

*Rural Cape Breton
District Planning Commission*

2004-2005

Annual Report and Financial Statements



**RURAL CAPE BRETON
DISTRICT PLANNING COMMISSION**

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2004-2005*

Annual Report and Financial Statements

June 2005

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This report for the period April 1, 2004 to March 31, 2005 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.

Planning staff continued to work on the plan reviews for Baddeck and Port Hawkesbury. The Central Richmond Plan was completed in this fiscal year and new plan review processes were started in St. Peters and Whycomagh. Staff also continued participation in the St. Joseph Du Moine study for a possible wastewater management district. Also staff worked on twenty-five 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.

Staff also completed negotiations with Antigonish County related to the initiative to form the "Eastern Region District Planning Commission" through the addition of Antigonish County to the Rural Cape Breton District Planning Commission. Antigonish County approved a one year membership in the Commission starting April 1, 2005. While their Council has approved in principle joining the District Planning Commission they have opted for a one year arrangement because of the Annexation Amalgamation Hearings still before the Utility and Review Board. Therefore Commission staff have moved from providing interim planning and development services to providing the whole range of planning, development control, building, and fire inspection services to the Municipality for this coming fiscal year. At this point however the name of the Commission has remained unchanged.

Building Inspection and Development staff saw the number of permits issued decrease slightly by 2.6% with 780 permits issued in 2003-2004 and 760 permits issued this last fiscal year. Building Permit revenues decreased more significantly by 22.4% from \$134,693 to \$104,474 in 2004-2005 however this is more in line with the previous year (2002-2003) when revenues came in at \$107,762. This fluctuation in revenues is primarily a result of a number of large projects in 2003-2004 including the Port Hawkesbury Civic Centre. Subdivision activity remained about the same with a increase of three applications from 173 to 176 and revenues almost unchanged from \$35,300 to \$35,295 in this last year.

This has also been a year of significant change with respect to staffing of the Commission. Shayne Vipond, Mark Hebert and Paul Burt all left the Commission for positions with other agencies. Shayne is presently employed as a Parkland Planner for HRM, Mark joined the Canadian Armed Forces and Paul is presently employed with the Cape Breton Island Housing Authority.

Marney Simmons arrived on September 7th to replace Shayne Vipond. Marney has recently come from the School of Urban & Regional Planning Master's Program at Queen's University in Kingston, Ontario where she also earned an honours B.A. in English Literature. Her previous summer work experience involved a heritage project in the town of Amherst in 2003.

The Commission hired Bryne Butts to replace Mark Hebert as Planning and Development Technician. Bryne is originally from Glace Bay and has spent the last several years in Calgary where he worked as an independent mapping contractor and as the GIS technician for The Miistakis Institute for the Rockies at the University of Calgary. He has a Bachelor's Degree in Geography from St. Mary's University in Halifax, and received his Diploma in Planning: Land Information Technology from the College of Geographic Sciences in Lawrencetown.

Jamie Burke joined the Commission's staff in November. Jamie is from St. Peter's and recently graduated from York University's Faculty of Environmental Studies professional planning program with a Master of Environmental Studies (Planning) degree. As part of his graduate research on wind energy, he completed a field experience position with Hydro One Networks Incorporated and spent a semester abroad at the University of Southampton, UK. His previous summer work experience is with the Bras d'Or Stewardship Society documenting the effects of subdivision growth on the Lakes watershed area. Jamie also has a Bachelor of Science degree from Mount Allison University.

Finally 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 has since been appointed as the new Building/Fire Inspector for Victoria County and alternate Inspector for the other units.

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

2. Structure of the Rural Cape Breton District Planning Commission

2.1	Council	Commission Representative
	Inverness County	Warden Duart MacAulay, Chair Councillor Daniel Boudreau, Member Councillor Ned MacDonald, Alternate Kate Beaton, Secretary Treasurer
	Victoria County	Councillor, John Graham MacInnes, Member Councillor Bruce Morrison, Member Warden Wayne Budge, Alternate Sandy Hudson, Advisor
	Port Hawkesbury	Mayor Billy Joe MacLean, Member Councillor Jim King, Member Councillor Mark MacIver, Alternate Former Councillor Steve MacDougall (to October 2004) Colin MacDonald, Advisor
	Richmond County	Councillor Malcolm Beaton, Member Councillor Shirley McNamara, Member Former Councillor Gerry Bourque (to October 2004) Louis Digout, Advisor
2.2	Staff	
	Director	John Bain
	Planners	Jamie Burke Marney Simmons Shayne Vipond (to June 30, 2004)
	Development Officers	Wanda Ryan John Bain (Alternate) Jamie Burke (Alternate)
	Building/Fire Inspectors	Alfred Fougère Cyril Leblanc Leon LeBlanc David MacKenzie Paul Burt (to January 7, 2005)
	Planning Technician	Bryne Butts Mark Hebert (to August 3, 2004)
	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 Baddeck

The Plan Review for the Village of Baddeck has progressed favourably over the last fiscal year. The Baddeck Committee met eight times and completed a review of the Generalized Future Land Use for Baddeck along with the Zoning map for the community. Also servicing issues were discussed at length and Commission staff with the help of Ronald McIntyre, Public Works Supervisor for the Village completed the first complete digital map of the water and sewer services for the village, over the Summer. 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*.

For the coming fiscal year the Committee will be reviewing the Industrial Policies and General Provisions in the by-law before staff will redraft the complete bylaw over the Summer for a open house sessions in the Fall.

3.2 Central Richmond Proposed Plan area formerly Lower River Inhabitants

In 2002 the Richmond County Planning Advisory Committee requested that the Commission initiate a process to establish a new Planning Policy and By-law to govern land use in the communities of Evanston, Grantville, Hureauville, Lower River Inhabitants, Walkerville, Whiteside, and surrounding areas.

Since the last Annual Report, the Planning Advisory Committee met in November, 2004 to make final decisions on three outstanding issues before presenting the new Plan to the public. The issues are:

1) *the spreading of biosolids or storage of sludge should be strictly prohibited in any of the four zones;*

2) *that there be a standard requiring that a mobile home be at least 14.0 feet in width, and*

that setbacks be increased to 75 feet (22.9 metres);

3) *that the definition of a boathouse be no larger than 20 feet by 20 feet or 400 square feet.*

In keeping with the most important issues, the Central Richmond Plan seeks to protect Lower River Inhabitants and the Basin from negative impacts by restricting heavy industrial uses within proximity of watercourses, while achieving maximum flexibility by permitting a variety of land uses.

A Public Open House was held on the 11th and 12th of January, 2005. Residents felt it would have been useful to have a representative from the Department of Environment on hand to answer questions at the Open House. Planning staff will make every attempt to secure a DoE representative at future open houses. Other questions pertained to waste disposal systems, lot widths, unsightly premises and trailer parks.

