municipality of cumberland

PUBLIC HEARING OUTLINE

1. Call hearing to order.

2. Call on (Staff Person) for property identification, background information and recommendations.

3. Ask if any representative from Sunset Community Inc. or members of the public wish to make any comments at this time.

4. Ask (Staff Person) for final comments.

5. Ask Council for final questions.

6. Close hearing.

SPECIAL COUNCIL

Public Hearing

Date: August 21, 2024

TO:	Mayor Scott and Members of Council
SUBMITTED BY:	Greg Herrett, CPA, CA – Chief Administrative Officer
DATE:	August 15, 2024
SUBJECT:	**Public Hearing – Sunset Community Inc. Land Transfer Agreement**

ORIGIN: Request from Sunset Community, Inc.

LEGISLATIVE AUTHORITY:
Municipal Government Act Section 51 authorizes the sale and lease of municipal property and requires that a public hearing be convened where the property to be conveyed exceeds ten thousand dollars in value.

RECOMMENDATION: **No motions for consideration.**

BACKGROUND:
The Remedy report arising from the 2014 court action included a number of key directions to address systemic discrimination of persons with disabilities in Nova Scotia. Among those directions was closing institutions, like Sunset, and building local community-based supports and services.

The Province of Nova Scotia is actively implementing the directions from the report. As the Board of Directors of Sunset Community Inc began to explore the implications of these directions for the Pugwash facility it became clear to them that they need to pivot from an institution based model to a community based model if they were going to continue to be relevant and provide care to their clients.

The Board has been actively working on a community housing project, Sunrise Landing, which will see the development of housing in the Pugwash area for current and future clients of Sunset.

Although The Sunset Community Inc is governed by an independent board of directors, the corporation and much of its real property, is owned by the Municipality. The Municipality, in accordance with the Sunset Residential Centre Bylaw, appoints members to the Board. Long term financing for the facility is arranged through the former Nova Scotia Municipal Finance Corporation and while it is completely funded by the Province of Nova Scotia through the Department of Community Services, the debentures are issued in the name of the Municipality.

SPECIAL COUNCIL

Public Hearing

Date: August 21, 2024

DISCUSSION:
This initiative has been ongoing for many months and, as the matter involves the sale of municipal lands, Council's discussions to this point have happened on a private, in camera, basis as authorized by Section 22 of the MGA.

The Municipality will be transferring PIDs 25515941, 25150244 and 25149923 (maps attached) and repealing the Sunset Residential Centre Bylaw in return for the assumption of all liabilities related to Sunset. The significant financial liabilities are the debentures totalling $8,566,065.

The final outcome of this proposed divestiture will be a completely independent Sunset corporation, no longer owned or governed by the Municipality. This will give Sunset the autonomy it seeks to invest in projects, as it sees fit, that address the long-term needs of its current and future clients. The current project is Sunrise Landing. The Municipality has committed to up to $300,000 to this project to help finance an on-site septic solution.

This initiative is a positive one for both the Municipality and Sunset, allowing both organizations to focus on their core responsibilities, while confirming and clarifying the provincial responsibility for the long-term debts related to the facility.

As noted previously, the Municipal Government Act Section 51 authorizes the sale and lease of municipal property and requires that a public hearing be convened where the property to be conveyed exceeds ten thousand dollars in value. A majority of two thirds of those present and voting is required for final approval.

FINANCIAL IMPLICATIONS:
There are no ongoing operational financial implications for the Municipality, however the assumption of the debenture by Sunset and the confirmation by the Province of Nova Scotia that all debt service will be funded by the Department of Community Services provides clarity in an environment where the current facility would be closed before the debentures are retired.

ENVIRONMENTAL IMPLICATIONS:
There are no environmental implications identified at this time.

ALTERNATIVES:

1) Proceed as recommended, agreeing to Sunset's request to become an autonomous organization, owning all relevant assets in its own right.

2) Council could decline to approve the divestiture. This would require either an abandonment of Sunset's efforts toward a new community housing development for its clients or require direct municipal financial, operational and project management involvement in a project that is outside the scope of municipal responsibility and expertise.

