sustainable Communities Initiative and the Provincial GeoNOVA Steering Committee addressing Municipal Data Access Issues.

Building Inspection and Development staff saw the number of permits issued increase by fifty-one permits (4.7%) with 1,082 permits issued in 2004-2005 and 1,133 permits issued this last fiscal year. Building Permit revenues decreased by 5.6% from \$194,411 to \$183,485 in 2005-2006 however this is likely because the previous fiscal year saw significant "big box" developments in Antigonish County.

This has also been a year of significant change with respect to staffing of the Commission. At the beginning of the fiscal year the Commission advertised for and hired a new Building/Fire Inspector for the Victoria County area to replace Paul Burt. David MacKenzie, is a "Red Seal" certified carpenter and volunteer fire fighter from Middle River, Victoria County with over 17 years of experience in the construction trades. He was hired by the Commission March 28, 2005 and was appointed as the new Building/Fire Inspector for Victoria County and alternate Inspector for the other units.

The Commission also hired a Chief Building Inspector for the Commission. Since the Commission was first established we had a job description for a Chief Building Inspector, however had never filled the position. With the addition of Fire Inspection duties the Commission increased staff by half a position. Also the addition of Antigonish County added another position for a total of five building inspectors. The Board's Personnel Committee therefore held an internal competition for the position of Chief Building Inspector and offered the position to Cyril Leblanc.

Also Jamie Burke tendered his resignation with the District Planning Commission on Monday May 8, 2006. Jamie was hired by the Commission Nov 15, 2004 and soon showed himself to be a very valuable member of staff. He has worked on a number of major projects, including most recently the Antigonish County Subdivision By-law, the Town of Port Hawkesbury Plan Review and the Central Antigonish County Planning process as well as a number of rezonings and development agreements. Jamie also worked as an assistant development officer processing subdivision applications and development permits. Jamie has taken a position as a Planner with the Planning Department of the City of Moncton, New Brunswick. We wish Jamie the best in his new career.

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



**Rural Cape Breton  
District Planning  
Commission  
15 Years - 1991-2006**

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**2. Structure of the Rural Cape Breton District Planning Commission**

<b>2.1 Council</b>	<b>Commission Representative</b>
Victoria County	Councillor Bruce Morrison, Chair Councillor, John Graham MacInnes, Member Warden Wayne Budge, Alternate Sandy Hudson, Secretary Treasurer
Antigonish County	Deputy Warden Owen McCarron, Vice-Chair Councillor Hugh Stewart, Member Councillor Bill MacFarlane, Alternate Alan Bond, Advisor
Port Hawkesbury	Mayor Billy Joe MacLean, Member Councillor Jim King, Member Councillor Mark MacIver, Alternate Colin MacDonald, Advisor
Richmond County	Councillor Malcolm Beaton, Member Councillor Shirley McNamara, Member Louis Digout, Advisor
Inverness County	Warden Duart MacAulay, Member Councillor Daniel Boudreau, Member Councillor Ned MacDonald, Alternate Kate Beaton, Advisor
<b>2.2 Staff</b>	
Director	John Bain
Planners	Jamie Burke Marney Simmons
Development Officers	Wanda Ryan John Bain (Alternate) Jamie Burke (Alternate)
Chief Building Inspector	Cyril LeBlanc
Building/Fire Inspectors	Alfred Fougère Leon LeBlanc David MacKenzie Gary Wong
Planning Technician	Bryne Butts
Secretary/Book Keeper	Tammy MacLellan
Auditors	Grant Thornton Chartered Accountants
Solicitors	Pickup and MacDowell

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

#### 3.1 Antigonish Central Planning Process

Council directed staff to start a land-use planning exercise for the communities of Heatherton, Pomquet, Lower South River and St. Andrews, as well as surrounding areas.

Open houses were held in the communities in June and an Area Advisory Committee has been established. The committee met for the first time on November 8, 2005. The committee meets on the second Tuesday of every month, at the Municipal Administration Centre in Antigonish. Staff have drafted the Industrial sections of the Municipal Planning Strategy and Land Use By-law. The committee is now defining the residential areas of the plan and after lengthy discussion, is in the process of finalizing the plan boundaries. Over the coming months, the committee will be finalizing the residential designations and zones, as well as discussing commercial development. The committee has set a preliminary deadline of one year to take the project to the Public Hearing stage.

As part of the planning process the Commission will be taking part in a pilot project with the Nova Scotia Department of Economic Development, the Nova Scotia Department of Natural Resources and Service Nova Scotia and Municipal Relations which will involve the drafting and implementation of the Statement of Provincial Interest Regarding Mineral Resources. Furthermore, senior members from the Nova Scotia Department of Environment and Labour and the Nova Scotia Department of Natural Resources will be taking part in the planning process to offer expertise on environmental protection.

#### 3.2 Antigonish County Subdivision By-law

The proposed new Subdivision By-law for Antigonish County was completed this fiscal year. After reviewing the private road construction standards and requirements for parkland dedication, a Public Hearing was held on January 16, 2006. Engineering comments received at the Public Hearing were reviewed by Mr. Ken Anderson, P.Eng., on behalf of the Municipality. As a result, changes have been made to the By-law. The revised By-law was presented to the public at another Public Hearing which May 16, 2006. Changes included: no private roads in areas that can be serviced by Municipal the sewer and water system; all public streets must provide access to more than six (6) lots; changes to the list of definitions; storm water

retention pond requirements; increasing the performance surety from 110% to 115%; minor housekeeping changes to the By-law and Specifications; editing and formatting changes.

#### 3.3 Baddeck

The Planning Advisory Committee for Baddeck has completed the review of the Generalized Future Land Use for Baddeck along with the Zoning map for the community. Also servicing issues were addresses and Commission staff with the help of Ronald McIntyre, Public Works Supervisor for the Village have completed the first complete digital map of the water and sewer services for the village. The Committee also completed the review of the Residential and Commercial policies in the Plan and spent some time considering site specific controls for residential and commercial areas including; height standards, architectural controls and the possibility of varying requirements based the minor variance procedures set out in the *Municipal Government Act*. Finally the Committee has completed the review of the Industrial Policies and General Provisions in the by-law and staff are in the process of redrafting the bylaw.

Staff also met with the Village Commissioners towards the end of the fiscal year to discuss concerns related to parking downtown and rezoning process in general. It is staff's intention to complete the Baddeck Plan Review this fiscal year.

#### 3.4 Town of Port Hawkesbury Plan Review

Begun in the spring of 2005, review of the Port Hawkesbury Municipal Planning Strategy and Land Use By-law by the Planning Advisory Committee (PAC) ended in January, 2006.



The PAC discussed the re-designation and rezoning of lands to accommodate higher density developments. Given the need for affordable housing, the Committee decided to rezone a parcel of Town-owned land near the Tamarac subdivision and the water tower from Residential Two-Unit (R-2) to Mobile Home Park (MHP) in the event a developer puts forth a proposal for a new mobile home park. PAC recommends providing a 200-foot buffer between any new mobile home park and adjacent houses in Tamarac subdivision and widening the walking path to Pincrest Drive for vehicular traffic.

In addition, available land next to the Civic Centre will be rezoned Commercial Highway (C-3) and will include multiple uses such as residential in a commercial property. This rezoning leaves the opportunity open for mixed-use development.

An Open House was held at the Civic Centre on March 15 and 16, 2006 from 2-4 and 6-8 (both days) to present the new draft plan to the public. Almost 40 Port Hawkesbury residents attended to ask questions and to register their opinions.

The plan document received first reading on April 4th, 2006. The Public Hearing is scheduled for Tuesday, May 9th, 2006.

### **3.5 St. Peters Plan Review**

Review of the St. Peter's municipal plan document began May, 2005 following a resolution of Richmond Council to undertake several plan reviews over the next few years. The Area Advisory Committee last met in September of 2005. Since that time, AAC members have been participating in a series of community profile sessions organized by Karen Malcolm of the Strait-Highlands RDA. The aim of these sessions is to create a Strategic Plan for community economic development with a view to implementing action plans. The AAC members involved are also prominent business people in the community and as such, have a vested interest in how future business plans shape the municipal plan document. While the hope was to have the plan review completed by late spring, now it likely will take until the end of this calendar year to bring to a close.

### **3.6 Whycocomagh Plan Review**

At a meeting held September 9th, 2004, the Whycocomagh Area Advisory Committee agreed that the Municipal Planning Strategy and Land Use By-law should be reviewed and revised. The first local Committee meeting took place in May of 2005, with regular meetings being held thereafter.