Richmond Municipal Council approved the Central Richmond Municipal Planning Strategy and Land Use By-law at a public meeting held on April 11, 2005. After receiving no oral or written submissions supporting or opposing the planning proposals for the area, a unanimous vote in favour of the new plan document was arrived at following the final public hearing on the strategy. The plan document is now with the Provincial Director of Planning for review.



3.3 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.

3.5 Town of Port Hawkesbury Plan Review

Preliminary work has begun on the Port Hawkesbury plan review. Staff has reviewed each paragraph of the Municipal Planning Strategy with the intention of revising dates, demographic statistics, English language usage and correcting signifiers, such as the *Planning Act* to the *Municipal Government Act*.

In addition, staff has completed a draft position paper summarizing characteristics of the residential areas of town and making suggestions for future improvement. A similar draft position paper has been prepared for the commercial designation. Discussion of these papers will commence at a meeting of the PAC on June 9, 2005.

Four pivotal issues will be considered during this plan review process:

- 1) *The proposed highway by-pass from Port Hastings to the southeast end of Reeves Street;*
- 2) *Introductory planning principles and guidelines contained in the Environmental Design and Management Limited (EDM) study dated June, 2002;*
- 3) *A study completed in August, 2004 by Ekistics Planning Consultants which deals with the redesign of Granville and Reeves Streets;*
- 4) *The lack of available higher density lands in Port Hawkesbury, which may precipitate the re-designation and rezoning of lands to accommodate higher density developments.*

While waiting for committee meetings to be convened planning staff has responded to other issues related to the plan review process of a more immediate concern, such as Bed and Breakfast provisions and building height requirements.

3.6 Whycocomagh Plan Review

Preliminary work started this fiscal year on the Whycocomagh Plan Review. In light of development issues having arisen in the Whycocomagh area, such as rezonings, the use of Development Agreements for future commercial development proposals and the setback requirement from the Bras d'Or Lake, the Area Advisory Committee has expressed a desire to review and revise the Municipal Planning Strategy and Land Use By-law. Planning staff are allocating resources to the commencement of this plan review, with the first local Committee meeting scheduled for May 26, 2005.

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

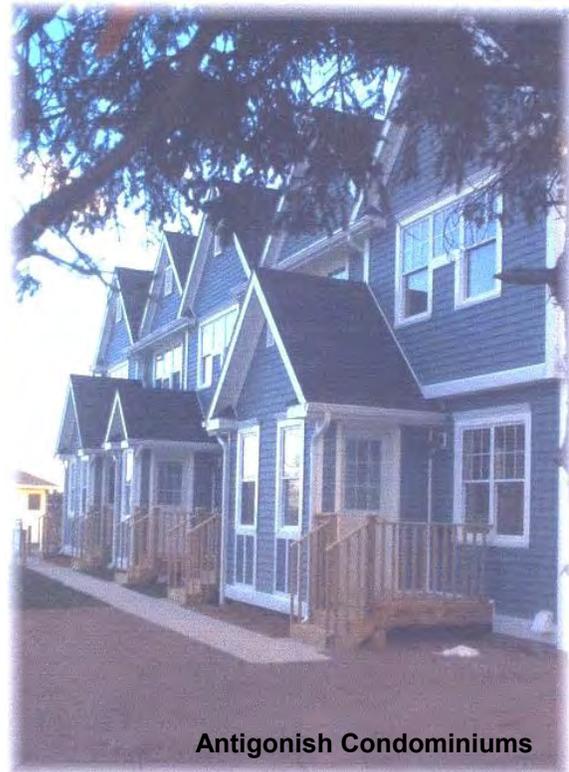
4.2.1 Antigonish Condominiums

The Planning Commission received an application from Antigonish Condominiums Incorporated requesting to rezone a parcel of land on Vincent's Way from Residential (R-1) to Residential Multi Unit (R-2) to allow a 15 unit condominium development. The Department of Environment and Labour recommended that a sedimentation and erosion control plan be designed, implemented and monitored for the proposal. No other concerns were raised by government agencies included as part of the rezoning process. A staff report was prepared and submitted to the Antigonish Planning Advisory Committee and Antigonish County Council. A Planning Advisory Committee meeting was held on February 14th, 2005 and the application received second reading at a Public Hearing on March 22nd, 2005. No appeal was received by the Utility and Review Board and the file has been closed.

Received: November 2, 2004

4.2.2 Antigonish Affordable Housing Society

Staff received an application from the Antigonish Affordable Housing Society to rezone a parcel of land on Vincent's Way from Residential (R-1) to Residential Multi Unit (R-2) for four buildings totalling 14 rental housing units. The development intends to accommodate a mix of household types. Staff initiated the rezoning process and notified the relevant government agencies of this development.



Antigonish Condominiums

The Municipal Department of Public Works raised concerns regarding the proximity of the Town's water line in addition to requesting a Storm Water Management Plan. The parcel falls within the jurisdiction of both the County and Town. Therefore, staff will be working closely with planning officials from the Town on this development. In December, a request by the Society was made to put the application on hold until an accurate site plan is completed and proper phasing of the development is decided. Staff will resume the amendment process when a new site plan is submitted.

Received: November 17, 2004

4.2.3 Kent Homes

An application was submitted by Ken Homes Limited to redesignate and rezone a portion of the lands on Highway 4 in Brierly Brook from Rural Development (RD-1) to Residential/Mobile Home Park (MH-1). The applicant intends to construct a mobile home park on the subject property. A Staff Report was completed in March 2004 and a Public Hearing was held on April 20, 2004. In May 2004, the Department of Transportation, upon review of a traffic impact study, recommended 50% development of the originally proposed 117 serviced mini-home lots until Highway 104 realignment is constructed. Kent Homes is seeking financial assistance for half of the sewer

and water extension (in the sum of \$126,000) in order to finance 50% of the proposed development. The payback of the \$126,000 to the municipality would occur upon completion of the highway realignment. Council, on behalf of the Municipality, has not yet committed to any cost-sharing agreement on the extension of water and sewer services. In January 2005, the proponent indicated that they will be pursuing the development through a Plan of Subdivision and therefore cancelled the rezoning request. Staff is currently waiting for a formal subdivision application from the proponent.

Received: November 18, 2004

4.2.4 Non Conforming Structures

Antigonish County Council requested that staff present options to address the non-conformity of two homes in the Parkhurst Subdivision, with the Antigonish Planning Area Land Use By-Law. The two dwellings are 8 feet short of the minimum front yard requirement. Staff presented a number of options to Council after determining that the two dwellings were permitted lawfully and that the non-conformity issue would not have a negative impact on property assessments. Furthermore, the By-law's Conformity with Existing Setbacks clause provided reassurance for a uniform neighbourhood. Planning Advisory Committee members agreed with the recommendation by planning staff to maintain a „business as usual“ position on the issue. The file is now closed.

