

**Eastern District
Planning Commission**

2007-2008

Annual Report and Financial Statements

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Eastern District Planning Commission
2007 – 2008
Annual Report and Financial Statements

June 2008

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1. Introduction

This report is for the period of April 1, 2007 to March 31, 2008 and 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.

2. Structure of the Eastern District Planning Commission

2.1 Council	Commission Representatives
Port Hawkesbury	Councillor Mark MacIver, Chair Mayor Billy Joe MacLean, Member Councillor Jim King, Alternate Colin MacDonald, Secretary-Treasurer
Richmond County	Councillor Shirley McNamara, Vice Chair Councillor Malcolm Beaton, Member Louis Digout, Advisor
Inverness County	Warden Duart MacAulay, Member Councillor Daniel Boudreau, Member Deputy Warden Ned MacDonald, Alternate Kate Beaton, Advisor
Victoria County	Deputy Warden John Graham MacInnes, Member Councillor Bruce Morrison, Member Warden Wayne Budge, Alternate Sandy Hudson, Advisor
Antigonish County	Deputy Warden Owen McCarron, Member Councillor Hugh Stewart, Member Councillor Bill MacFarlane, Alternate Alan Bond, Advisor
2.2 Staff	
Director	John Bain
Planners	Lindsay Lyghtle Marney Simmons Karl Grenke (From February 11)
Development Officers	Wanda Ryan John Bain (Alternate)
Chief Building Inspector	Cyril LeBlanc
Building/Fire Inspectors	Alfred Fougere Leon LeBlanc David MacKenzie Zach VanRossum
Planning Technician	Bryne Butts
Bookkeeper/Receptionist	Tammy MacLellan / Germaine Richard
Auditors	Grant Thornton Chartered Accountants
Solicitors	Pickup and MacDowell

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

3.1 Baddeck Plan Review

Staff have continued updating the Village of Baddeck's Municipal Planning Strategy and Land Use By-law based on the input received from the local Planning Advisory Committee. In Spring 2007, a draft version of the Planning Strategy and Land Use By-law were presented to the Planning Advisory Committee for review. Questions received at that meeting were addressed over the course of the summer and fall, and additions and changes identified at the meeting were inserted into the document. This allowed for a rough draft of the planning document to be completed by the end of 2007. The Baddeck Area Advisory Committee met on Tuesday January 15th 2008 and agenda items included a review of the final draft documents and a discussion on potential future Main Street development.

Staff were present at a presentation by the Baddeck Area Volunteer Fire Department on the future of their property located on Baddeck's Main Street. Prior to the meeting concerns were raised that "...there is no long term development strategy (plan) for Baddeck..." and that "...Baddeck does not have a functioning planning advisory committee (PAC) to assess the future needs of the community or plan for future development." Staff addressed these concerns and noted that the viability of Main Street, is addressed by the Baddeck Municipal Planning Strategy. Staff also specifically addressed requirements for the Fire Department property, noting that the property is located in an "Architectural Control Area" meaning that any new building will be assessed prior to permits being issued for conformity with the architectural styles presently in place in Baddeck. The Architectural Control Area was the initiative of the local Planning Advisory Committee through the Plan Review process.

Since this Public Meeting, the Baddeck Area Advisory Committee has increased their meetings to every second week, holding meetings January 15th and 29th, February 12th and March 18th.

3.2 Antigonish Central Planning Process

The Central Antigonish Municipal Planning Strategy is being redrafted to address issues raised by the Director in his review of the previous draft of the document from early 2007.

In September 2007, planning staff were directed by Antigonish County Council to prepare an Interim Municipal Planning Strategy. This would provide support and would promote the protection, enhancement and prudent use of the environment within the Central Antigonish planning area, until such time as the Central Antigonish Municipal Planning Strategy and the Fringe Municipal Planning Strategy review have been completed. This document was presented to the Fringe and Central Antigonish Area Advisory Committees, the Antigonish Planning Advisory Committee, and was approved by Antigonish County Council at first reading. The Central Antigonish Area Advisory Committee met on Tuesday, October 9, 2007 and discussed the Interim Planning document as well as the Central Antigonish Municipal Planning Strategy and the final stages necessary for its completion. A public hearing date was set for November 20, 2007, and Council approved the Interim Plan on that date.

At the Central Antigonish AAC meeting on November 27, 2007, three new members were appointed to the Central Area Advisory Committee to fill vacancies: Alex Cameron, Michael Beaton and Brian Kelly. The Committee spent some time reviewing the planning document and identified what has been completed to date, and what still requires work. The Committee began working on the hamlet designation, identifying criteria, zones and four areas, which will be designated as hamlets within the Central plan. This work would be carried through to the new year

The Central Antigonish Area Advisory Committee last met on March 3, 2008. The committee has finalized the boundaries for the Hamlet designation, and decided on the necessary residential zones within these boundaries. At the March 3 meeting, the committee identified permitted uses for the residential, multiple unit and mini home park zones, along with other policy related to agriculture in the hamlet, home occupations and bed and breakfasts. The committee has a very good understanding and vision for future development within the communities, which is helping them to make good progress on the Central Antigonish document.

3.3 Antigonish Fringe Plan Review

The Fringe Area Advisory Committee held its first meeting on May 29, 2007. The Committee decided that it would be beneficial to create a new Planning Strategy for the Fringe area. Work began with the identification of strengths and weaknesses of the region, and continued with working on creating a revised boundary for the plan area, and updating goals and objectives. The Central Antigonish Interim document was presented to the Fringe committee at the last meeting.

At the Area Advisory Committee meeting on November 8, 2007, watershed boundaries were presented to the Committee, identifying all watersheds which intersect the current boundary. As these watershed boundaries are larger than the current identified plan area, the Committee discussed expanding the current Fringe plan area boundary so all areas of the watershed would be protected. The Committee made a motion, recommending to Council that the planning area be expanded to include all lands west of the Central planning area, north of the Guysborough County boundary, east of the Pictou County boundary and south of the Northumberland Strait.



On February 26, 27 and 28th, 2008, planning staff held open house meetings in communities in currently unplanned sections of western Antigonish County. The purpose of these sessions was to gauge the interest of local residents and politicians in the possible extension of land use planning to their area. From the meetings, it was clear to staff that there was general interest in implementing land use planning in these communities, though there was some concern that specific local interests might not be adequately represented within a larger scale planning document. The Committee is awaiting further direction from Council before moving ahead with further meetings.

3.4 St. Peter's Plan Review

The St. Peter's Area Advisory Committee met on Wednesday, May 23, 2007 to discuss final changes to the plan made by the Director addressing issues raised in his review of the final draft of the documents. This was forwarded to the Planning Advisory Committee for their June meeting. A final version of the St. Peter's Municipal Planning Strategy and Land Use By-law was presented to Richmond County Council on September 10, 2007 where it was approved after second reading. The documents were reviewed by the Minister and came into effect with publication on October 10th 2007.