Planning staff hosted an Open House in Whycocomagh on the 22nd and 23rd of February, 2006 with almost 20 people coming in to ask questions about planning in general and what it means for their village.

The plan review resulted in the establishment of a new Commercial Tourist (C-2) Zone as Whycocomagh is a popular tourist destination. Given that there are three establishments in the residential zone that are zoned commercial, the intention was to ensure that their uses remain compatible with surrounding residential uses. To further ensure the compatibility of commercial tourist uses in the residential zone, there shall be no new rezoning in the Commercial (C-1) Zone. In addition, Council will consider the expansion of existing commercial uses or new commercial uses by Development Agreement only, as provided by the appropriate sections of the Nova Scotia Municipal Government Act. Bed and Breakfast establishments are permitted as of right.

The last AAC meeting took place on March 22nd, 2006, following which a presentation was made to the Inverness Planning Advisory Committee in Port Hood on April 10th, 2006. The Public Hearing was scheduled for May 15th, 2006 in Whycocomagh.





## 4.0 Amendments

### 4.1 Arichat

#### 4.1.1 Watershed Boundary Use Revisions

The Arichat Water Protection Committee has continued to be occupied with identifying the more noxious sites in relation to a revised watershed boundary line and understanding the protocols for provincial designation in relation to the municipal processes required to change the boundary. Initially, it was intended that the Provincial and Municipal processes would coincide, thereby combining the required Public meetings to more efficiently satisfy the requirements of each of the processes. However, the provincial designation is far more involved and time consuming. In addition, it sets a far higher standard for approval. Therefore issues have arisen as to whether it would be prudent to address the Municipal process separately from the provincial designation. The process remains ongoing.

### 4.2 Antigonish

#### 4.2.1 Antigonish Affordable Housing Society

An application was submitted by the Antigonish Affordable Housing Society to re-zone a parcel of land near Hawthorne Street from Residential (R-1) to Residential Multi Unit (R-2) for four buildings totaling 14 rental housing units. The Commission did not receive any additional correspondence from the applicant since January 2005. As a result, the file was closed on March 2, 2006.

Received: November 18, 2004

#### 4.2.2 Brierly Home Centre

Bryden MacDougall, on behalf of Brierly Home Centre, has revised and resumed an August 27, 2003 application to rezone a parcel of land in Brierly Brook to accommodate a mobile home sale and display centre. Staff recently received correspondence from the Nova Scotia Department of Environment and Labour indicating that the lot can accommodate an on-site sewage disposal system. A staff report has been prepared and the proponent has requested that the application proceed to PAC with a corresponding application to rezone adjacent lands to Mobile Home Park (MH-1).

Resumed: January 31, 2005 New Application

#### 4.2.2 Brierly Home Centre (Part 2)

An application has been submitted by Mr. Bryden MacDougall of Brierly Home Centre Inc. to rezone a 33-acre parcel of land located on Brierly Brook Road near Highway 4, Antigonish County, from Rural Development/Rural Development Zone (RD-1) to Residential/Mobile Home Park (MH-1) Zone in order to accommodate 117 mobile home lots. The owner of the land, Mr. Donald Beaton, has given his authorization for Mr. MacDougall to apply for the rezoning in advance of his purchasing the property for the purpose of establishing a mobile home park and a sales/display business.

This rezoning application resumes a previous application made in August, 2003 that was pending a Traffic Impact Study and a decision to be made on a cost-sharing arrangement between the developer and the Municipality for sewer and water services. The Traffic Impact Study was completed in May, 2004 and the developer now has been made aware that the Municipality will not assume any costs associated with installing water and sewer services.

A site visit was made on March 23rd, 2006. Replies were received from all agencies including a Traffic Impact Study for the Mini-Home Park prepared by C.J. MacLellan & Associates in May, 2004. The proposal satisfies policy criteria and lot requirements of the Mobile Home Park Zone, in addition to all other evaluation criteria.

A public Hearing is scheduled for this application June 21, 2006 where planning staff will recommend that the request for rezoning be approved.

Received: February 24, 2006

#### 4.2.3 S.F. Smith Developments Limited

Staff received an application from S.F. Smith Developments Limited to rezone property on Lochaber Road from Residential (R-1) to Residential Multi Unit (R-2). The development proposal includes the construction of two multi unit apartment buildings, each with three floors and 18 units. The Nova Scotia Department of Transportation and Public Works did not approve the development because one of the proposed buildings is located in the proposed ROW limits for the Hwy. No.104 realignment project. Additional ROW property will have to be purchased from the developer. Staff are presently waiting for direction from the applicant.

Received: June 17, 2005

#### 4.2.4 De Young Amendment

Jeff and Annette DeYoung of Antigonish submitted an application to rezone their property on Townsend Street to accommodate a Pre School/After School day care facility. The general provisions for home occupations in residential dwellings are necessarily stringent to discourage incompatible land uses. Therefore, rather than a rezoning, planning staff recommended an amendment to the Municipal Planning Strategy and Land Use By-law to clarify the definition of permitted institutional uses in a Residential (R-1) Zone, as follows:

“any organization which is incorporated under the Societies Act, R.S.N.S. 1989, Chapter 435, or any other non-profit organization incorporated by or pursuant to statute for whom the use of land, buildings or structure for religious, charitable, educational, health or welfare purposes, including churches, places of worship, public or private schools and nursery schools is permitted”.

This clarification distinguishes an institutional day care facility such as the one proposed by the DeYongs from home occupations in residential dwellings. This change in definition allows the DeYongs Pre-School/After School Program with no impediment as the day care facility is highly compatible with other land uses in the Residential Zone.

#### 4.2.5 Eastern Sanitation Limited

Staff received an application from Eastern Sanitation Limited to rezone property on Beech Hill Road from Rural Development (RD-1) to Industrial (I-1) in order to permit a construction/demolition recycling facility. On October 18, 2005, the Municipality approved a Solid Waste By-law which prohibits the establishment of a construction/demolition recycling facility within the Municipality. The applicant has been advised of the By-law and nevertheless, has directed staff to proceed with the rezoning. The applicant has since requested that staff hold the application until further information is submitted to the Nova Scotia Department of Environment and Labour.

Received: August 10, 2005

#### 4.2.6 Geary Myette

Staff received a request from Mr. Geary Myette to rezone property on Hwy. No. 4, South River Road from R-1 (Residential) to R-2 (Residential Multi-Unit). The developer moved and erected an existing



60' by 32' structure to the proposed location. Subject to the rezoning application, the building was to be renovated into 8 rental apartments. The building was formally part of the Coastal Motel in Lower South River. A Public Hearing was held on January 16, 2006. Council refused to rezone the property on February 21, 2006. The decision of Council has since been appealed by the applicant to the Nova Scotia Utility and Review Board. Staff are waiting for direction from the Board regarding the preparation of the Appeal Record.

Received: August 24, 2005

#### 4.2.7 Multi Unit Buildings (including Town Houses) by way of Development Agreement

On October 17, 2005, planning staff received a complaint regarding the Greenwold condominium development, and particularly, the 2002 rezoning process. Essentially, once a parcel of land was rezoned no planning instruments were available to force a developer to abide by the development plans submitted. As a result, Council directed staff to amend the Antigonish County Municipal Planning Strategy and Land Use By-law to permit multi-unit buildings by way of development agreement. A Public Hearing was held on March 21, 2006 and the amendments were approved by Council. Staff are waiting for approval by the Service Nova Scotia and Municipal Relations.

Staff received a request from Mr. Cyril Tarrant to amend the Antigonish County Land Use By-law to permit townhouse developments. Mr. Tarrant's application was included in a staff report detailing development agreements which was presented at a Public Hearing on March 21, 2006 and approved by Council on the same date.

Received: January 17, 2006

#### 4.2.8 Killam Properties



An application was submitted by C. J. MacLellan and Associates, on behalf of Killam Properties Inc., to rezone lands on Hwy. No. 7, from Residential (R-1) to Mobile Home Park (MH-1) in order to expand the existing Greenhill Mini-home park. The expansion will create an additional 61 mini-home spaces on three streets with curb and asphalt paving. The application was presented to Antigonish PAC on March 21, 2006. A public hearing is scheduled for April 13, 2006.