Received: February 1, 2005

4.2.5 Jacks Brook Floodplain

Staff received a petition from residents of the William's Point area requesting a rezoning of lands owned by 3050259 Nova Scotia Limited from R-1 Residential to F-1 Floodplain. Residents expressed fear that further development on this parcel may lead to adverse effects on human safety and property, in addition to increasing the likelihood of upstream and downstream flooding. The applicants have requested that planning documents identify Flood Risk Areas that are consistent with the mapping that was done as part of the Canada-Nova Scotia Flood Damage Reduction

Program in addition to the any other locally known flooding areas. The land owner retained the services of CIVTECH Engineering and Surveying Limited to produce a Preliminary Drainage Report of the subject property. The report included a map of the Floodplains around the Jack's Brook area. Staff therefore recommended that the areas identified as floodplains in the engineering report be redesignated and rezoned and therefore incorporated into both the Generalized Future Land Use Map and the Zoning Map for the Planning Area. A Public Hearing was held on March 9th, 2005 and Council approved the recommendations of staff.

Received: January 5, 2005

4.2.6 Keppock and Beaver Mountain Mapping

Work has been initiated by the Antigonish Regional Development Agency to redevelop the former Keppock ski hill area, a proposal that intends to designate 6,000 acres as one of the most popular recreational destinations in Nova Scotia. The Municipality has submitted an information package to the Commission and requested more detailed mapping of the area be provided to identify all the landowners in the area. They also requested Staff recommend some options as to how the Municipality can protect the site as a long-term recreational area. Staff has started the mapping exercise.

Received: January 15, 2005



4.2.7 *Brierly Home Centre*

Bryden MacDougall, on behalf of Brierly Home Centre, has resumed an August 27, 2003 application to redesignate a parcel of land in Brierly Brook from Rural Development to Commercial and have the lot rezoned from RD-1 to C-1. The application had been placed on hold until the applicant was more certain about the developments of the proposed mobile home park adjacent to the current application. The amendments will be required in order to accommodate a manufactured housing sales and display centre. The business would involve accommodating 8 or 9 manufactured homes, both mini homes and modular homes, as well as signage directed toward the adjacent Trans Canada Highway. Staff is currently waiting for a decision on a cost-sharing arrangement between the developer and the Municipality for an extension to the sewer and water services in the Post Road area.

Resumed: January 31, 2005

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 Chinese food restaurant with an adjoining residential unit at 120 Chebucto Street (old Margaree Road) in Baddeck. Staff had met with Mr. Lee on a number of occasions to assist in revising his site plan to include additional mitigating measures. Given the location of the subject property within a residential neighbourhood, consideration has been given to issues such as noise, smell, garbage handling and outdoor garbage storage, lighting, privacy to abutting neighbours, hours of operation and on site parking and traffic circulation. It has 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 late towards the end of the fiscal year staff were advised otherwise and the staff report and development agreement were completed and forwarded to Council.

Received: October 28, 2004

4.4 **Chéticamp**

4.4.1 *Multiple Unit Dwelling for Seniors*

The Commission received an application to rezone the rear portion of property owned by La Residence Acadienne Co-operative Limitee from Residential

General (R-1) zone to Residential Multiple Family (R-3) zone. The subject lands are located immediately to the rear of the Catholic Church (15102 Cabot Trail) and east of the hospital, in Chéticamp. The Co-operative proposed to build a 20 unit multiple dwelling in the first phase and 20 additional apartments in the second phase at some future date. The proposal received approval by County Council after the Public Hearing held June 3rd, 2004.

Received: December 18th, 2003

4.4.2 *Bishop and Poirier*

Mr. Desveaux erroneously poured a foundation for a Quonset hut on his property within 11 feet of the front property line and therefore was required to request a variance to allow for the building to be placed as proposed. After reviewing the request, the variance was granted to reduce the front yard from 25 feet to 11 feet. In staff's judgment the location of the building did not contravene the spirit of the Land Use By-law. Staff's decision was appealed to Council which heard the appeal Monday March 8, 2005 and after upheld the decision of staff.

In response to this A. Poirier and P. Bishop made application to re-zone portions of lands located on both sides of Chemin De L'Anse Des Bois Marie (old Cabot Trail) from RR-1 Rural Residential to R-1 Residential General to allow for tighter land use controls in this area. The application was eventually withdrawn by the applicants.

Received: April 1, 2004.

4.4.3 *JMAC Land Company Limited*

Mr. Rejean Aucoin on behalf of JMAC Land Company Limited to amend the Chéticamp Land Use By-Law by rezoning two properties located on the Old Cabot Trail in Chéticamp from C-2 Commercial Highway Zone to R-1 Residential General Zone. Staff reviewed the application including the preamble to the Highway Commercial Designation in the Chéticamp Municipal Planning Strategy, completed a staff report and recommended to Council that the rezoning of the properties in question was in keeping with the general intent of the MPS policy and meet the criteria established in Policy A-3. After the staff report was completed the applicant withdrew their application, as they had found a purchaser interested in a Commercial property.

Received: April 22, 2004

4.5 Dundee

4.5.1 Ballam's Point

The Sporting Mountain Planning Area Municipal Planning Strategy and Land Use By-law were adopted by Municipal Council December 17, 1996. The plan was pre-determined by Richmond County Council to deal only with industrial development and specifically to address the concerns of the community regarding pollution emitting industries. Nevertheless in late October of 2004, District Planning Commission staff received three letters from land owners on the Ballams Point (Dundee Peninsula), Dundee asking that "...more restrictive zoning requirements be applied to the peninsula area of Dundee." Also staff were requested to target development restrictions such as to restrict any activities which would compromise the quiet enjoyment of these properties.

The Sporting Mountain Area Advisory Committee met April 15, 2004 to review three options presented by planning staff. The three options included zoning the peninsula area "Residential" resulting in the non-conforming use status for the Marina; zoning the Marina property "Commercial" and implementing expansion limitations for the Marina; or leaving the document unchanged. After discussing the various pros and cons of each option and visiting the Marina site, the Committee asked staff to bring back recommendations related to the middle option. At the Planning Advisory Committee on May 18th, 2004, the proposal received approval to proceed to the first reading of Council.

4.6 Port Hastings

4.6.1 Frank MacNeil

In the past year Mr. MacNeil has altered his request to rezone a 73-acre parcel of land at Charles MacLean Road in Port Hastings. While he still wishes to amend the zoning from Residential Future (R-2) to Residential (R-1), he now wishes to develop a Phase 1 consisting of five lots rather than develop 24 lots as previously requested. His proposal was approved at an Area Advisory Committee meeting on November 16, 2004 and the request subsequently went to a Public Hearing held on January 24, 2005. The rezoning request was approved by Council on that date. Mr. MacNeil's lands are connected to a sewer facility and municipal water service is anticipated to be available by autumn 2005.

Received: February 12th, 2002

4.7 Port Hawkesbury

4.7.1 Prince Street RFP

Staff were asked by Town Staff to draft a request for expressions of interest for the development of a 3.56 acre area of land comprised of lands located between Prince Street and Reeves Street, including background materials, mapping and advertisements for the local and Provincial newspapers. The purpose of this request was to solicit expressions of interest from firms interested in designing, constructing, and financing a high quality multi-unit residential development on Prince Street. The sale of these lands was to be contingent on these lands being developed within a reasonable timeframe in accordance with a development agreement negotiated between the successful applicant and the Town and subject to a Public Review and approval process.