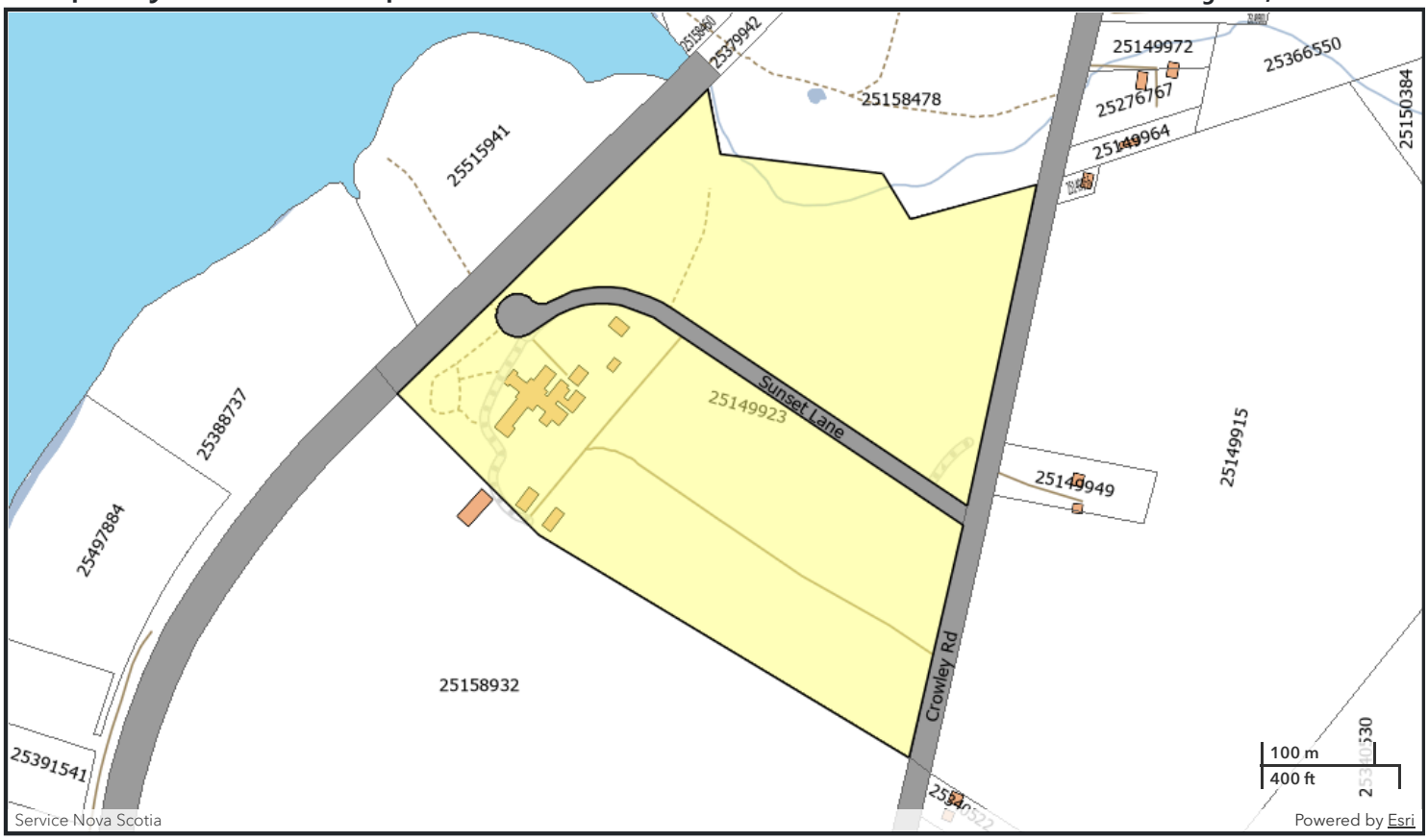
ATTACHMENTS:

Maps

PROPERTY Online NOVA SCOTIA Service Nova Scotia

Property Online Map

Date: **August 9, 2024 11:32:45**



PID:	25149923	**Address:**	SUNSET COURT SOUTH PUGWASH	**AAN:**	03403173
County:	CUMBERLAND COUNTY	**Owner:**	COUNTY OF CUMBERLAND	**Value:**	$3,494,900.00 (2024 RESIDENTIAL EXEMPT)
LR:	NOT LAND REGISTRATION				

The Provincial mapping is a graphical representation of property boundaries which approximate the size, configuration and location of parcels.Care has been taken to ensure the best possible quality, however, this map is not a land survey and is not intended to be used for legal descriptions or to calculate exact dimensions or area.The Provincial mapping is not conclusive as to the location, boundaries or extent of a parcel [Land Registration Act subsection 21(2)]. THIS IS NOT AN OFFICIAL RECORD.