Received: January 10, 2006

#### 4.2.9 Commercial Zone Amendments

In response to complaints by Antigonish County residents over Vern's Tire, staff completed a Commercial (C-1) Zone inventory of existing land uses. A memo, indicating the results of the inventory, was forwarded to Antigonish County PAC on December 13, 2006 for feedback. A revised memo was distributed to PAC on February 21, 2006, suggesting that automobile sales establishments and automobile service stations be removed from the list of permitted uses in the C-1 Zone and listed as permitted uses in the Highway Commercial (HC-1) Zone. Further, staff recommended that repairs shops be removed from the C-1 Zone and that the definition of service shop be changed. The amendments were presented at a Public Hearing on March 21, 2006 and approved by Council. Staff are waiting for approval by Service Nova Scotia and Municipal Relations.

#### 4.2.10 Harvey Myatt

Staff received a request from Mr. Harvey Myatt to rezone property located on Tamara Drive from Residential (R-1) to Commercial (C-1). The applicant is in the process of consolidating the property with an adjacent commercial parcel in his title and subject to

subdivision approval, intends to construct an office building on the property. The proposed use of the building is a call centre. Relevant government agencies have been notified and staff are waiting for their comments on the development proposal.

Received: March 8, 2006

#### 4.2.11 Peter Alex

The Commission has received an application from Mr. Peter Alex requesting that the Industrial (I-1) Zone currently assigned to his property be moved to the opposite side, to the east, of the Cloverville Road. Mr. Alex holds title to this property also. Currently, the eastern portion of the property contains a gravel pit, which is being used for the storage of construction and forestry equipment, as well as for the storage of firewood and lumber. Mr. Alex intends to construct a storage building and shop on the property in the future. The western portion of the property does not contain an industrial land use and the applicant has no plans to pursue future industrial development on this portion of the property. Mr. Alex is of the opinion that the zoning should be changed to reflect the land use properly. Relevant government agencies have been notified and staff are waiting for their comments on the development proposal.

Received: February 8, 2006

### 4.3 Baddeck

#### 4.3.1 Jason Lee

Staff had received a request to prepare a Development Agreement that would permit Mr. Jason Lee to operate a restaurant with an adjoining residential unit at 120 Chebucto Street. Given the location of the subject property within a residential neighbourhood, consideration had been given to issues such a noise, smell, garbage handling and outdoor garbage storage, lighting, privacy to abutting neighbours, hours of operation and on site parking and traffic circulation. It had been decided that the proposal should attempt to introduce, to the extent possible, mitigation measures to offset negative impacts to the neighbours in close proximity. It had been thought that Mr. Lee had decided not to proceed with this application however staff were advised otherwise and the staff report and development agreement were completed and forwarded to Council. A public Hearing was held October 3, 2005 on this application and it was not approved by Council.

Received: October 28, 2004

4.3.2 *Mr. Dan Frank Morrison,*

Mr. Dan Frank Morrison owner of lands located off Twining Street in the Village of Baddeck, Victoria County, has submitted an application for a development and building permit to build a single family dwelling on one of these two landlocked properties however landlocked parcels can only be built on if they are listed in Appendix "A" of the Baddeck Land Use By-law. These properties are not listed however the purpose of Appendix "A" is to list all landlocked properties which existed on or prior to February 14, 1984. A public Hearing was held October 3, 2005 on this application and it was approved by Council.

Received: May 16, 2005

**4.4 Chéticamp**

4.4.1 *Conseil Cooperatif Acadien*

Staff received a development proposal from Conseil Cooperatif Acadien to renovate an existing 70 ft. x 38 ft. structure into a professional office complex. The development proposal included a call centre, and IT centre, a boardroom, as well as several small offices. The development required an amendment to the Chéticamp Municipal Planning Strategy and Land Use By-law. On July 11, 2005 Council approved the amendment to permit professional offices in the area designated Urban Residential and in the Residential General (R-1) Zone, provided the office is 5,000 sq. ft. of floor area or less. Professional Offices that are greater than 5,000 sq. ft. of floor area are now permitted by way of a Development Agreement.

Received: March 31, 2005

4.4.2 *St. Jean Rezoning*

Armand and Anne Cecile St-Jean applied to amend the Chéticamp Land Use By-law by rezoning property located at 15877 Cabot Trail from Rural Commercial Highway (RC-1) Zone back to its original Residential Rural (RR-1) Zone.

After conducting a site visit on May 19, 2005, the opinion of planning staff was that a rezoning back to the base zone in a designation should be permitted because a residential single family use is less intrusive than a commercial use. In addition, the Municipal Planning Strategy (MPS) does not set out criteria for amending the By-law to permit a rezoning from commercial to residential. Therefore, the rezoning is considered to be in keeping with the general intent of MPS policy and in conformance with the criteria established in Policy A-3, the

implementation policy which lists criteria to be considered for any rezoning. Council of the Municipality of the County of Inverness approved the amendment on July 11, 2005.

Received: May 13, 2005

**4.5 Eastern Antigonish County**

4.5.1 *Harry and Helena DeCoste*



An application was submitted by Harry and Helena DeCoste requesting to rezone property in Monastery to accommodate a two-storey complex with commercial space at grade and four apartment units above. Staff amended the Eastern Antigonish Country Municipal Planning Strategy and Land Use By-law to permit residential units within a building devoted to a commercial use to a maximum of four (4) units in all zones where commercial uses are permitted. The amendments went to a public hearing on October 18, 2005 and approved by Council.

Received: June 10, 2005

4.5.2 *The MacLeod Group*

Staff received a request from the MacLeod Group to rezone the former Delorey Brothers bingo hall property, located at 10474 Hwy. No. 4, in Monastery, from Rural Settlement (RS-1) Zone to Residential Multi-unit (R-2) Zone. The applicant is proposing to renovate the existing structure into a 6-unit apartment complex. Staff are waiting for relevant agencies to respond the development proposal.

Received: February 28, 2006

## 4.6 Port Hastings

### 4.6.1 Breton Park Estates Rezoning



Mr. Frankie MacNeil has requested that his 21.45-acre parcel of land at 216 Charles MacLean Road be rezoned from Residential Future (R-2) to Mobile Home Park (MHP). He proposes to develop 80 lots on the site.

While the proposed development conforms to the intent of the Municipal Planning Strategy and Land Use By-law, the only way in which it is premature or inappropriate is by reason of the adequacy of sewer and water services. Mr. MacNeil's land is ready for connection to municipal water and sewer; however, the municipal infrastructure is not in place yet. A new sewage treatment plant is under construction on Highway 4 between Port Hastings and Port Hawkesbury, but a completion date is uncertain.

Mr. MacNeil has had an Erosion & Sedimentation Control Plan drawn up by Strait Engineering Limited and is in the process of having a detailed Landscaping Plan done.

Mr. MacNeil is based in Qatar in the United Arab Emirates for three years; however, he will return to Canada in June, 2006 to attend to his proposed development plans.

Received: November 17, 2005

## 4.7 Port Hawkesbury

### 4.7.1 Jacques and Laura Boucher

Staff received an application from Jacques and Laura Boucher to enter into a Development Agreement with the Town of Port Hawkesbury to permit a four (4) storey, 42-unit apartment building above an enclosed parking garage. The development is proposed for a

vacant site on Queen Street. The developer has advised the Commission that the proposal will no longer project into Bain Street and therefore staff have requested revised site plans. The Port Hawkesbury Volunteer Fire Department and the Town of Port Hawkesbury Public Works Department have requested additional information on the proposal.

Received: June 26, 2005

### 4.7.2 Eddy MacKay Building Company Limited

In February of 2005 Mr. Eddy MacKay presented a plan to erect a 12-unit apartment building on a landlocked portion of land behind two existing apartment buildings that he currently owns and rents out. However, because the rear parcel of land had no road access, Mr. MacKay was obliged to consolidate the three parcels of land into one, thereby ensuring road access for the entire property. The consolidation became effective on April 15, 2005.

Policy L-1.6.2 of the Port Hawkesbury Municipal Planning Strategy states that Council will consider approval of multiple-unit dwellings over six units in one or more buildings in the Residential designation according to a negotiated development agreement. After erecting the new 12-unit apartment building, Mr. MacKay's units would total 24. A proposed development agreement was approved by Council on July 25, 2005, but was subsequently appealed by neighbours on Queen Street. The appeal was dropped on August 19, 2005 because the neighbours were able to come to a satisfactory agreement about the placing of the proposed building on the property.