Received: June 23, 2004

4.7.2 Tamarac Heights Review

Council asked Planning Staff to prepare a report advising what should be done with a parcel of undeveloped land on Elm Court in the Tamarac Subdivision. With reports of new industry coming to the area, consensus is that there is a need for more housing and Town Council is pursuing the possibility of selling these properties for housing. A report was prepared recommending that the Town should continue to consider Lots 141-149 Elm Court as surplus to the needs of the Town. However, before selling the properties or, as a condition of sale, a solution to the storm water runoff issue should be obtained and implemented. This file is now closed.

Received: January, 2005

4.7.3 Multiple Unit Dwellings

In May of 2001 Mr. Ed MacKay applied to amend the Town of Port Hawkesbury MPS and LUB with regard to existing lands zoned Residential Multiple Unit (R3) however the Planning Strategy requires that multiple unit dwellings abut arterial or collector streets. Bernard Street is neither. The Council of the day turned down this request. Council therefore received a request from Mr. MacKay asking that the issue be revisited. At a Public Hearing held on January 4th, 2005, Council approved a Resolution to amend the MPS by deleting section (f) from Policy L-1.4.2 with regard to existing lands owned by Mr. Ed MacKay zoned Residential Multiple Unit (R3).

Received: October 18, 2004

4.7.4 John Mansley

Mr. Mansley held his application in abeyance for the last year because he has changed the type of multiple unit dwelling he plans to erect at 619 Queen Street from an apartment building to a six-unit, single-storey dwelling that will be marketed as a seniors' independent living residence. Mr. Mansley's application to rezone his property at 619 Queen Street from Residential Two-Unit (R-2) zone to Residential Multiple-Unit (R-3) zone was presented to Town Council at a Public Hearing on March 21, 2005. Following the Hearing, Council approved the rezoning of the property in accordance with the Municipal Planning Strategy and Land Use By-law for the Town. The rezoning application was not appealed and the file has been closed.

Received: January 21, 2004

4.7.5 Bed and Breakfasts

Planning Staff researched the rules and regulations under which a Bed & Breakfast establishment can locate within the Town of Port Hawkesbury.

In the past B & B establishments have been limited to more heavily traveled roads in order to reduce unwanted impacts to neighbouring property owners. The thought at the time was that major and minor collectors already produced noise impacts and therefore would be appropriate places on which to locate residences with higher rates of activity than normal single family detached dwellings would generate. Given that there is so little demand for these types of uses, Planning Staff have recommended

Breakfast establishments be located on major and minor collector roads. Planning Staff simultaneously recommended removal of the ability to expand residential buildings to create Bed & Breakfast establishments in accordance with the Tourism Nova Scotia regulation of a maximum of four bedrooms.

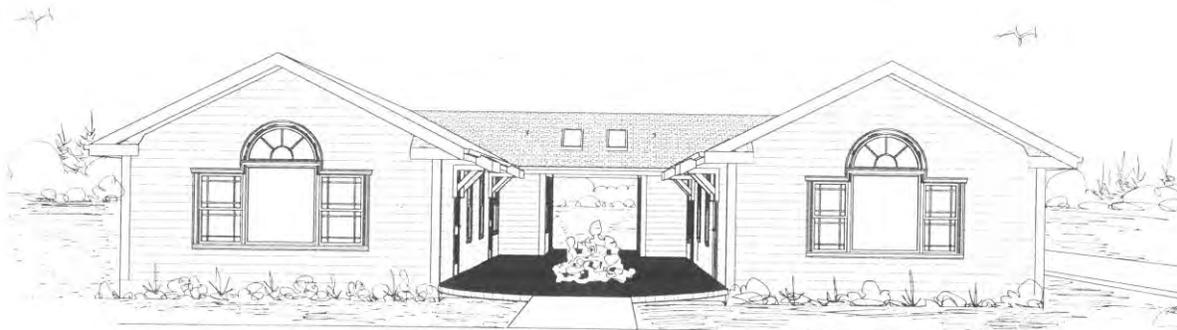
Received: June, 2004

4.7.6 Height Restrictions

Planning staff were asked to assess the height requirements for new larger buildings in the Town of Port Hawkesbury based on recent acquisitions by the Town's Fire Department. Two questions were raised:

1) are the height restrictions in the Land Use By-law based on fire protection? and 2) are these height restrictions still necessary? The Municipal Planning Strategy states that it is the intention of Council to promote fire safety and fire fighting efficiency by ensuring that no building is constructed with a height that exceeds the capacity of the Town's fire fighting equipment. The Port Hawkesbury Volunteer Fire Department presently has a fire truck with a ladder capable of extending eighty-five (85) feet, which is more than adequate to service a four-storey building with fire fighting equipment. Therefore, the 35-foot height requirement is now obsolete.

Council passed a Resolution changing Policy L-1.4.2(g) by deleting the word "three" and replacing it with the words "four (in accordance with the requirements of the National Building Code)". Further, "Part 19 Section 2, "Maximum Height of Main Building" has been omitted from the list of Land Use By-law amendments in section (b).



Mansley Proposal – 619 Queen Street

4.8 Port Hood

4.8.1 Port Hood Arena

Mr. Joe Morris has initiated a request to the Commission to change the municipal plan policy and land use by-law to permit the Arena to operate as a licensed facility. As part of the staff review of the proposal, it was discovered that the arena has an outstanding requirement to satisfy an outstanding structural engineering report pertaining to distance separation for fire protection between the existing structure and any future development. The matter was tabled until this outstanding issue was resolved. In March of 2004 Mr. Morris contacted staff indicated that the outstanding issues had been addressed and requested that the file be reopened and that the matter proceed. The amendments were reviewed with the local advisory committee, PAC and Council, receiving approval in October.

File Reopened: March 2004

4.9 Whycomagh

4.9.1 Keltic Quay



Mr. John K. Lynn, of Lynnsmith Company Limited, applied to rezone property fronting on Main Street in Whycomagh from Residential Centre (R 1) zone to Commercial (C-1) zone to permit the development of a conference and tourism facility. Mr. Lynn proposed a two phase development. Phase One was to involve the construction and furnishing of a main lodge/meeting centre; six housekeeping cottages; a

separate maintenance services building; and a main wharf and related marina services. As part of Phase One will be the completion of sewer, water, power, communication services upgrade and installation as well as road work, parking, landscaping and grounds beautification. The rezoning amendment was reviewed with the local advisory committee, PAC and Council, and received approval in September.