3.5 Sporting Mountain Plan Review

Staff are anticipating commencing this review after working with the Planning Advisory Committee on a policy for the appointment of an Area Advisory Committee. Preliminary discussions with the Planning Advisory Committee took place at the January Committee meeting and staff are now drafting a policy for PAC review.

4. Amendments and Miscellaneous Projects

4.1 Antigonish County

4.1.1 S.F. Smith Developments Limited- Lochaber Road

Staff received an application from S.F. Smith Developments Limited on June 17, 2005, to rezone property along Lochaber Road in Antigonish County, from Residential (R-1) zone to Residential Multi Unit (R-2) zone. The development proposal includes the construction of two multi unit apartment buildings, each with three floors and 18 units. At the request of planning staff, a detailed site plan was submitted by the developer on August 11, 2005. Staff are currently awaiting direction from the applicant on how to proceed.

Status: On hold

4.1.2 S.F. Smith Developments Limited - Antigonish Landing (*Fringe Area*)

An application was received August 28, 2007 from S.F. Smith Development Ltd., to rezone property located within Mount Cameron Estates, in Antigonish County, from Residential (R-1) to Residential Multi Unit (R-2). The proposal includes the construction of several condominiums and apartment buildings. As the apartment building is over four units, that part of the development would have to be done through development agreement. Staff is currently waiting for further instruction from the developer.

Status: On hold

4.1.3 Eastern Sanitation Limited (*Fringe Area*)

An application was received August 10, 2005 from Eastern Sanitation Limited, to rezone property on Beech Hill Road from Rural Development (RD-1) zone to Industrial (I-1) zone in order to permit a construction/demolition recycling facility. Staff completed a preliminary review of the rezoning application and notified the applicant that construction and demolition disposal sites, processing facilities, and debris transfer stations are prohibited in the Municipality as of June 21, 2005 adoption of the Construction and Demolition Debris By-law. The applicant however decided to proceed with the rezoning. In response to the preliminary review and distribution of agency letters, the Department of Environment requested that further study on the proposed development be completed before they were able to provide any comments. On February 15, 2007, staff received information that would be circulated to the Department of the Environment and

Labour for comment, however on the applicant's request, this was returned to them. Planning staff are currently awaiting direction from the applicant on how to proceed.

Status: On-hold

4.1.4 Harvey Myatt (*Fringe Area*)

An application was received on May 22, 2006 from Mr. Harvey Myatt to rezone land located at PID#01292697 on Tamara Dr. in Antigonish County from Residential (R-1) zone to Commercial (C-1) zone in order to satisfy the parking requirements for a proposed professional office complex on an adjacent C-1 parcel. Mr. Myatt was proposing to construct a 3,200 square foot professional office complex, which will be used as a call centre. While the existing C-1 lot could accommodate the office complex and the required parking requirements, Mr. Myatt would prefer to extend the parking lot for the project onto the subject parcel of land. On July 18, 2006 it was decided by Antigonish County Council to deny the proposed amendment. An appeal to the Utility and Review Board was dismissed on October 17, 2007.

Status: File Closed, October 2007

4.1.5 Garden Suites (*Fringe Area*)

In January 2008, staff received an application from David and Yvonne Haley to rezone a parcel of land on Cunningham Road zoned Rural Development (RD-1) to Residential Multi-Unit (R-2). This would allow the construction of a garden suite (also known as granny flat) adjacent to the main residential dwelling they intend to build there, as garden suites are a permitted use within the R-2 zone. Upon reviewing the application, it became apparent to staff that the Antigonish Fringe Municipal Planning Strategy does not have policies to support this particular rezoning. However, as staff felt that such a change would be consistent with the intent of the Planning Strategy, staff initiated the process of amending to the Antigonish County Fringe Municipal Planning Strategy and Land Use By-law to include garden suites as a permitted use within the Rural Development designation and zone. A draft document was prepared on March 14, 2008, and is scheduled to go to the Area Advisory Committee.

Status: Ongoing

4.1.6 Antigonish County Subdivision By-law

At the June 21, 2006 session of Antigonish County Council, Planning Staff were directed to research and prepare amendments to the Antigonish Subdivision By-law. The amendments developed would allow the County to adopt a rural and an urban

standard for proposed public Municipal roads, to eliminate the use of private road areas in lot calculations and to correct a number of typographical errors within the existing By-law. A staff report was prepared and Council approved the proposed amendments to the Antigonish County Subdivision By-law on March 20, 2007. There was no appeals to the Province.

Status: File closed, April 2007

4.1.7 Antigonish County Wind Energy Policy

On July 20, 2007, in response to queries from wind energy developers, Planning Staff were directed to research and prepare a Municipal Planning Strategy and Land Use By-law for the County of Antigonish pertaining to wind energy and its generation. This policy would allow for the controlled development of wind energy within areas of the County where there is a sufficient amount of space and adequate safety for wind turbines. On March 14, 2008, a preliminary draft document was prepared which included a Municipal Planning Strategy and Land Use By-law covering the entire County and only regulating wind turbine development. Under this plan, the existing plan areas of the county would remain in effect and be considered secondary planning strategies. The proposed Land Use By-law outlined setback and design requirements for turbines of different sizes, including small scale turbines, in addition to utility scale structures. Staff are currently awaiting direction from Council on the subject.

Status: Ongoing

4.2 Inverness County

4.2.1 Daniel Boudreau (*Chéticamp*)

Staff received an application from Mr. Daniel Boudreau to amend the permitted use of accessory buildings within the Residential Rural (RR-1) Zone of the Chéticamp Municipal Planning Strategy and Land Use By-law. The amendment would allow fishermen to store fishery related gear in accessory buildings on their property. The Inverness Planning Advisory Committee met February 5, 2007 regarding the proposed amendment. The amendment was sent back to Chéticamp's Area Advisory to review and clarify the specific zones to which the amendment would apply due to the large geographical area on which these sheds are located. Following a second Area Advisory Committee meeting, a revised staff report will be prepared.

Status: On hold

4.2.2 Breton Park Estates – Hilltop Drive (*Port Hastings*)

Staff received an application from Mr. Frankie MacNeil to rezone 73 acres on Hilltop Drive, at Davis Road from Residential Future (R-2) zone to Residential (R-1) zone. His intent was to develop a single family dwelling subdivision, in addition to the five lots that were rezoned in 2004.

The proposed development conformed to the intent of the Municipal Planning Strategy and the Land Use By-law, as there will be available sewer and water services upon the completion of the new water treatment plant along Highway 4. The Department of Environment was contacted and they suggested that two of the proposed lots, should be left in their natural state for the time being as there was a watercourse present, but the rest of the development was not inappropriate. As such, Council approved the rezoning to R-1 for all, except for Lots 6 and 7. Those would remain zoned R-2 until the Department of Environment approved a mitigation plan.