Received: February 7, 2005

### 4.7.3 Variance – Car-Mac Holdings Ltd.

Mr. Carl MacKichan of Car-Mac Holdings (Causeway Insurance) has submitted a request for variance on the side yard of his new building on Church Street in Port Hawkesbury. The Commercial Highway (C-3) Zone in the Port Hawkesbury Land Use By-law has a minimum side yard (both sides) requirement of 6.10 metres (20.0 feet). Mr. MacKichan is extending his building and requires a variance from 20 feet to 15 feet 3 inches.

Letters have gone out to all property owners within 30 metres of Mr. MacKichan's property, notifying them of the variance request. If there are no appeals after a period of 14 days, the request for variance will be granted.

Received: April 10, 2006

#### **4.8 Port Hood**

##### *4.8.1 Port Hood District Recreation Commission*

Mr. Joe Morris, Manager of the Port Hood & District Recreation Commission has applied to rezone the above referenced properties from Residential Urban (R 1) to Harbourfront Development (C-3). Their intention is to establish a RV Park divided into four (4) “neighbourhoods” comprised of one hundred and six (106) campsites, forty-three (43) of which would be designated as seasonal and fourteen would be “premium” sites with full hookups and concrete pads, as well as five (5) seasonal cabins, a swimming pool, playground, adult recreation hall and Laundromat. Presently the Port Hood zoning by-law does not permit commercial uses as envisioned by the District Recreation Commission, therefore in order for Mr. Morris to get permits for this proposal he will require the properties to be rezoned.

The Foresight Management Group completed a feasibility study for the Recreation Committee on the establishment of a potential RV park development. The report proposes four unique “neighbourhoods” each with its own unique characteristic, suitable to the different RV and camping tourist. In total the study proposes one hundred and seven spaces which range from forty feet wide by eighty feet deep, to smaller sites thirty-five feet wide and sixty feet deep. A major difficulty with this report is the orientation of the sites. Staff took the four park “neighbourhoods” and overlaid them electronically over the property mapping and found three of the four designs too large, and therefore recommended against re-zoning the complete property. A public Hearing was scheduled for June 12, 2006.

Received: September 6, 2005

##### *4.8.2 Margie Gillis*

An application was submitted by Margie Gillie to enter into a development agreement with Inverness County Council. Ms Gillis was proposing to renovate and reopen the restaurant portion of the of the former J & C Grocery Ltd building., located at 8263, Route 19, Harbourview, into a licensed family restaurant, possibly containing a Greco Express and a lounge in the rear of the building. However, Ms. Gillis has advised staff that because of the high cost of liability insurance, a lounge is no longer part of the development proposal. As such, a development agreement is not necessary and the application has been withdrawn.

Received: February 22, 2006

#### **4.9 Richmond County**

##### *4.9.1 Illegal Dumping*

With the adoption of more restrictive waste disposal regulations by Nova Scotia municipalities, illegal dumping is becoming a serious problem all over Cape Breton and the Eastern district.

Of particular concern to Richmond County councilors since first discovered in September, 2005 is a dump site on land owned by the Richmond County/Town of Port Hawkesbury Joint Development Corporation just inside the Richmond County line. The site contains large household waste items in addition to demolition debris. It is being accessed by way of a dirt lane off the No. 4 highway and is blocked from view by a bank of trees. The concern has been that there might be toxic or hazardous materials that might leach into the Landrie Lake watershed; however, a Department of Environment representative has visited the site and has discovered that, other than a few used paint cans, there are no toxic or hazardous substances that threaten the watershed.

Once the land is cleaned up, The Department of Transportation has committed to digging a trench and erecting a berm in order to deter any further dumping.

#### **4.10 St. Peter’s**

##### *4.10.1 Michael Sampson*

A request was received in March, 2006 from Mr. Michael Sampson of St. Peter’s to rezone a landlocked piece of land near the main street from Open Space (OS) to Downtown Commercial (C-1) Zone. Mr. Sampson owns an adjoining property on Grenville Street which would provide street access to the landlocked piece. His intention is to have both of them zoned the same in order to sell them as a package.

A site visit was conducted on March 2, 2006. Completion of the Staff Report is pending comment from the Department of Transportation and Public Works.

Received: March 1, 2006

## Development Control

### 5.1 Antigonish County

#### 5.1.1 Building Permits (April 1, 2005 - March 31, 2006)

	Permits	Value
<b>Residential Buildings</b>		
New	111	\$18,286,982
Mobile Homes	95	\$ 4,831,081
Cottages	11	\$560,000
Additions, Alterations and Renovations	43	\$1,402,050
Garages and Accessory Buildings	53	\$913,700
Multiple Units	6	\$2,220,000
	<u>319</u>	<u>\$28,213,813</u>
<b>Commercial and Industrial Buildings</b>		
New	15	\$2,738,500
Additions and Alterations	8	\$1,305,600
	<u>23</u>	<u>\$4,044,100</u>
<b>Institutional Buildings</b>		
New	2	\$1,580,000
Additions and Alterations	3	\$1,401,000
	<u>5</u>	<u>\$2,981,000</u>
<b>Other</b>	<u>14</u>	<u>\$186,000</u>
<b>Total</b>	<b>361</b>	<b>\$35,424,913</b>

#### 5.1.2 Subdivision Activity (April 1, 2005 - March 31, 2006)

	Applications	Lots	Fees
Final Plan	99	181	\$19,350
Extra Lots	n/a	53	\$1,325
Tentative Plan	1	8	\$50
Preliminary Plan	4	96	\$0
	<u>104</u>	<u>338</u>	<u>\$20,725</u>

**5.2 Inverness County**

**5.2.1 Building Permits (April 1, 2005 - March 31, 2006)**

	Permits	Value
<b>Residential Buildings</b>		
New	62	\$8,303,000
Mobile Homes	35	\$ 1,611,500
Cottages	17	\$835,000
Additions, Alterations and Renovations	106	\$1,919,212
Garages and Accessory Buildings	50	\$563,600
Multiple Units	0	\$0
	270	\$13,232,312
<b>Commercial and Industrial Buildings</b>		
New	12	\$3,469,000
Additions and Alterations	17	\$332,000
	29	\$3,801,000
<b>Institutional Buildings</b>		
New	1	\$5,000
Additions and Alterations	2	\$55,000
	3	\$60,000
<b>Other</b>	16	\$98,000
<b>Total</b>	<b>318</b>	<b>\$17,191,312</b>

**5.2.2 Subdivision Activity (April 1, 2005 - March 31, 2006)**

	Applications	Lots	Fees
Final Plan	93	170	\$18,600
Extra Lots	n/a	0	\$0
Tentative Plan	0	0	\$0
Preliminary Plan	0	0	\$0
	93	170	\$18,600



**5. Development Control (Continued)****5.3 Richmond County****5.3.1 Building Permits (April 1, 2005 - March 31, 2006)**

	Permits	Value
<b>Residential Buildings</b>		
New	28	\$3,299,000
Mobile Homes	19	\$699,500
Cottages	2	\$25,000
Additions, Alterations and Renovations	83	\$1,285,820
Garages and Accessory Buildings	80	\$799,100
Multiple Units	0	\$0
	212	\$6,108,420
<b>Commercial and Industrial Buildings</b>		
New	5	\$1,538,000
Additions and Alterations	7	\$308,000
	12	\$1,846,000
<b>Institutional Buildings</b>		
New	4	\$11,067,000
Additions and Alterations	1	\$15,000
	5	\$11,082,000
<b>Other</b>	1	\$0
<b>Total</b>	<b>230</b>	<b>\$19,036,420</b>

**5.3.2 Subdivision Activity (April 1, 2005 - March 31, 2006)**

	Applications	Lots	Fees
Final Plan	31	70	\$6,200
Extra Lots	n/a	12	\$300
Tentative Plan	1	11	\$50
Preliminary Plan	3	34	\$0
	35	127	\$6,550

**5. Development Control (Continued)**

**5.4 Victoria County**

**5.4.1 Building Permits (April 1, 2005 - March 31, 2006)**

	Permits	Value
<b>Residential Buildings</b>		
New	41	\$4,855,000
Mobile Homes	18	\$755,000
Multiple Units	0	\$0
Cottages	14	\$203,500
Additions, Alterations and Renovations	43	\$932,000
Garages and Accessory Buildings	41	\$567,300
	157	\$7,312,800
<b>Commercial and Industrial Buildings</b>		
New	8	\$1,347,000
Additions and Alterations	8	\$231,000
	16	\$1,578,000
<b>Institutional Buildings</b>		
New	3	\$14,000
Additions and Alterations	1	\$20,500
	4	\$34,500
Other	14	\$48,000
<b>Total</b>	<b>191</b>	<b>\$8,973,300</b>