Received: May 7, 2004

4.9.2 Allister Shaw

The Shaw property, located between the Trans-Canada Highway and Main Street in Whycomagh, was rezoned from Residential Urban (R-1) to Commercial (C-2) by resolution passed by Council of the Municipality of the County of Inverness on March 27, 2003. The owner had proposed to construct five chalet style cottages with driveway access from Main Street. To date, however, nothing has been built on the property. The local Area Advisory Committee is concerned now about the fact that a C-2 zone allows for a variety of uses that are significantly broader than the guest cottages that were originally proposed for the property. Planning Staff have recommended the property be rezoned back to its original R-1 designation. The rezoning amendment is pending review by the local advisory committee, PAC and Council.

Received: September 9, 2004

4.10 Victoria County

4.10.1 Little Narrows Strategic Planning Process

Planning staff are currently taking part in a community-based strategic planning process for the communities of South Cove, Little Narrows, Estmere, Rear Estmere, Cains Mountain and Jubilee. This process is designed to determine a vision for the future of the communities, their goals and how they would like to see development occur over the next several years. The process was initiated by the Little Narrows Community Development Association and is being facilitated by the Extension Department at St. Francis Xavier University. An inclusive, and well attended foundation workshop was held on February 12, 2005 to commence the planning process and to help identify the strengths, weaknesses, opportunities and threats facing these communities.

Development Control

5.1 Inverness County

5.1.1 Building Permits (April 1, 2004 - March 31, 2005)

	Permits	Value
Residential Buildings		
New	54	\$7,680,900
Mobile Homes	39	\$1,535,000
Cottages	16	\$962,154
Additions, Alterations and Renovations	76	\$1,587,450
Garages and Accessory Buildings	57	\$617,000
Multiple Units	0	\$0
	<u>242</u>	<u>\$12,382,504</u>
Commercial and Industrial Buildings		
New	19	\$4,233,500
Additions and Alterations	26	\$1,297,927
	<u>45</u>	<u>\$5,531,427</u>
Institutional Buildings		
New	0	\$0
Additions and Alterations	1	\$3,000
	<u>1</u>	<u>\$3,000</u>
Other	<u>13</u>	<u>\$87,500</u>
Total	301	\$18,004,431

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

	Applications	Lots	Fees
Final Plan	74	126	\$14,800
Extra Lots	n/a	1	\$20
Tentative Plan	0	0	\$0
Preliminary Plan	0	0	\$0
	<u>74</u>	<u>126</u>	<u>\$14,820</u>

5. Development Control (Continued)

5.2 Richmond County

5.2.1 Building Permits (April 1, 2004 - March 31, 2005)

	Permits	Value
Residential Buildings		
New	35	\$4,282,350
Mobile Homes	22	\$1,033,000
Cottages	7	\$420,000
Additions, Alterations and Renovations	61	\$1,340,400
Garages and Accessory Buildings	57	\$606,640
Multiple Units	0	\$0
	182	\$7,682,390
 Commercial and Industrial Buildings		
New	9	\$621,800
Additions and Alterations	11	\$339,500
	20	\$961,300
 Institutional Buildings		
New	2	\$155,000
Additions and Alterations	2	\$30,000
	4	\$185,000
 Other	 3	 \$500
 Total	 209	 \$8,829,190

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

	Applications	Lots	Fees
Final Plan	44	86	\$8,800
Extra Lots	n/a	8	\$200
Tentative Plan	1	0	\$50
Preliminary Plan	0	0	\$0
	45	94	\$9,050

5. Development Control (Continued)**5.3 Victoria County****5.3.1 Building Permits (April 1, 2004 - March 31, 2005)**

	Permits	Value
Residential Buildings		
New	34	\$3,289,800
Mobile Homes	11	\$179,000
Multiple Units	0	\$0
Cottages	18	\$466,000
Additions, Alterations and Renovations	51	\$1,016,950
Garages and Accessory Buildings	43	\$486,500
	<u>157</u>	<u>\$5,438,250</u>
Commercial and Industrial Buildings		
New	11	\$3,158,000
Additions and Alterations	10	\$366,000
	<u>21</u>	<u>\$3,524,000</u>
Institutional Buildings		
New	1	\$65,000
Additions and Alterations	0	\$0
	<u>1</u>	<u>\$65,000</u>
Other	<u>12</u>	<u>\$180,000</u>
Total	191	\$9,207,250

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

	Applications	Lots	Fees
Final Plan	54	91	\$10,800
Extra Lots	n/a	7	\$175
Tentative Plan	1	3	\$50
Preliminary Plan	0	0	\$0
	<u>55</u>	<u>101</u>	<u>\$11,025</u>

5. Development Control (Continued)

5.4 Port Hawkesbury

5.4.1 Building Permits (April 1, 2004 - March 31, 2005)

	Permits	Value
Residential Buildings		
New	10	\$1,545,000
Mobile Homes	6	\$329,888
Cottages	0	\$0
Additions, Alterations and Renovations	18	\$258,250
Garages and Accessory Buildings	6	\$69,500
	40	\$2,202,638
Commercial and Industrial Buildings		
New	4	\$665,000
Additions and Alterations	11	\$182,013
Other	0	\$0
	15	\$847,013
Institutional Buildings		
New	1	\$140,000
Additions and Alterations	1	\$25,000
	2	\$165,000
Other	2	\$109,000
Total	59	\$3,323,651

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

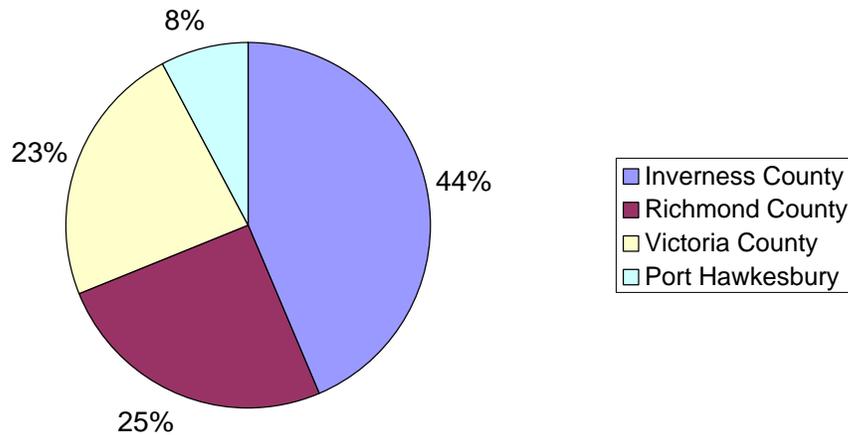
	Applications	Lots	Fees
Final Plan	4	8	\$800
Extra Lots	n/a	0	\$0
Tentative Plan	0	0	\$0
Preliminary Plan	0	0	\$0
	4	8	\$800