On September 14, 2007, Mr. McNeil applied to rezone the final two lots, and included the required Department approved Watercourse Diversion and Culvert Plan. As such, staff recommended the approval of the rezoning, and a public hearing is scheduled for April 1, 2008.

Status: Ongoing

4.2.3 Margie Gillis (*Port Hood*)

On February 22, 2006, staff received a request from Ms. Margie Gillis to enter into a development agreement with Inverness County Council. Ms. Gillis is proposing to renovate a structure, formally known as J. & C. Grocery Ltd., 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. This application was withdrawn by the applicant but was later resubmitted. In November 2007 the application was once again withdrawn by the applicant and the file was closed.

Status: File Closed- December 2007

4.2.4 Daniel and Heather Hawley (*Port Hood*)

On March 6, 2008, staff received an application from Daniel and Heather Hawley, to amend the R-2 Zone to allow for a serviced standard in the zone or to rezone their property to R-1 to allow them to take advantage of the Municipal Services in the area. Presently this property is not serviced by the Municipality but they were initially looking to add a private line to the end of the Port Hood services.

Recently it was announced that sewer and water services would be extended along the Highway 19 corridor to Harbourview. The Hawleys intend to subdivide their 1.84 acre property into four lots for single family dwellings, which would require a rezoning, given that the minimum lot size for the R-2 zone would not allow the subdivision. Staff noted that the Port Hood Municipal Planning Strategy designates serviced lands as urban residential and unserviced as rural residential, though makes no specific provision for the rezoning of rural land once servicing is extended. As such, with the proposed extension of services to the area, staff is investigating the possibility of a concurrent amendment to the MPS providing a policy mechanism guiding rezonings to Residential Urban under these circumstances, and the rezoning of that specific property. In late March, letters were distributed to various agencies requesting written comment on the rezoning.

Status: New Application



4.2.5 Illegal Signs in Inverness County

Inverness County Council has requested that planning staff look into apparent illegal signage throughout the County, as there were concerns of inconsistent commercial sign by-law enforcement between different areas within the Municipality. A review of the sign by-laws of the five planning areas of Inverness County revealed that off-site signage is illegal in Port Hood and Port Hastings. On February 12 and 29, 2008, staff investigated and catalogued 30 commercial signs in Port Hastings and 7 in Port Hood that are believed to be illegally placed. The Department of Transportation and Infrastructure Renewal was contacted and they confirmed that they had not issued any special permits for highway signs in those areas. Staff is in the process of preparing a report to be submitted to Council.

Status: Ongoing

4.3 Richmond County

4.3.1 Michael Sampson (*St. Peter's*)

An application was received on March 1, 2006 to rezone land located near Grenville Street in St. Peter's from Open Space (OS) zone to Downtown Commercial (C-1) zone, to allow for the construction of a self storage facility. A Staff Report was prepared but later put on hold due to road ownership issues pertaining to the property.

The ownership issues were resolved in February of 2007 and the file was reopened, with a revised staff report. Mr. Sampson still wished to rezone his property from Open Space (OS) zone to Downtown Commercial (C-1) zone, but for the purpose of bringing the property into conformity with other commercially zoned properties on Grenville Street, and to gain access to this property via the two properties he owns immediately in front of the subject property. On March 12, 2007 Council gave first reading approval to the amendment and the matter went to Public Hearing on April 2, 2007.

Status: File Closed- April 2007

4.3.2 Joe Rankin - Former Richmond Villa Site (*St. Peter's*)

An application was submitted by Mr. Joe Rankin, to rezone property located at 10052 Grenville Street, St. Peter's for the purpose of using the existing structure, otherwise known as the Old Richmond Villa, for apartments and retail or professional offices. The top half of the property where the current structure is located is proposed to be rezoned from Residential Village (R-1) zone to Downtown Commercial (C-1) zone. Mr. Rankin has also proposed to use the lower portion of the property which borders Toulouse Street, to develop single detached homes, which requires a rezoning from Business Park (I-1) zone to Residential Village (R-1) zone. On March 12, 2007 Council gave first reading approval to the amendment and the matter went to Public Hearing on April 2, 2007.

Current Status: File Closed- April 2007



4.3.3 Richmond County Subdivision Roads

On May 14, 2007, Richmond County Council passed a resolution: "...that staff be requested to provide a report to Council, regarding a potential policy for municipal designation of public roads that would be maintained by the Municipality, with the report including "best practices" from neighbouring municipal units." Staff initiated the report, and forwarded it to the Public Works department of Richmond County.

Status: Ongoing

4.3.4 Variance- Gerald MacDonnell (*St. Peter's*)

A variance application was received from Mr. MacDonnell to vary the front yard requirement of his property located on Toulouse Street (PID# 75189548), St. Peter's, from 20 feet to 10 feet. This will allow the applicant to place a self storage building on his property. Planning staff granted the variance as they felt that this new building would not adversely impact neighbouring properties or the streetscape, as it will be in alignment with other structures on the street. No appeals were received.

Status: File Closed- December, 2007

4.3.5 Variance- Clifford DeCoste (*Evanston*)

A variance application was received from Mr. DeCoste to vary the watercourse setback requirement of his property located on Spruce Tree Drive (PID# 75034767), Evanston, from 75 feet to 60 feet. This will allow the applicant to build a house on the property. Staff granted the variance as they felt that this new building located as described will not adversely impact surrounding properties or the environment, and the variance is necessary given the lot layout and distance requirements regarding the onsite servicing of the property. No appeals were received.

Status: File Closed- March, 2008

4.4 Town of Port Hawkesbury

4.4.1 Westgate Mobile Home Park

An application was received January 9, 2007 from the Town of Port Hawkesbury to enter into a development agreement in order to construct a mobile home park. The Town owns the land on which the proposed mobile home park shall be located, adjacent to Trunk 4 behind the new waste water treatment plant, along the western boundary of the Town of Port Hawkesbury. They wish to sell it to Smith & Fraser to develop the site. Agency letters were mailed out, and the Department of Transportation reported that they were concerned about the amount of traffic that this new development would create, and recommended that a Traffic Impact Study be completed before providing comment.

Furthermore, the Department of the Environment recommended that sediment and erosion and emergency spills plans should be developed due to the size of the site; and the Port Hawkesbury Fire Department was concerned about road widths and spacing between buildings. These issues and others were addressed through engineering reports and the development agreement itself.

The Planning Advisory Committee met in October 2007 and January 2008 to consider the development agreement, and it went to Public Hearing February 5, 2008, where it was subsequently adopted.