Property Online Version 1.0

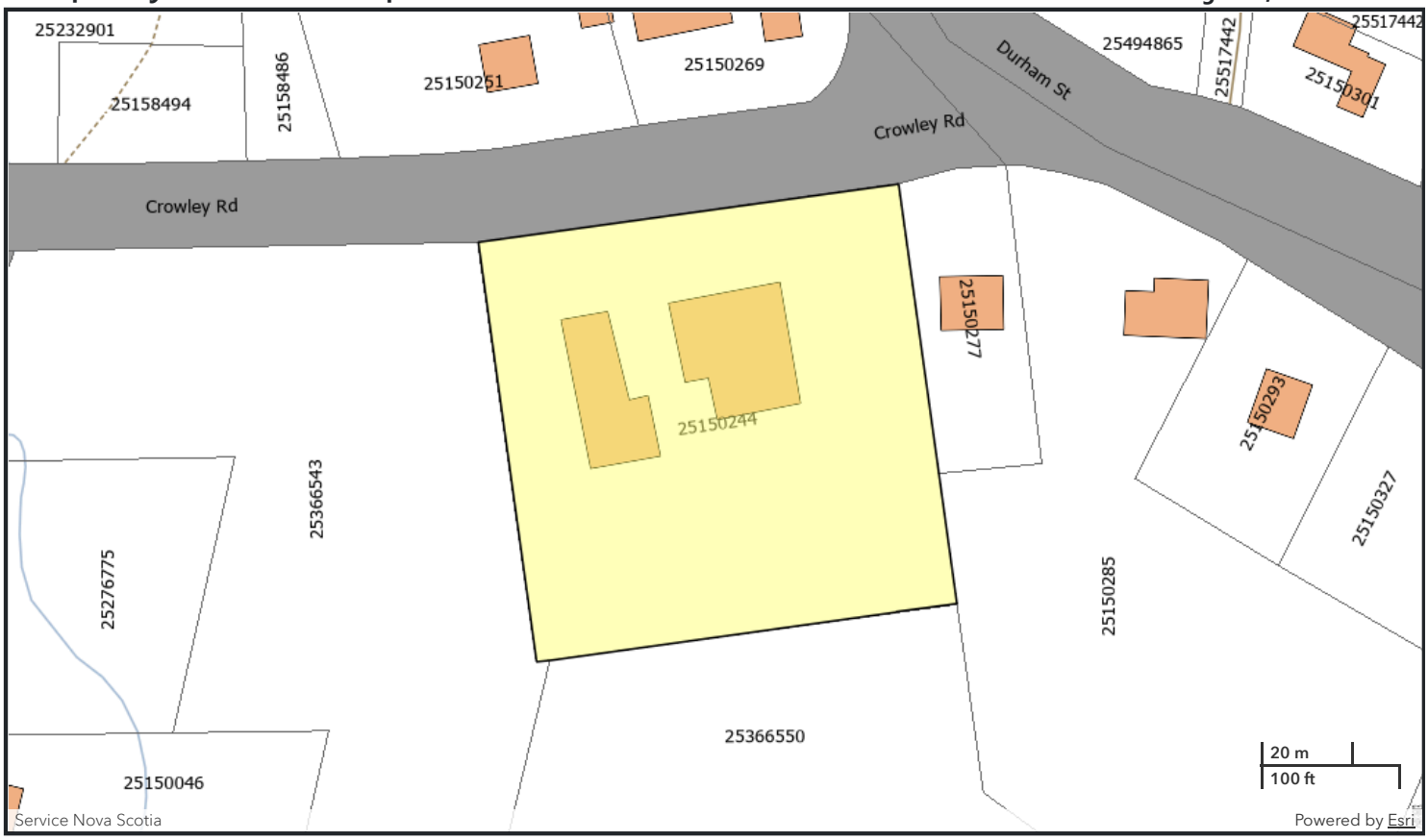
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Property Online Map

Date: **August 9, 2024 11:32:12**



PID:	25150244	**Address:**	CROWLEY ROAD PUGWASH	**AAN:**	03838439
County:	CUMBERLAND COUNTY	**Owner:**	ELEMENTARY SCHO PUGWASH	**Value:**	$329,200.00 (2024 COMMERCIAL EXEMPT)
LR:	NOT LAND REGISTRATION				