5. Development Control (Continued)

5.5 Development Summary

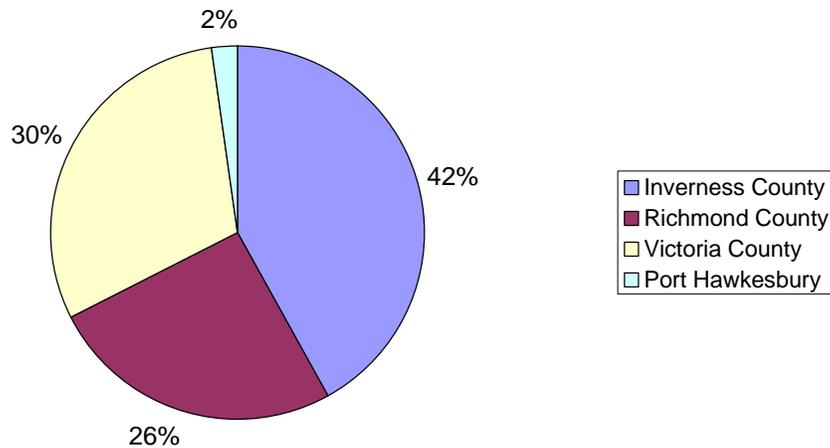
5.5.1 Building Permits (April 1, 2004 - March 31, 2005)

	Port Hawkesbury	Inverness	Richmond	Victoria
Construction Value	\$ 3,323,651	\$ 18,004,431	\$ 8,829,190	\$ 9,207,250
Fees (See Chart)	\$ 8,182	\$ 45,661	\$ 26,287	\$ 24,345
Permits Issued	59	301	209	191



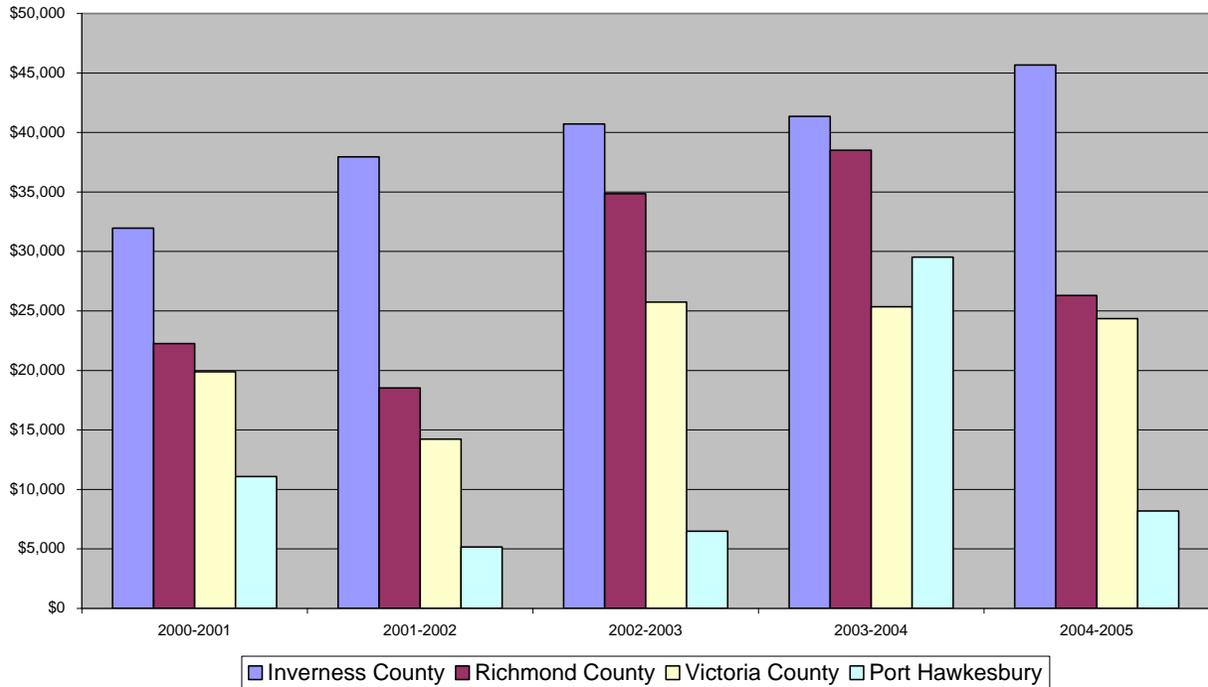
5.5.2 Subdivision Activity (April 1, 2004 - March 31, 2005)