**5.4.2 Subdivision Activity (April 1, 2005 - March 31, 2006)**

	Applications	Lots	Fees
Final Plan	42	65	\$8,400
Extra Lots	n/a	1	\$25
Tentative Plan	0	0	\$0
Preliminary Plan	0	0	\$0
	42	66	\$8,425

**5. Development Control (Continued)****5.5 Port Hawkesbury****5.5.1 Building Permits (April 1, 2005 - March 31, 2006)**

	Permits	Value
<b>Residential Buildings</b>		
New	6	\$1,127,000
Mobile Homes	0	\$0
Cottages	0	\$0
Additions, Alterations and Renovations	7	\$56,000
Garages and Accessory Buildings	9	\$73,000
	<u>22</u>	<u>\$1,256,000</u>
<b>Commercial and Industrial Buildings</b>		
New	5	\$5,429,000
Additions and Alterations	6	\$182,013
Other	0	\$0
	<u>11</u>	<u>\$847,013</u>
<b>Institutional Buildings</b>		
New	0	\$0
Additions and Alterations	0	\$0
	<u>0</u>	<u>\$0</u>
<b>Other</b>	0	\$0
<b>Total</b>	<b>33</b>	<b>\$7,572,000</b>

**5.5.2 Subdivision Activity (April 1, 2005 - March 31, 2006)**

	Applications	Lots	Fees
Final Plan	5	6	\$1,000
Extra Lots	n/a	0	\$0
Tentative Plan	0	0	\$0
Preliminary Plan	0	0	\$0
	<u>5</u>	<u>6</u>	<u>\$1,000</u>

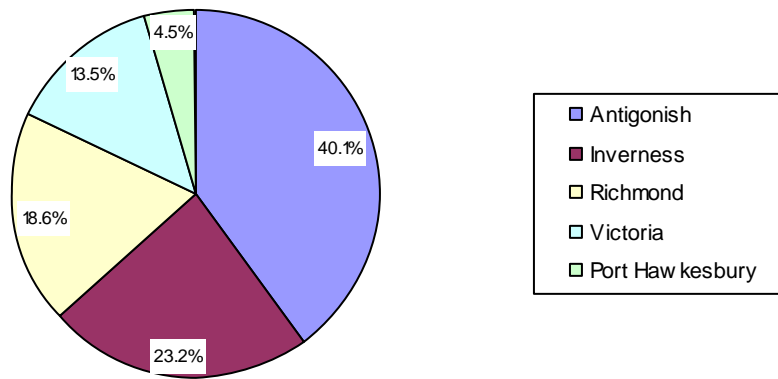
**5. Development Control (Continued)**

**5.6 Development Summary**

**5.6.1 Building Permits (April 1, 2005 - March 31, 2006)**

	Port Hawkesbury	Antigonish	Inverness	Richmond	Victoria
Construction Value	\$ 7,572,000	\$ 35,424,913	\$ 17,191,312	\$ 19,036,420	\$ 8,973,300
Fees (See Chart)	\$ 8,228	\$73,633	\$ 42,614	\$ 34,198	\$ 24,812
Permits Issued	59	361	318	230	191

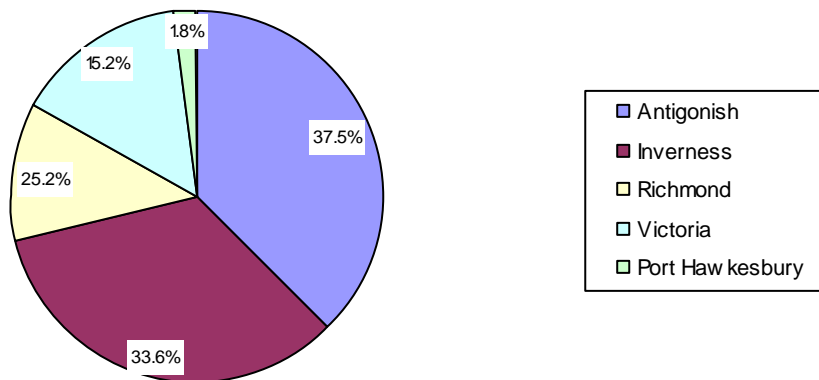
**Building Permit Revenues**



**5.6.2 Subdivision Activity (April 1, 2004 - March 31, 2005)**

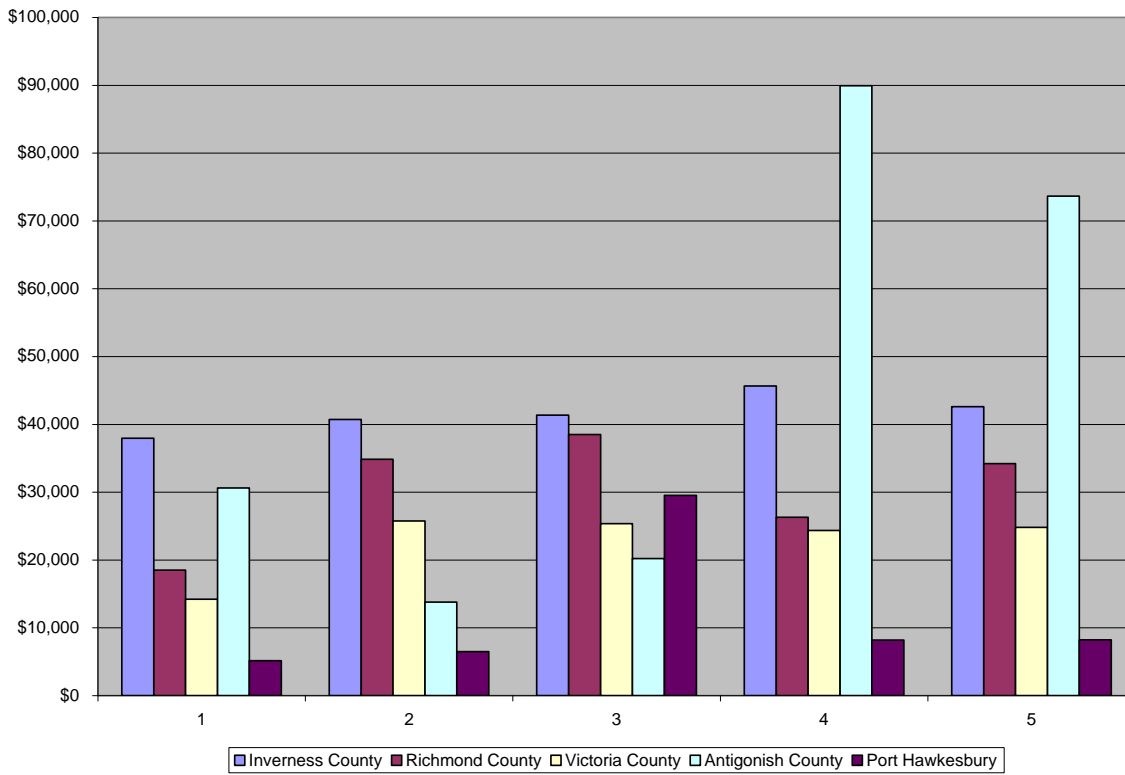
	Hawkesbury	Antigonish	Inverness	Richmond	Victoria
Final and Tentative Plans	5	104	93	35	42
Proposed Final Lots	6	338	170	127	66
Total Fees (See Chart)	\$1,000	20,725	\$18,600	\$6,550	\$8,425