Status: Closed- February, 2008



5. Development Control

5.1 Antigonish County

5.1.1 Building Permits (April 1, 2007 – March 31, 2008)

Residential Buildings	Permits	Value
New	86	\$16,079,646
Mobile Homes	68	\$3,959,915
Cottages	9	\$785,000
Additions, Alterations and Renovations	27	\$781,144
Garages and Accessory Buildings	48	\$915,000
Multiple Units	3	\$960,000
	<u>241</u>	<u>\$23,480,705</u>
 Commercial and Industrial Buildings		
New	15	\$3,326,000
Additions and Alterations	6	\$631,000
	<u>21</u>	<u>\$3,957,000</u>
 Institutional Buildings		
New	1	\$60,000
Additions and Alterations	0	-
	<u>1</u>	<u>\$60,000</u>
 Other	<u>12</u>	<u>\$95,000</u>
 Total	275	\$27,592,705

5.1.2 Subdivision Activity (April 1, 2007 – March 31, 2008)

	Applications	Lots	Fees
Final Plan	93	179	\$18,600
Extra Lots	n/a	32	\$800
Tentative Plan	2	96	\$100
Preliminary Plan	2	315	-
	<u>97</u>	<u>622</u>	<u>\$19,500</u>

5. Development Control (continued)**5.2 Inverness County****5.2.1 Building Permits (April 1, 2007 – March 31, 2008)**

Residential Buildings	Permits	Value
New	49	\$8,794,000
Mobile Homes	28	\$1,451,200
Cottages	21	\$520,000
Additions, Alterations and Renovations	75	\$1,679,243
Garages and Accessory Buildings	51	\$728,500
Multiple Units	0	-
	<u>224</u>	<u>\$13,172,943</u>
 Commercial and Industrial Buildings		
New	11	\$3,224,000
Additions and Alterations	18	\$968,600
	<u>29</u>	<u>\$4,192,600</u>
 Institutional Buildings		
New	1	\$40,000
Additions and Alterations	0	-
	<u>1</u>	<u>\$40,000</u>
 Other	<u>9</u>	<u>\$35,800</u>
 Total	263	\$17,441,343

5.2.2 Subdivision Activity (April 1, 2007 – March 31, 2008)

	Applications	Lots	Fees
Final Plan	75	138	\$15,000
Extra Lots	n/a	3	75
Tentative Plan	-	-	-
Preliminary Plan	-	-	-
	<u>75</u>	<u>141</u>	<u>\$ 15,075</u>

5. Development Control (continued)**5.3 Richmond County****5.3.1 Building Permits (April 1, 2007 – March 31, 2008)**

Residential Buildings	Permits	Value
New	34	\$5,467,706
Mobile Homes	16	\$941,600
Cottages	9	\$778,400
Additions, Alterations and Renovations	62	\$899,400
Garages and Accessory Buildings	64	\$921,800
Multiple Units	0	-
	<u>185</u>	<u>\$9,008,906</u>
 Commercial and Industrial Buildings		
New	7	\$1,220,000
Additions and Alterations	33	\$1,152,490
	<u>40</u>	<u>\$2,372,490</u>
 Institutional Buildings		
New	0	-
Additions and Alterations	3	\$565,000
	<u>3</u>	<u>\$565,000</u>
 Other	<u>10</u>	<u>\$3,100</u>
 Total	238	\$11,949,496

5.3.2 Subdivision Activity (April 1, 2007 – March 31, 2008)

	Applications	Lots	Fees
Final Plan	42	103	\$8,450
Extra Lots	n/a	14	\$350
Tentative Plan	3	25	\$150
Preliminary Plan	-	-	-
	<u>45</u>	<u>142</u>	<u>\$8,950</u>

5. Development Control (continued)**5.4 Victoria County****5.4.1 Building Permits (April 1, 2007 – March 31, 2008)**

Residential Buildings	Permits	Value
New	18	\$2,274,000
Mobile Homes	12	\$410,000
Cottages	11	\$675,000
Additions, Alterations and Renovations	26	\$744,000
Garages and Accessory Buildings	34	\$553,500
Multiple Units	0	-
	<u>101</u>	<u>\$4,656,500</u>
 Commercial and Industrial Buildings		
New	12	\$1,586,700
Additions and Alterations	10	\$300,000
	<u>22</u>	<u>\$1,886,700</u>
 Institutional Buildings		
New	0	-
Additions and Alterations	0	-
	<u>0</u>	<u>-</u>
 Other	<u>18</u>	<u>\$8,000</u>
 Total	141	\$6,551,200

5.4.2 Subdivision Activity (April 1, 2007 – March 31, 2008)

	Applications	Lots	Fees
Final Plan	42	42	\$8,450
Extra Lots	n/a	1	25
Tentative Plan	-	-	-
Preliminary Plan	-	-	-
	<u>42</u>	<u>43</u>	<u>\$8,475</u>

5. Development Control (continued)**5.5 Port Hawkesbury****5.5.1 Building Permits (April 1, 2007 – March 31, 2008)**

Residential Buildings	Permits	Value
New	1	\$150,000
Mobile Homes	3	\$207,000
Cottages	0	-
Additions, Alterations and Renovations	5	\$179,000
Garages and Accessory Buildings	2	\$50,000
Multiple Units	1	\$160,000
	<u>12</u>	<u>\$746,000</u>
 Commercial and Industrial Buildings		
New	3	\$850,000
Additions and Alterations	9	\$706,500
	<u>12</u>	<u>\$1,556,500</u>
 Institutional Buildings		
New	0	-
Additions and Alterations	0	-
	<u>0</u>	<u>-</u>
 Other	<u>2</u>	<u>\$1,000</u>
 Total	26	\$2,303,500

5.5.2 Subdivision Activity (April 1, 2007 – March 31, 2008)

	Applications	Lots	Fees
Final Plan	3	4	\$600
Extra Lots	n/a	-	-
Tentative Plan	-	-	-
Preliminary Plan	-	-	-
	<u>3</u>	<u>4</u>	<u>\$600</u>

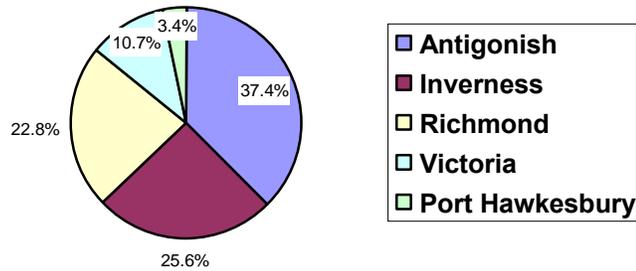
5. Development Control (continued)

5.6 Development Summary

5.6.1 Building Permits (April 1, 2007 – March 31, 2008)

	Antigonish	Inverness	Richmond	Victoria	Port Hawkesbury
Construction Value	\$ 27,592,705	17,441,343	11,949,496	6,551,200	2,303,500
Fees	\$ 57,955	39,611	35,376	16,629	5,306
Permits Issued	275	263	238	141	26