	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

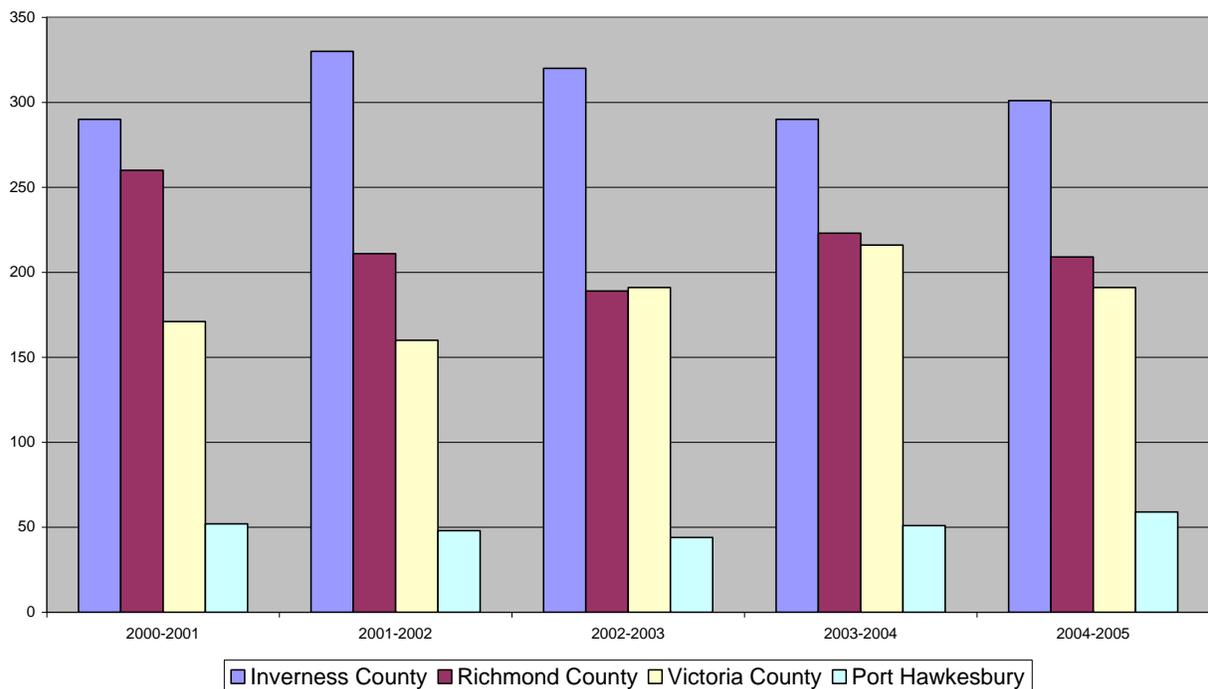


5. Development Control (Continued)

5.5.3 Figure 1: Building Permit Revenues 2000 - 2005

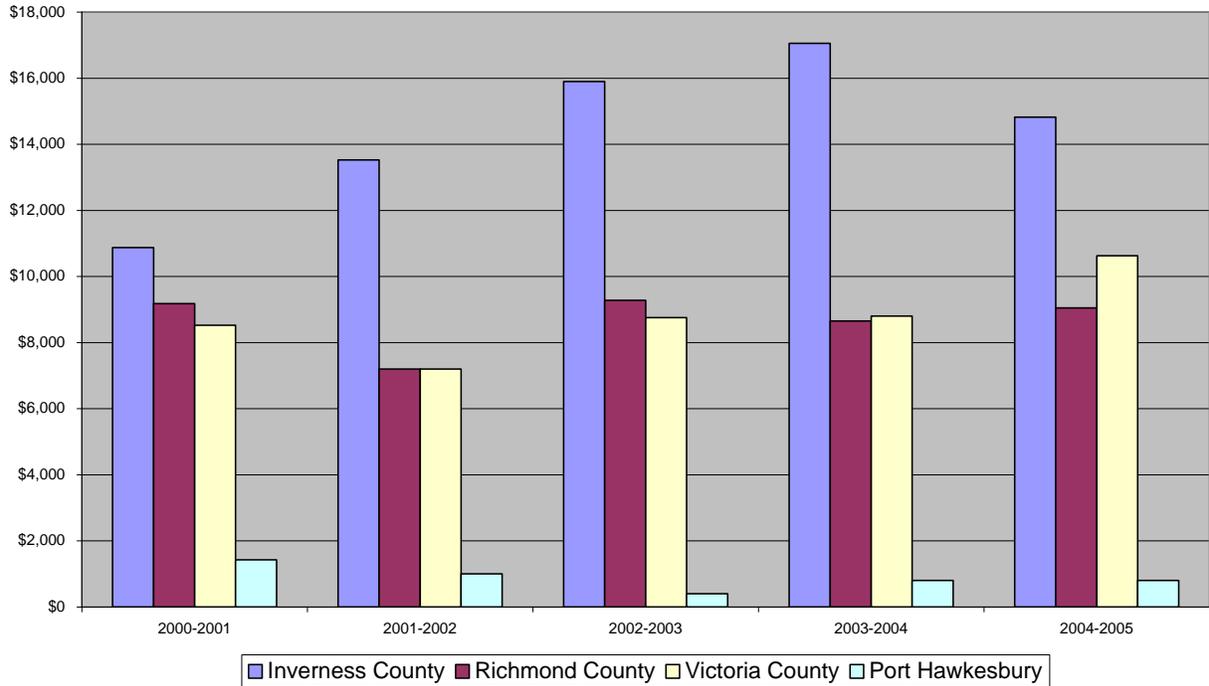


5.5.4 Figure 2: Number of Building Permits 2000 - 2005

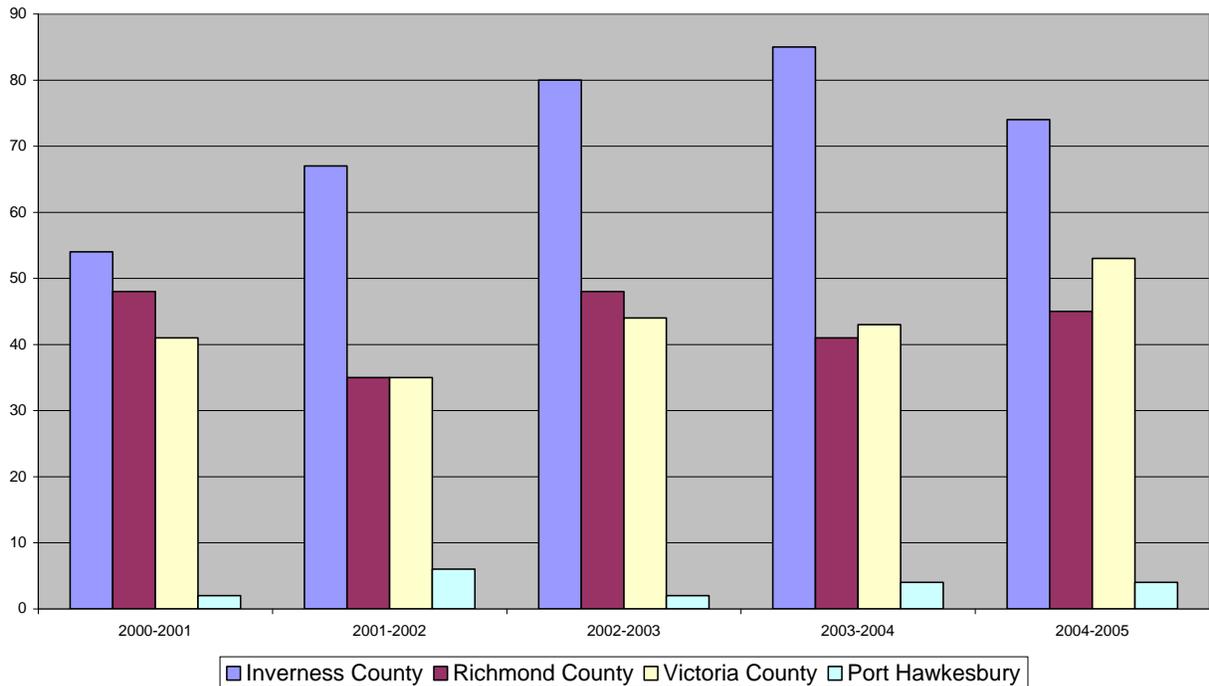


5. Development Control (Continued)

5.5.5 Figure 3: Subdivision Fee Revenues 2000 - 2005



5.5.6 Figure 4: Subdivision Applications 2000 - 2005



Appendix A. 2005 - 2006 Operating Estimates

**Operating Estimates
Eastern District Planning Commission
2005 - 2006**

	2005-06
Staff	
Wages	\$470,619
UIC, CPP, Group Insurance	\$42,797
Pension Plan	\$23,531
WCB	\$9,742
Membership Dues and Fees	\$3,500
	<hr/> \$550,188 <hr/>
Administrative Overhead	
Advertising	\$1,250
Bank Charges	\$2,500
Insurance	\$18,000
Library	\$2,500
Misc. Operating Costs	\$2,000
Office Rent	\$24,000
Office Supplies	\$4,000
Computers	\$4,000
Photocopying	\$3,500
Postage	\$5,500
Telephone and Fax	\$12,000
	<hr/> \$79,250 <hr/>
Travel and Training	
Mileage Compensation	\$50,000
Conference Fees and Expenses	\$15,000
	<hr/> \$65,000 <hr/>
Additional Fees	
Legal	\$1,000
Auditor	\$3,500
Technical and Mapping	\$5,000
Commission Expenses	\$4,500
	<hr/> \$14,000 <hr/>
TOTAL	<hr/> \$708,438 <hr/>