**Subdivision Revenues**

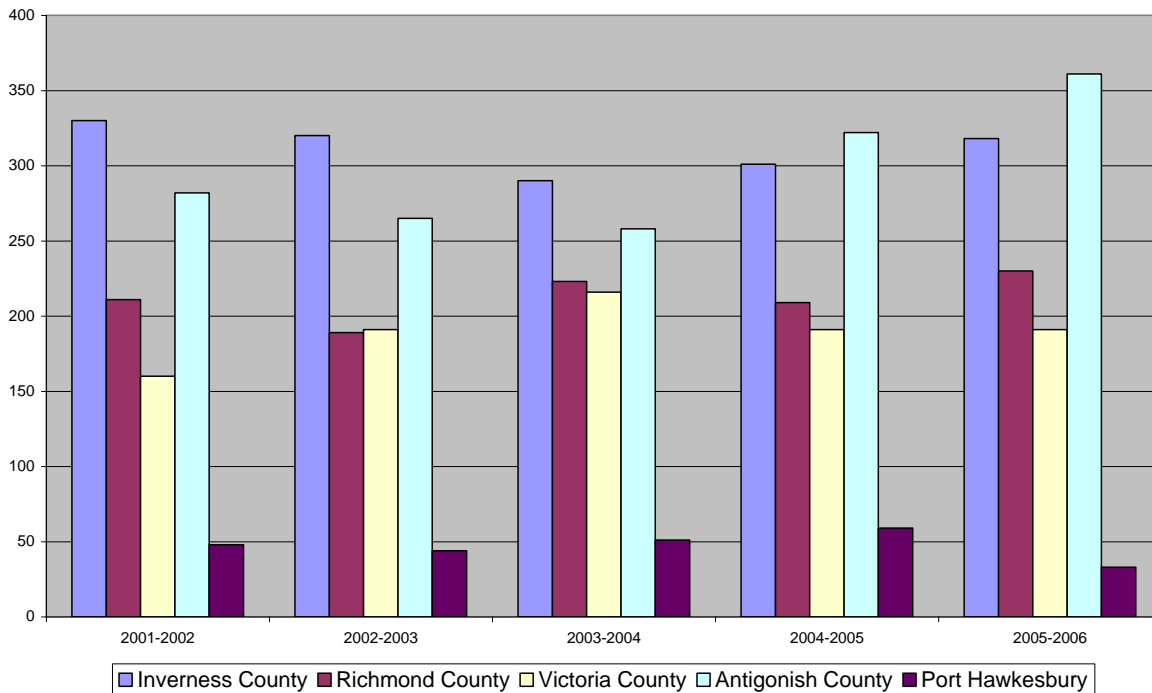


**5. Development Control (Continued)**

**5.5.3 Figure 1: Building Permit Revenues 2001 - 2006**

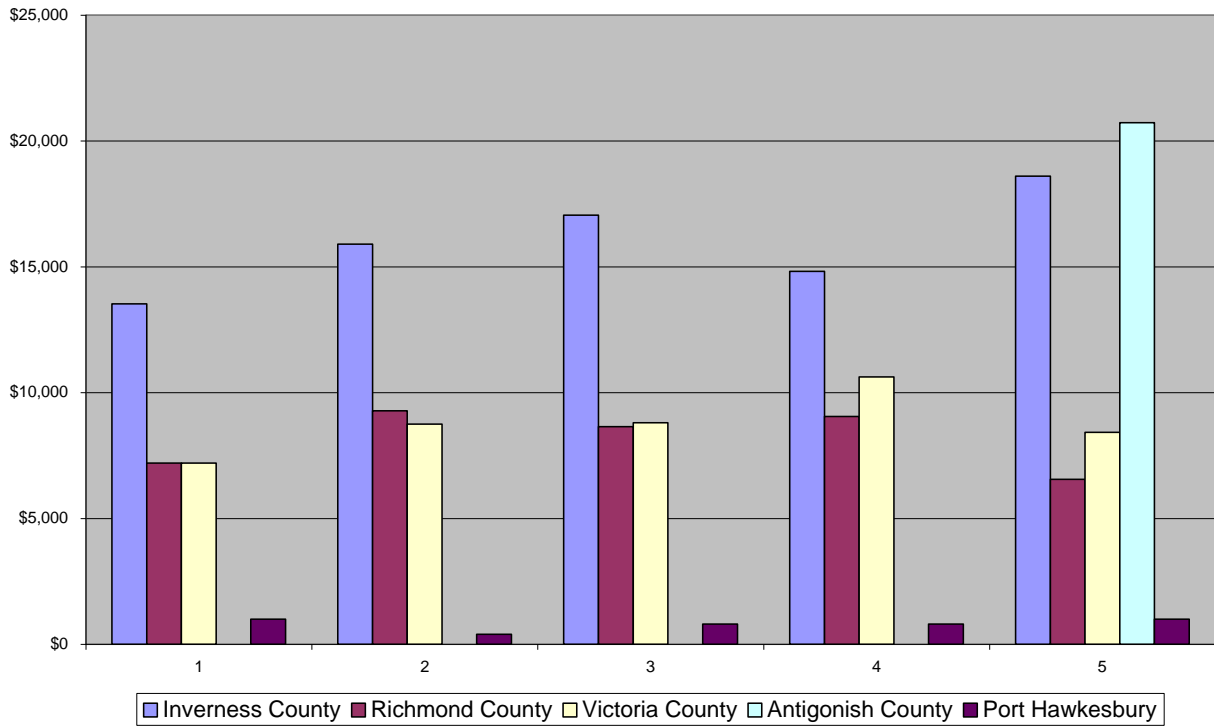


**5.5.4 Figure 2: Number of Building Permits 2001 - 2006**

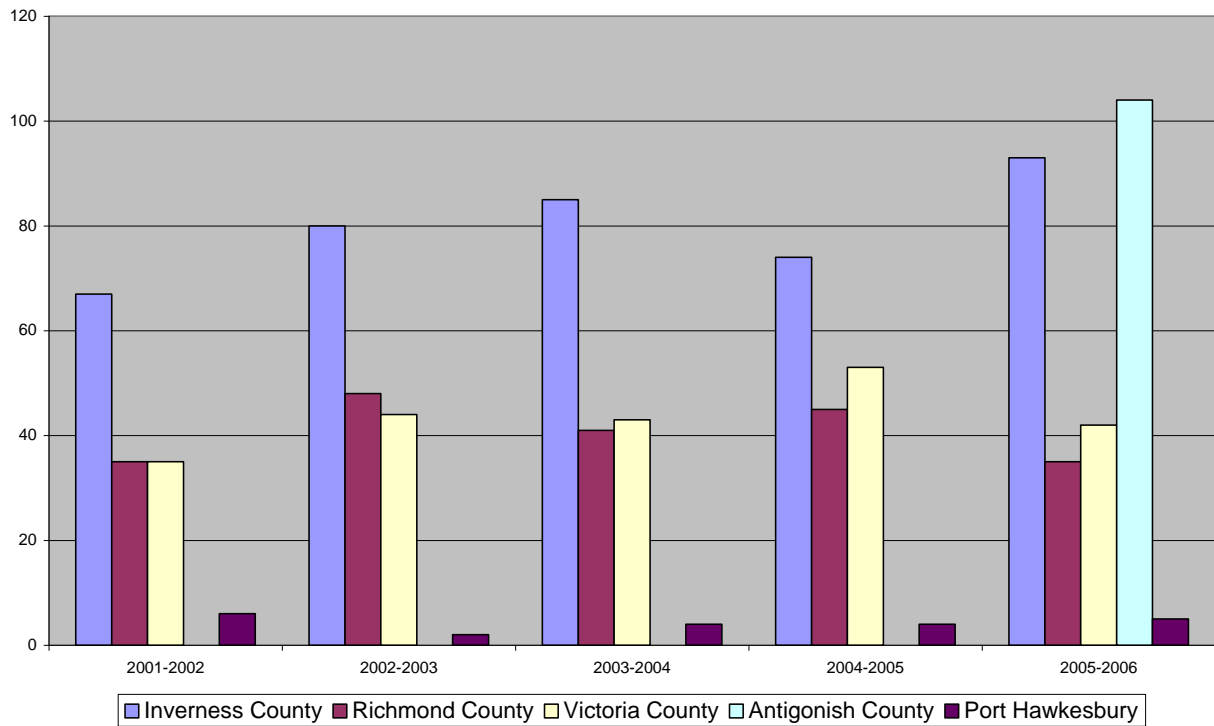


5. Development Control (Continued)

5.5.5 Figure 3: Subdivision Fee Revenues 2001 - 2006



5.5.6 Figure 4: Subdivision Applications 2001 - 2006



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**Appendix A. 2006 - 2007 Operating Estimates**

**Operating Estimates  
Eastern District Planning Commission  
2006 - 2007**

	<b>2006-07</b>
<b>Staff</b>	
Wages	\$510,000
UIC, CPP, Group Insurance	\$45,581
Pension Plan	\$25,500
WCB	\$10,557
Membership Dues and Fees	\$4,000
	<u>\$595,638</u>
<b>Administrative Overhead</b>	
Advertising	\$1,250
Bank Charges	\$2,500
Insurance	\$20,000
Library	\$2,500
Misc. Operating Costs	\$2,000
Office Rent	\$26,000
Office Supplies	\$4,000
Computers	\$4,000
Photocopying	\$3,000
Postage	\$5,000
Telephone and Fax	\$13,000
	<u>\$83,250</u>
<b>Travel and Training</b>	
Mileage Compensation	\$60,000
Conference Fees and Expenses	\$15,000
	<u>\$75,000</u>
<b>Additional Fees</b>	
Legal	\$1,000
Auditor	\$3,500
Technical and Mapping	\$5,000
Commission Expenses	\$4,500
	<u>\$14,000</u>
<b>TOTAL</b>	<b><u>\$767,888</u></b>