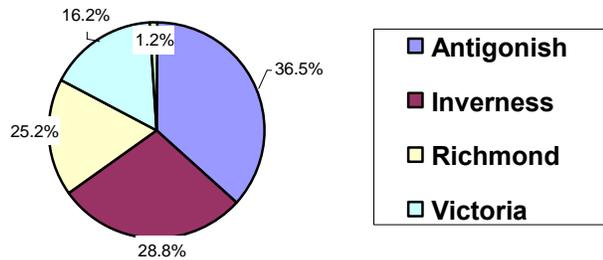
Building Permit Revenues



5.6.2 Subdivision Activity (April 1, 2007 – March 31, 2008)

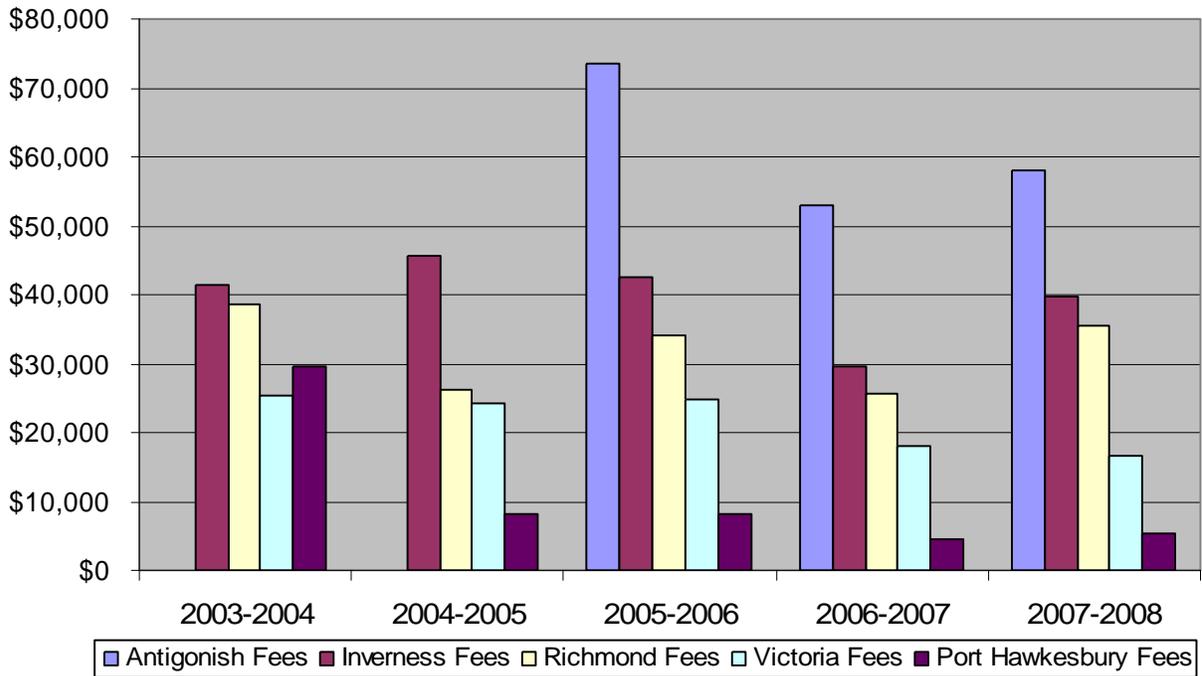
	Antigonish	Inverness	Richmond	Victoria	Port Hawkesbury
Final & Tentative Plans	95	75	45	42	3
Final Lots	211	141	117	43	4
Tentative Lots	96	-	25	-	-
Preliminary Plans	2	-	-	-	-
Preliminary Lots	315	-	-	-	-
Fees	\$ 19,500	15,075	8,950	8,475	600