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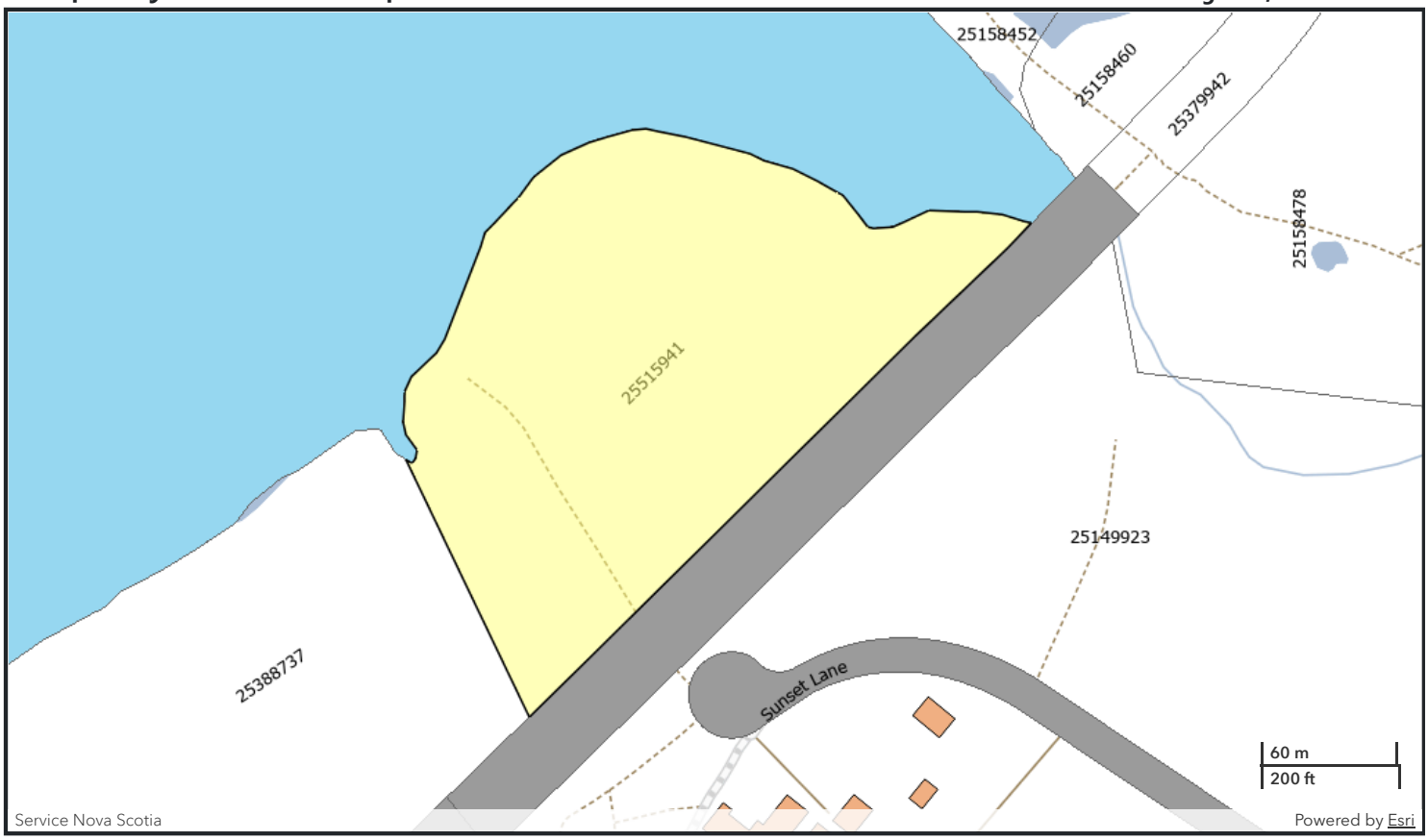
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Property Online Map

Date: **August 9, 2024 11:31:22**



PID:	25515941	**Address:**	SUNSET COURT SOUTH PUGWASH	**AAN:**	11044115
County:	CUMBERLAND COUNTY	**Owner:**	COUNTY OF CUMBERLAND	**Value:**	$29,400.00 (2024 RESOURCE EXEMPT)
LR:	NOT LAND REGISTRATION				

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