**Operating Estimates 2006 - 2007**  
continued: Page 2

	<b>2006-07</b>
	\$767,888
<b>Building Permits</b>	
Building Permits Fees	(\$191,000)
Subdivision Fees	(\$54,000)
Miscellaneous Revenues	(\$4,000)
Map Revenues	(\$4,000)
E-911 Funding	(\$13,000)
Net Budget	\$501,888
 <b>Total Contributions</b>	
Antigonish County	\$113,261
Inverness County	\$116,879
Richmond County	\$133,241
Victoria County	\$88,687
Port Hawkesbury	\$49,820
<b>Total</b>	<b>\$501,888</b>

Uniform Assessment Sharing Base (06-07)

<b>Municipality</b>	<b>Assessment</b>	<b>Percentage</b>
Antigonish	\$612,546,786	23.42%
Inverness	\$637,655,295	24.38%
Richmond	\$751,211,323	28.72%
Victoria	\$441,996,658	16.90%
Hawkesbury	\$172,256,870	6.59%
	\$2,615,666,932	100.00%



## Appendix B. Inter-Municipal Services Agreement

### INTER-MUNICIPAL SERVICES AGREEMENT ENABLING THE MUNICIPALITY OF THE COUNTY OF ANTIGONISH TO JOIN 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 18 July 1991;

AND WHEREAS by Order of 24 March 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 1 April 1993;

AND WHEREAS by Order of 4 July 1995, the Minister of Municipal Affairs, with the approval of all participating municipalities and upon the request of the Municipality of the County of Victoria, rescinded and replaced the previous Order of the Minister of Municipal Affairs by making the Municipality of the County of Victoria a participating municipality in the Rural Cape Breton District Planning Commission effective 1 April 1995;

AND WHEREAS by Section 253 of the Municipal Government Act, S.N.S. 1998, c.18, as am, effective 1 April 1999, the Rural Cape Breton District Planning Commission is continued as a body corporate and the said Ministerial Order of 4 July 1995 is deemed an inter-municipal services agreement variable by agreement of all participating municipalities and without requirement for Ministerial approval;

AND WHEREAS the Municipality of the County of Antigonish has requested to join the Rural Cape Breton District Planning Commission for one year;

AND WHEREAS by resolution of their respective councils, all of the participating municipalities have agreed to the request on the terms and conditions hereunder;

NOW THEREFORE, in consideration of the services and payments described, the Ministerial Order of 4 July 1995, deemed an inter-municipal services agreement among the participating municipalities, is hereby varied and amended to provide as follows:

1. In this Agreement:
  - (a) "Commission" means the Rural Cape Breton District Planning Commission;
  - (b) "Minister" means the Minister of Service Nova Scotia and Municipal Relations;
  - (c) "participating municipality" means the municipalities represented on the Commission;
  - (d) "District" means the geographical areas of the participating municipalities.
2. There shall be a district planning commission within the meaning of the *Municipal Government Act*, 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 represented on the Commission are the Municipality of the County of

Inverness, the Municipality of the County of Richmond, the Town of Port Hawkesbury, the Municipality of the County of Victoria, and the Municipality of the County of Antigonish, subject to Section 10 below.

**Commission Membership**

5. The Commission shall consist of 10 members, being 2 members appointed by Council for each of the participating municipalities, and subject to Section 10 below.
6. 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.
7. Each participating municipality shall notify the Commission of the names of all regular and alternate members appointed by that participating municipality as soon as possible after their respective appointments.
8. All regular and alternate members of the Commission must be members of the municipal or town council which appoints them and they shall have membership in the Commission subject to subsections 254(1) and (2) of the *Municipal Government Act*.
9. Each member of the Commission, regular and alternate, shall hold membership for a term of one year from the effective date of that member's appointment or until a successor is appointed.

**Participation of the Municipality of the County of Antigonish**

10. The Municipality of the County of Antigonish shall be a participating municipality for a period of one year, from 1 April 2005 until 31 March 2006, during which period it shall be represented on the Commission as described above. Effective 1 April 2006, the Municipality of the County of Antigonish shall have withdrawn and the Commission shall comprise only 8 members.

**Election of Officers**

11. At the first meeting of the Commission after each participating municipality has appointed regular members, the Commission shall elect a Chairperson from among its members. Thereafter, chairmanship of the Commission shall alternate annually among the participating municipalities.
12. The Commission shall elect a Vice-Chairperson in the same manner for the same term and at the same meeting as the Chairperson is elected, and the Vice-Chairperson shall perform the functions of the Chairperson in the Chairperson's absence.
13. The Commission shall appoint a Secretary-Treasurer from the staff of one of the participating municipalities who, with the consent of his/her employer municipality, shall hold office until a successor is appointed.
14. The Secretary-Treasurer shall not be a member of the Commission nor have a vote at any Commission meeting.

**Commission Meetings**

15. There shall be at least four meetings of the Commission per annum, to be held quarterly, one of which shall be the Annual Meeting. Other meetings may be called from time to time by the Chairperson or by any two members of the Commission.
16. While the Commission is comprised of 10 members, six members shall constitute a quorum.

When the Commission is comprised of 8 members, five members shall constitute a quorum.

17. Each member of the Commission shall be entitled to one vote on any voting matter of the Commission.
18. 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.
19. The Chairperson shall be entitled to vote on all questions arising before the Commission, but if the Chairperson does not vote at the time of the call for the question, the Chairperson's vote shall be lost.

#### **Financial Contribution**

20. Unless the participating municipalities otherwise agree, the proportion in which each participating municipality shall contribute funds to meet the expenses of the Commission shall be at a fixed base rate with the remainder of the budget contributed to in the same proportion as the respective contributions of the participating municipalities 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.
21. Notwithstanding Section 20 above, 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 1 September 1991 and 31 March 1995 inclusive and, further, the Municipality of the County of Victoria shall not have any claim to these assets in the event the Commission is dissolved in accordance with subsection 253(5) of the *Municipal Government Act*.
22. Notwithstanding Section 20 above, the Municipality of the County of Antigonish shall not make any payment to the Commission representing a proportional share of capital assets acquired by the Commission between 1 September 1991 and 31 March 2005 inclusive and further, the Municipality of the County of Antigonish shall not have any claim to these assets in the event the Commission is dissolved in accordance with subsection 253(5) of the *Municipal Government Act*.

#### **Services and Fees**

23. 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 20 above, the amounts received by those participating municipalities from fees charged for building permits.
24. 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 20 above, an amount equal to the building permit fees that would have been receivable had the participating municipality charged fees based on the Commission's prescribed scale of fees.
25. The Commission shall staff four sub-offices, one in Inverness County, one in Richmond County, one in Victoria County, and one in Antigonish County, for the purpose of providing building inspection services.
26. The Commission shall provide subdivision services to the participating municipalities in return for which each participating municipality shall pay to the Commission, in addition to their respective regular contributions pursuant to Section 20 above, the amounts received from fees charged for subdivision applications.

27. 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 20 above, an amount equal to the subdivision application fees that would have been receivable had the participating municipality charged fees based on the Commission's prescribed scale of fees.
28. The participating municipalities shall pay to the Commission their respective contributions and fees required to be paid pursuant to Sections 20, 23, 24, 26, 27 above, 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.

**Withdrawal by the Municipality of the County of Antigonish**

29. On its withdrawal from the Commission effective 1 April 2006, the Municipality of the County of Antigonish shall be responsible to pay to the Commission all of its outstanding contributions and fees together with severance costs and any other costs imposed by its withdrawal and for its share of any liabilities of the Commission existing at the time of its withdrawal, and the Municipality of the County of Antigonish shall not be entitled to receive any assets of the Commission except without the unanimous approval of all of the remaining participating municipalities.
30. Without limiting the generality of Section 29 above, on its withdrawal from the Commission, the Municipality of the County of Antigonish shall resume full responsibility for and liability under the employment contract with its building inspector, which contract was assigned with consent of the employee, to the Commission for the purposes of participation of the Municipality of the County of Antigonish in the Commission.