Subdivision Revenues

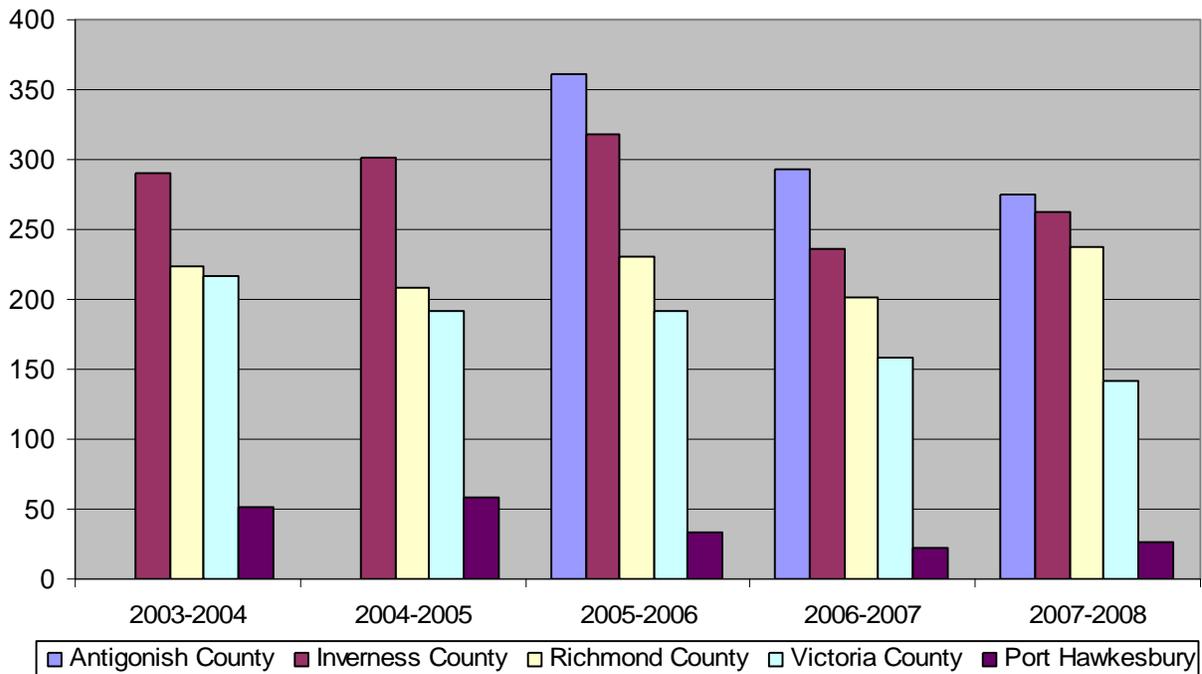


5. Development Control (continued)

5.6.3 Figure 1: Building Permit Revenues 2003 – 2008

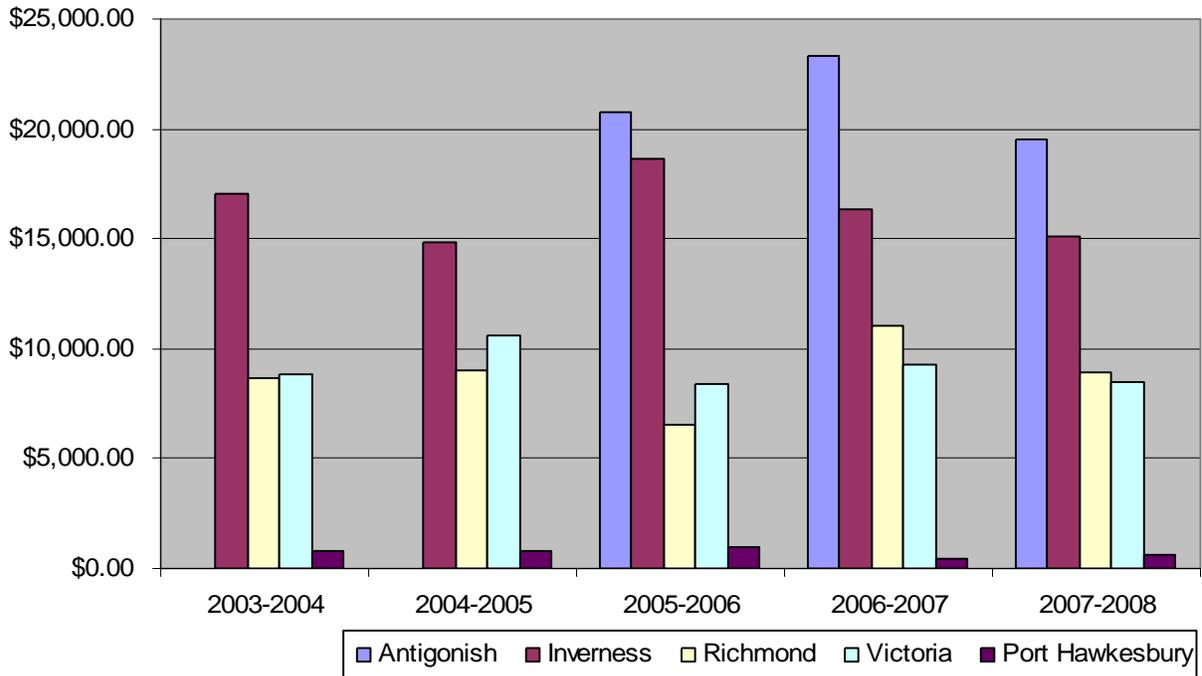


5.6.4 Figure 2: Number of Building Permits 2003 – 2008

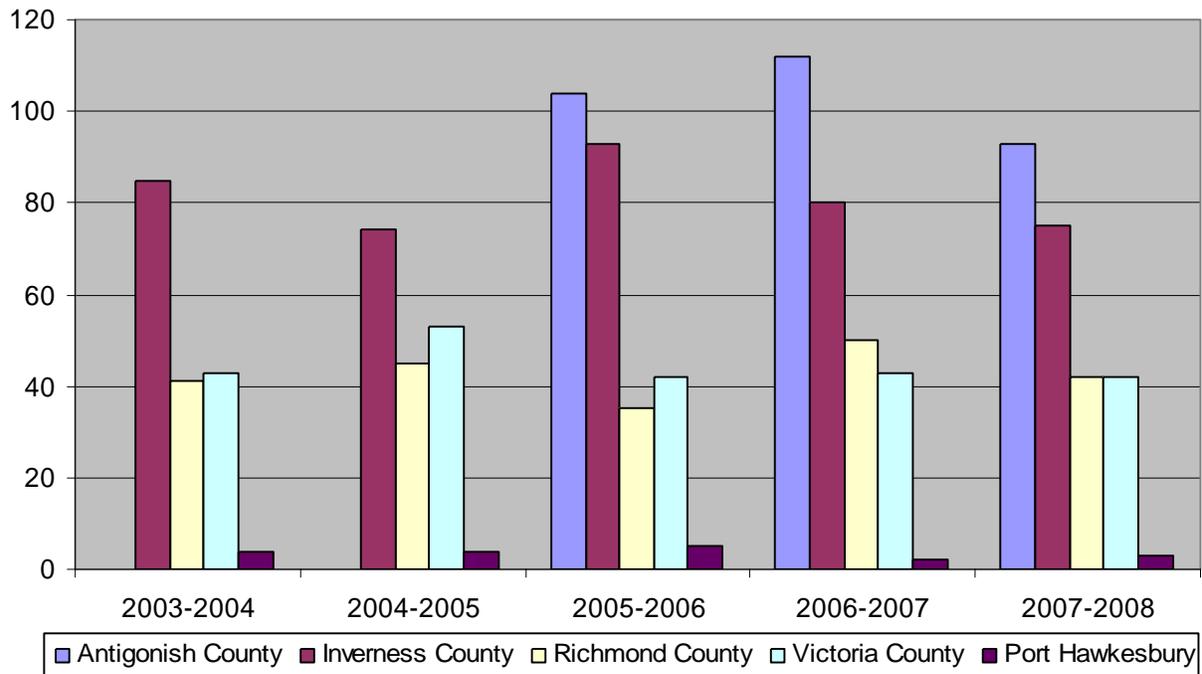


5. Development Control (continued)

5.6.5 Figure 3: Subdivision Fee Revenues 2003 – 2008

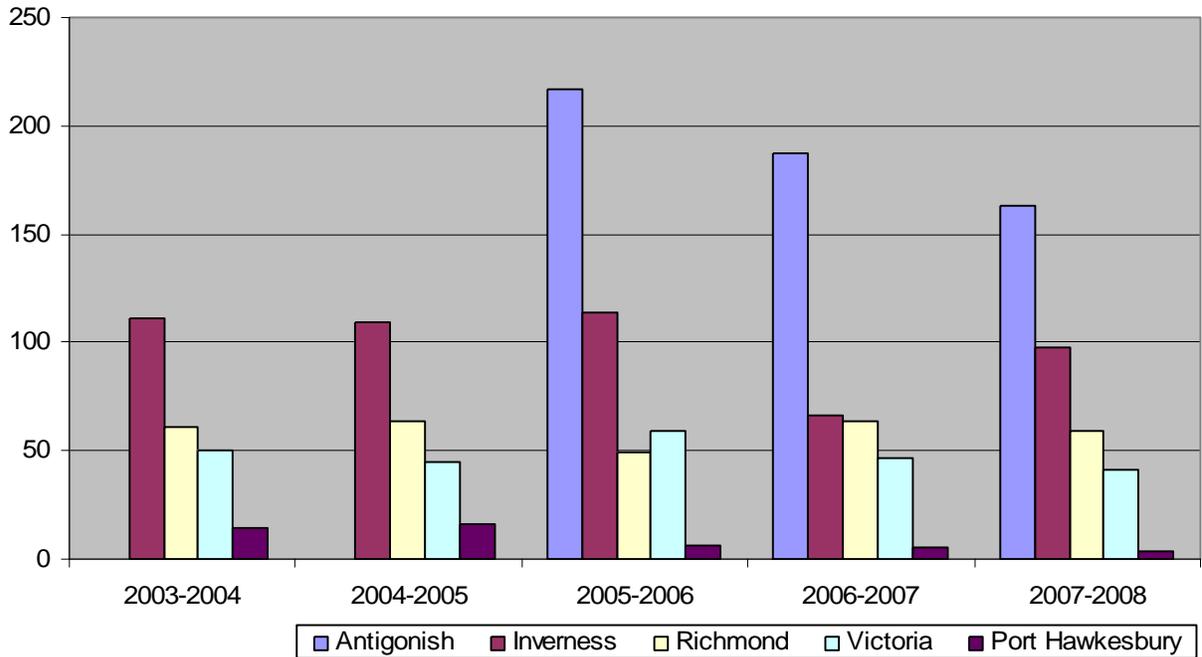


5.6.6 Figure 4: Subdivision Applications 2003 – 2008

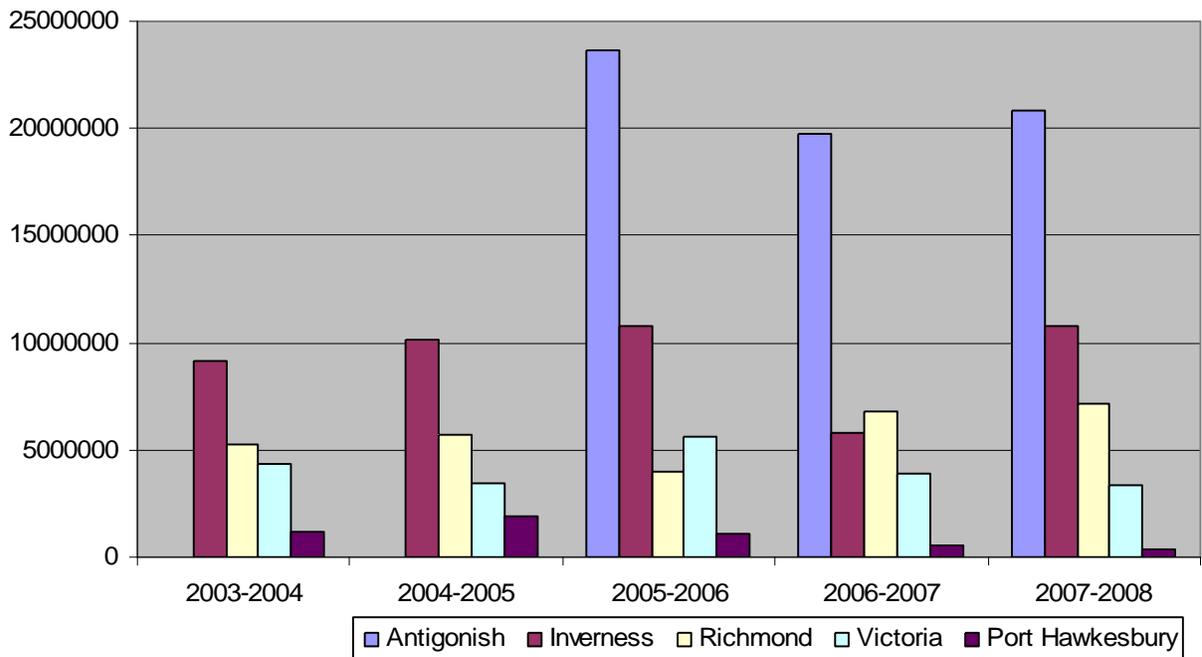


5. Development Control (continued)

5.6.7 Figure 5: Housing Start Permits 2003 – 2008



5.6.8 Figure 6: Housing Start Values 2003 – 2008



Appendix A. 2008 – 2009 Operating Estimates

Operating Estimates	
Rural Cape Breton District Planning Commission	
2008 – 2009	
2008 – 2009	
Staff	
Wages	\$537,346
EI, CPP, Group Insurance	\$47,514
WCB	\$11,123
Pension Plan	\$26,867
Membership Dues and Fees	\$4,000
	\$626,851
Administrative Overhead	
Advertising	\$1,250
Bank and Service Charges	\$2,500
Computers	\$4,000
Insurance	\$22,000
Library	\$2,500
Misc. Operating Costs	\$2,000
Office Rent	\$27,000
Office Supplies	\$4,000
Photocopying	\$3,000
Postage	\$5,000
Telephone and Fax	\$13,000
	\$86,250
Travel and Training	
Mileage Compensation	\$64,000
Conference Fees and Expenses	\$20,000
	\$84,000
Additional Fees	
Legal	\$1,000
Auditor	\$4,000
Technical and Mapping	\$5,000
Commission Expenses	\$5,400
	\$15,400
TOTAL	\$812,501

2008 – 2009
continued: Page 2

2008 – 2009	
	\$812,501
Building Permits	