Operating Estimates 2005 - 2005
continued: Page 2

2005-06	
	\$708,438
Building Permits	
Building Permits Fees	(\$145,000)
Subdivision Fees	(\$53,000)
Miscellaneous Revenues	(\$4,000)
Map Revenues	(\$6,000)
E-911 Funding	(\$13,000)
Net Budget	\$487,438
Total Contributions	
Antigonish County	\$108,758
Inverness County	\$112,686
Richmond County	\$131,122
Victoria County	\$85,383
Port Hawkesbury	\$49,490
Total	\$487,438

Uniform Assessment Sharing Base (05-06)

Municipality	Assessment	Percentage
Antigonish	\$558,130,718	23.11%
Inverness	\$584,305,968	24.19%
Richmond	\$707,157,871	29.28%
Victoria	\$402,371,726	16.66%
Hawkesbury	\$163,193,700	6.76%
	\$2,415,159,983	100.00%

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

Grant Thornton LLP
Chartered Accountants
Management Consultants

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, 2005, 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, 2005, 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 27, 2005

Grant Thornton LLP

Registered Municipal Auditor

301 Pitt Street – Unit 2
Port Hawkesbury, Nova Scotia
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T (902) 625-5383
F (902) 625-5242
E PortHawkesbury@GrantThornton.ca
W www.GrantThornton.ca

Rural Cape Breton District Planning Commission Statement of Financial Activities

Year Ended March 31

2005

2004

	<u>Budget</u>	<u>Actual</u>	<u>Actual</u>
Revenue			
Municipality of the County of Inverness	\$ 121,465	\$ 121,465	\$ 114,928
Municipality of the County of Richmond	150,361	150,361	150,874
Municipality of the County of Victoria	89,700	89,700	89,285
Town of Port Hawkesbury	51,695	51,695	51,104
Building permit fees	105,000	104,475	134,333
Subdivision fees	35,000	35,695	35,300
Miscellaneous	8,000	37,573	10,000
E-911 funding	<u>11,000</u>	<u>11,342</u>	<u>11,342</u>
	<u>572,221</u>	<u>602,306</u>	<u>597,166</u>
Expenditure			
Administrative (Page 7)	545,523	555,078	527,882
Occupancy (Page 7)	23,698	23,877	24,482
Prepays			
Capital expenditures	<u>3,000</u>	<u>15,111</u>	<u>17,209</u>
	<u>572,221</u>	<u>594,066</u>	<u>569,573</u>
Net revenue and change in fund balance	<u>\$</u>	<u>\$ 8,240</u>	<u>\$ 27,593</u>

See accompanying notes to the financial statements.

Rural Cape Breton District Planning Commission

Statement of Financial Position

March 31 2005 2004

Financial assets		
Cash	\$ 46,284	\$ 38,573
Receivables	<u>29,971</u>	<u>25,774</u>
	76,255	64,347
Liabilities		
Payables and accruals	<u>16,160</u>	<u>12,492</u>
Net financial assets	<u>60,095</u>	<u>51,855</u>
Non-financial assets		
Capital assets, at cost		
Office furniture	63,104	52,857
Computer equipment	39,962	35,098
Library	12,037	12,037
Maps	<u>5,762</u>	<u>5,762</u>
	120,865	105,754
Prepays	<u>1,896</u>	<u>1,896</u>
	<u>122,761</u>	<u>107,650</u>
Net assets	<u>\$ 182,856</u>	<u>\$ 159,505</u>
<hr/>		
Fund balances (Page 5)	\$ 61,991	\$ 53,751
Investment in capital assets (Page 6)	<u>120,865</u>	<u>105,754</u>
Net financial position	<u>\$ 182,856</u>	<u>\$ 159,505</u>

Commitments (Note 3)

On behalf of the Commission

_____ Chairperson

_____ Member

See accompanying notes to the financial statements.

Rural Cape Breton District Planning Commission Statement of Changes in Financial Position

March 31	2005	2004
Operating		
Net revenue	\$ 8,240	\$ 27,593
Change in non-cash operating working capital (Note 5)	<u>(529)</u>	<u>(7,334)</u>
	<u>7,711</u>	<u>20,259</u>
Change in net cash	7,711	20,259
Net cash, beginning of year	<u>38,573</u>	<u>18,314</u>
Net cash, end of year	<u>\$ 46,284</u>	<u>\$ 38,573</u>

See accompanying notes to the financial statements.

Rural Cape Breton District Planning Commission Statement of Changes in Fund Balances

March 31	2005	2004
Balance, beginning of year	\$ 53,751	\$ 26,158
Change in fund balance	<u>8,240</u>	<u>27,593</u>
Balance, end of year	<u>\$ 61,991</u>	<u>\$ 53,751</u>

See accompanying notes to the financial statements.

Rural Cape Breton District Planning Commission Statement of Investment in Capital Assets

March 31	2005	2004
Balance, beginning of year	\$ 105,754	\$ 88,545
Capital expenditure out of revenue	<u>15,111</u>	<u>17,209</u>
Balance, end of year	<u>\$ 120,865</u>	<u>\$ 105,754</u>

See accompanying notes to the financial statements.

Rural Cape Breton District Planning Commission Schedules to Statement of Financial Activities

Year Ended March 31

2005

2004

	<u>Budget</u>	<u>Actual</u>	<u>Actual</u>
Administrative			
Advertising and promotion	\$ 1,000	\$ 4,004	\$ 1,562
Conferences	12,000	11,160	10,956
Interest and bank charges	2,000	1,626	2,226
Liability insurance	15,000	15,969	14,535
Maps	4,000	1,360	1,373
Membership dues and subscriptions	5,000	4,972	5,305
Miscellaneous	1,000	5,750	2,777
Office supplies and postage	13,500	12,463	11,563
Photography		357	419
Professional fees	4,000	7,049	4,874
Salaries and employee benefits	436,023	435,117	418,241
Telephone	10,000	8,572	9,241
Travel and meetings	<u>42,000</u>	<u>46,679</u>	<u>44,810</u>
	<u>\$ 545,523</u>	<u>\$ 555,078</u>	<u>\$ 527,882</u>
Occupancy			
Insurance		\$ 820	\$ 773
Rent	<u>\$ 23,698</u>	<u>23,057</u>	<u>23,709</u>
	<u>\$ 23,698</u>	<u>\$ 23,877</u>	<u>\$ 24,482</u>

See accompanying notes to the financial statements.

Rural Cape Breton District Planning Commission

Notes to the Financial Statements

March 31, 2005

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 and Town of Port Hawkesbury.

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 approximate their carrying values, unless otherwise noted.

Rural Cape Breton District Planning Commission

Notes to the Financial Statements

March 31, 2005

3. Commitments

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

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 (2004 - \$17,853).

5. Supplemental cash flow information

	<u>2005</u>	<u>2004</u>
Change in non-cash operating working capital:		
Receivables	\$ (4,197)	\$ (9,487)
Payables and accruals	<u>3,668</u>	<u>2,153</u>
	<u>\$ (529)</u>	<u>\$ (7,334)</u>