**General**

31. On withdrawal of the Municipality of the County of Antigonish from participation in the Commission, the remaining terms and conditions of this Agreement not pertaining to the participation of the Municipality of the County of Antigonish, shall continue until otherwise varied or amended by further inter-municipal services agreement among the members.
32. This Agreement shall have effect on, from and after 1 April 2005.
33. This Agreement amends, varies and replaces the Order of the Minister of Municipal Affairs of 4 July 1995, deemed an inter-municipal services agreement pursuant to the *Municipal Government Act*.

NOW THEREFORE the parties hereto, by their duly authorized representatives, have signed and sealed on the dates hereunder in witness to their agreement:

## Auditors' Report

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

We have audited the statement of financial position of the **Rural Cape Breton District Planning Commission** as at March 31, 2006, and statements of financial activities, changes in fund balances, investment in capital assets and changes in financial position 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. These 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 Rural Cape Breton District Planning Commission as at March 31, 2006, and the results of its operations for the year then ended in accordance with the accounting principles disclosed in Note 2 to the financial statements.

Port Hawkesbury, Nova Scotia  
April 28, 2006

*Grant Thornton LLP*

Registered Municipal Auditor

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# Rural Cape Breton District Planning Commission

## Statement of Financial Activities

Year Ended March 31

2006

2005

	<u>Budget</u>	<u>Actual</u>	<u>Actual</u>
<b>Revenue</b>			
Municipality of the County of Antigonish	\$ 108,758	\$ 108,758	
Municipality of the County of Inverness	112,686	112,685	\$ 121,465
Municipality of the County of Richmond	131,122	131,122	150,361
Municipality of the County of Victoria	85,383	85,383	89,700
Town of Port Hawkesbury	49,490	49,490	51,695
Building permit fees	145,000	183,485	104,475
Subdivision fees	53,000	55,300	35,695
Miscellaneous	10,000	5,707	37,573
E-911 funding	<u>13,000</u>	<u>15,086</u>	<u>11,342</u>
	<u>708,439</u>	<u>747,016</u>	<u>602,306</u>
<b>Expenditure</b>			
Administrative (Page 7)	679,939	699,995	555,078
Occupancy (Page 7)	24,000	27,303	23,877
Prepays		575	
Capital expenditures	<u>4,500</u>	<u>9,811</u>	<u>15,111</u>
	<u>708,439</u>	<u>737,684</u>	<u>594,066</u>
Net revenue		9,332	8,240
Prepays		<u>575</u>	
Change in fund balance	<u>\$</u>	<u>\$ 9,907</u>	<u>\$ 8,240</u>

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See accompanying notes to the financial statements.

# Rural Cape Breton District Planning Commission

## Statement of Financial Position

March 31

2006

2005

### Financial assets

Cash	\$ 61,115	\$ 46,284
Receivables	<u>27,090</u>	<u>29,971</u>
	<b>88,205</b>	<b>76,255</b>

### Liabilities

Payables and accruals	<u>18,778</u>	<u>16,160</u>
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### Net financial assets

<u>69,427</u>	<u>60,095</u>
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### Non-financial assets

#### Capital assets, at cost

Office furniture	65,543	63,104
Computer equipment	47,334	39,962
Library	12,037	12,037
Maps	<u>5,762</u>	<u>5,762</u>
	<b>130,676</b>	<b>120,865</b>

Prepays	<u>2,471</u>	<u>1,896</u>
	<b>133,147</b>	<b>122,761</b>

### Net assets

<u>\$ 202,574</u>	<u>\$ 182,856</u>
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Fund balances (Page 5)	\$ 71,898	\$ 61,991
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Investment in capital assets (Page 6)	<u>130,676</u>	<u>120,865</u>
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### Net financial position

<u>\$ 202,574</u>	<u>\$ 182,856</u>
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Commitments (Note 3)

On behalf of the Commission

\_\_\_\_\_ Chairperson

\_\_\_\_\_ Member

See accompanying notes to the financial statements.

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# Rural Cape Breton District Planning Commission

## Statement of Changes in Financial Position

March 31

2006

2005

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### Operating

Net revenue	\$ 9,907	\$ 8,240
Change in non-cash operating working capital (Note 5)	<u>4,924</u>	<u>(529)</u>
	<u>14,831</u>	<u>7,711</u>
Change in net cash	14,831	7,711
Net cash, beginning of year	<u>46,284</u>	<u>38,573</u>
Net cash, end of year	<u>\$ 61,115</u>	<u>\$ 46,284</u>

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See accompanying notes to the financial statements.



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# Rural Cape Breton District Planning Commission

## Statement of Changes in Fund Balances

March 31	2006	2005
Balance, beginning of year	\$ 61,991	\$ 53,751
Change in fund balance	<u>9,907</u>	<u>8,240</u>
Balance, end of year	<u>\$ 71,898</u>	<u>\$ 61,991</u>

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See accompanying notes to the financial statements.

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# Rural Cape Breton District Planning Commission

## Statement of Investment in Capital Assets

March 31

2006

2005

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Balance, beginning of year	\$ 120,865	\$ 105,754
Capital expenditure out of revenue	<u>9,811</u>	<u>15,111</u>
Balance, end of year	<u>\$ 130,676</u>	<u>\$ 120,865</u>

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See accompanying notes to the financial statements.

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# Rural Cape Breton District Planning Commission

## Schedules to Statement of Financial Activities

Year Ended March 31

2006

2005

	<u>Budget</u>	<u>Actual</u>	<u>Actual</u>
<b>Administrative</b>			
Advertising and promotion	\$ 1,250	\$ 1,617	\$ 4,004
Conferences	15,000	12,927	11,160
Interest and bank charges	2,500	1,975	1,626
Liability insurance	18,000	18,620	15,969
Maps	5,000	706	1,360
Membership dues and subscriptions	6,000	5,579	4,972
Miscellaneous	2,000	3,138	5,750
Office supplies and postage	17,000	13,484	12,463
Photography		528	357
Professional fees	4,500	4,831	7,049
Salaries and employee benefits	546,689	556,397	435,117
Telephone	12,000	13,374	8,572
Travel and meetings	<u>50,000</u>	<u>66,819</u>	<u>46,679</u>
	<u>\$ 679,939</u>	<u>\$ 699,995</u>	<u>\$ 555,078</u>
<b>Occupancy</b>			
Insurance		\$ 820	\$ 820
Rent	<u>\$ 24,000</u>	<u>26,483</u>	<u>23,057</u>
	<u>\$ 24,000</u>	<u>\$ 27,303</u>	<u>\$ 23,877</u>

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See accompanying notes to the financial statements.

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# Rural Cape Breton District Planning Commission

## Notes to the Financial Statements

March 31, 2006

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### 1. Nature of operations

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, Municipality of the County of Antigonish, and Town of Port Hawkesbury.

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### 2. Accounting policies

These financial statements are prepared in accordance with Canadian generally accepted accounting principles for local governments as recommended by the Public Sector Accounting Board (PSAB) of the Canadian Institute of Chartered Accountants.

#### Revenue and Expenditure

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

#### Property and equipment

##### Operating fund

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

##### Capital fund

Capital assets are recorded at cost. Funds received through capital assistance programs or cost-sharing arrangements are treated as a reduction in the cost of the asset acquired.

##### Depreciation

The Commission does not record depreciation on its property and equipment.

#### Use of estimates

In preparing the Commission's financial statements, management is required to make estimates and assumptions that affect the reported amounts of assets and liabilities at the date of the financial statements and reported amounts of revenue and expenses during the period. Actual results could differ from these estimates.

#### Financial instruments

The Commission's financial instruments consist of cash, receivables, and payables and accruals. Unless otherwise noted, it is management's opinion that the Commission is not exposed to significant interest, currency or credit risks arising from these financial instruments. The fair value of these financial instruments approximates their carrying values, unless otherwise noted.

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# Rural Cape Breton District Planning Commission

## Notes to the Financial Statements

March 31, 2006

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### 3. Commitments

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

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### 4. 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 year amounted to \$16,668 (2005 - \$17,853).

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### 5. Supplemental cash flow information

	<u>2006</u>	<u>2005</u>
Change in non-cash operating working capital:		
Receivables	\$ 2,881	\$ (4,197)
Prepays	(575)	
Payables and accruals	<u>2,618</u>	<u>3,668</u>
	<u>\$ 4,924</u>	<u>\$ (529)</u>

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