Building Permits Fees	(\$166,000)
Subdivision Fees	(\$55,000)
Miscellaneous Revenues	(\$4,000)
Map Revenues	(\$4,000)
E-911 Funding	(\$17,000)
Net Budget	\$566,501
 Total Contributions	
Antigonish County	\$135,050
Inverness County	\$133,521
Richmond County	\$145,584
Victoria County	\$100,385
Port Hawkesbury	\$51,960
Total	\$566,501

Uniform Assessment Sharing Base (2008-2009)

Municipality	Assessment	Percentage
Antigonish	\$720,549,684	24.93%
Inverness	\$710,540,843	24.58%
Richmond	\$789,522,662	27.31%
Victoria	\$493,585,552	17.07%
Port Hawkesbury	\$176,523,479	6.11%
	\$2,890,722,220	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:



Grant Thornton

Financial Statements

Eastern District Planning Commission

March 31, 2008

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Grant Thornton

Auditors' Report

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To the Chairperson and Members of

Eastern District Planning Commission

We have audited the statement of financial position of the Eastern District Planning Commission as at March 31, 2008, and the 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. Those standards require that we plan and perform an audit to obtain reasonable assurance whether the financial statements are free of material misstatements. 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 Eastern District Planning Commission as at March 31, 2008, and the results of its operations for the year then ended in accordance with accounting principles disclosed in Note 2 to the financial statements.

Port Hawkesbury, Nova Scotia

May 12, 2008

Grant Thornton LLP
Chartered accountants

Eastern District Planning Commission

Statement of Financial Activities

Year Ended March 31

2008

2007

	<u>Budget</u>	<u>Actual</u>	<u>Actual</u>
Revenue			
Municipality of the County of Antigonish	\$ 125,452	\$ 125,452	\$ 113,261
Municipality of the County of Inverness	126,101	126,101	116,879
Municipality of the County of Richmond	142,424	142,424	133,241
Municipality of the County of Victoria	92,162	92,162	88,687
Town of Port Hawkesbury	51,466	51,466	49,820
Building permit fees	166,000	154,876	130,670
Subdivision fees	55,000	52,600	60,275
Miscellaneous	8,000	4,632	3,863
E-911 funding	17,000	17,569	16,957
	<u>783,605</u>	<u>767,282</u>	<u>713,653</u>
Expenditure			
Administrative (Page 7)	752,605	737,465	747,698
Occupancy (Page 7)	27,000	28,185	27,341
Prepays		19	95
Capital expenditures	4,000	4,661	7,756
	<u>783,605</u>	<u>770,330</u>	<u>782,890</u>
Net expenditure		(3,048)	(69,237)
Prepays		19	95
Change in fund balance	<u>\$</u>	<u>\$ (3,029)</u>	<u>\$ (69,142)</u>

See accompanying notes to the financial statements.

Eastern District Planning Commission

Statement of Financial Position

March 31

2008

2007

Financial assets

Receivables	\$ 25,452	\$ 25,946
	<u>25,452</u>	<u>25,946</u>

Liabilities

Bank indebtedness	2,515	(6,265)
Payables and accruals	21,981	16,221
Capital lease obligation (Note 3)	<u>3,816</u>	<u>3,272</u>
	<u>28,312</u>	<u>25,758</u>

Net financial assets

	<u>(2,860)</u>	<u>188</u>
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Non-financial assets

Capital assets, at cost

Office furniture	67,661	67,661
Computer equipment	50,424	48,610
Computer equipment under capital lease	7,211	4,364
Library	12,037	12,037
Maps	<u>5,762</u>	<u>5,762</u>
	143,095	138,434
Prepays	<u>2,585</u>	<u>2,566</u>
	<u>145,680</u>	<u>141,000</u>

Net assets

	\$ 142,820	\$ 141,188
--	------------	------------

Fund balances (Page 5)	\$ (273)	\$ 2,756
Investment in capital assets (Page 6)	<u>143,093</u>	<u>138,432</u>

Net financial position

	<u>\$ 142,820</u>	<u>\$ 141,188</u>
--	-------------------	-------------------

Commitments (Note 4)

On behalf of the Commission

_____ Chairperson

_____ Member

See accompanying notes to the financial statements.

Eastern District Planning Commission

Statement of Changes in Financial Position

March 31

2008

2007

Operating

Net expenditure	\$ (3,029)	\$ (69,142)
Change in non-cash operating working capital (Note 6)	<u>6,235</u>	<u>(1,508)</u>
	<u>3,206</u>	<u>(70,650)</u>

Financing

Proceeds from long term debt	2,847	4,364
Repayment of long term debt	<u>(2,303)</u>	<u>(1,094)</u>
	<u>544</u>	<u>3,270</u>

Change in cash position 3,750 (67,380)

(Bank indebtedness) cash, beginning of year (6,265) 61,115

Cash, end of year \$ (2,515) \$ (6,265)

See accompanying notes to the financial statements.

Eastern District Planning Commission Statement of Changes in Fund Balances

March 31	2008	2007
Balance, beginning of year	\$ 2,756	\$ 71,898
Change in fund balance	<u>(3,029)</u>	<u>(69,142)</u>
Balance, end of year	<u>\$ (273)</u>	<u>\$ 2,756</u>

See accompanying notes to the financial statements.

Eastern District Planning Commission

Statement of Investment in Capital Assets

March 31	2008	2007
Balance, beginning of year	\$ 138,432	\$ 130,676
Capital expenditures	<u>4,661</u>	<u>7,756</u>
Balance, end of year	<u>\$ 143,093</u>	<u>\$ 138,432</u>

See accompanying notes to the financial statements.

Eastern District Planning Commission

Schedules to Statement of Financial Activities

Year Ended March 31

2008

2007

	<u>Budget</u>	<u>Actual</u>	<u>Actual</u>
Administrative			
Advertising and promotion	\$ 1,250	\$ 1,819	\$ 6,228
Conferences	15,000	19,700	19,066
Interest and bank charges	2,500	2,888	2,317
Liability insurance	22,000	19,623	19,909
Maps	5,000	656	842
Membership dues and subscriptions	4,000	4,026	9,947
Miscellaneous	9,900	2,953	3,784
Office supplies and postage	12,000	19,076	12,879
Photography			118
Professional fees	4,750	13,974	5,989
Salaries and employee benefits	599,205	569,743	572,556
Telephone	13,000	15,002	13,852
Travel and meetings	<u>64,000</u>	<u>68,005</u>	<u>80,211</u>
	<u>\$ 752,605</u>	<u>\$ 737,465</u>	<u>\$ 747,698</u>
Occupancy			
Insurance		\$ 858	\$ 858
Rent	<u>\$ 27,000</u>	<u>27,327</u>	<u>26,483</u>
	<u>\$ 27,000</u>	<u>\$ 28,185</u>	<u>\$ 27,341</u>

See accompanying notes to the financial statements.

Eastern District Planning Commission

Notes to the Financial Statements

March 31, 2008

1. Nature of operations

The Eastern District Planning Commission is incorporated under the Planning Act of the Province of Nova Scotia. The objective 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.

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.

Eastern District Planning Commission

Notes to the Financial Statements

March 31, 2008

3. Capital lease obligation	<u>2008</u>	<u>2007</u>
Dell Financial Services Canada 10% capital lease, repayable in monthly instalments of \$141, including interest	\$ 1,979	\$ 3,272
Dell Financial Services Canada 10% capital lease, repayable in monthly instalments Of \$93, including interest	<u>1,837</u> 3,816	<u>3,272</u>
Less current portion	<u>2,812</u>	<u>1,698</u>
	<u>\$ 1,004</u>	<u>\$ 1,574</u>

Repayments in each of the next two (2) years are as follows:

2009	2,812
2010	<u>1,328</u>
	4,140
Less: amount representing interest	<u>324</u>
	<u>\$ 3,816</u>

4. Commitments

The Commission rents premises under a long-term lease which expires in 2011. The annual rent each of the three years is \$23,925. The lease provides an option to renew.

5. 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 \$28,773 (2007 - \$22,889).

Eastern District Planning Commission

Notes to the Financial Statements

March 31, 2008

6. Supplemental cash flow information	<u>2008</u>	<u>2007</u>
Change in non-cash operating working capital:		
Receivables	\$ 494	\$ 1,144
Prepays	(19)	(95)
Payables and accruals	<u>5,760</u>	<u>(2,557)</u>
	<u>\$ 6,235</u>	<u>\$ (1,508)</u>
