

Cape Breton Regional Municipality

Council Meeting Minutes

June 10, 2025

1:58 p.m. at City Hall Council Chambers

Council

Mayor Cecil P. Clarke

Councillor Gordon MacDonald

Councillor Earlene MacMullin

Councillor Esmond "Blue" Marshall

Councillor Steve Gillespie

Deputy Mayor Eldon MacDonald

Councillor Glenn Paruch

Councillor Steve Parsons

Councillor Steven MacNeil

Councillor Dave MacKeigan

Councillor Paul Nickituk (Left at 6:21 p.m.)

Councillor Darren O'Quinn

Councillor Kim Sheppard-Campbell (Arrived at 2:50 p.m.)

Staff

Demetri Kachafanas, KC, Chief Administrative Officer

Christa Dicks, Municipal Clerk / Director of Corporate Information Services

Robert Sampson, KC, Solicitor

Tyson Simms, Director of Planning and Development

John Phalen, Director of Public Works

Jennifer Campbell, Chief Financial Officer

Mark Bettens, Fire Chief and Director of Fire and Emergency Services

Kirk Durning, Director of Parks, Recreation, Buildings and Facilities

Craig MacNeil, Deputy Fire Chief

Travis Radtke, Housing Coordinator

Karen Neville, Senior Planner

Sheila Kolanko, Property Manager

Sean Tobin, Chief of Staff

Christina Lamey, Communications Manager

Toni Delorenzo, Principal Secretary, Mayor's Office

Jenna MacQueen, Communications Advisor

Colleen Clare, Development Officer

Spencer Merrill, Information Technology Technician

Aidan Connors, Public Policy Intern

Kelly McDonald, Administrative Assistant

Yuecong Cao, Recording Secretary

The following does not represent a word for word record of the proceedings of this meeting. The agenda, reports, supporting documents, information items circulated, and video (if available) are online at www.cbrm.ns.ca.

Council met in camera in accordance with section 22(2)(e) and 22(2)(g) of the *Municipal Government Act* for item number nine.

Mayor Cecil P. Clarke called the meeting to order.

Land Acknowledgement

Roll Call

O' Canada

1. Approval of Agenda

Motion

Moved by Councillor Parsons, seconded by Councillor Gordon MacDonald, to approve the June 10, 2025, council agenda and addendum as presented.

Motion Carried

2. Approval of Minutes

Motion

Moved by Councillor Gillespie, seconded by Councillor Marshall, to approve the CBRM minutes from:

- Special Council – February 18, 2025 (For ratification)
- Council – April 8, 2025 (For ratification)
- Special Council – May 1, 2025

Motion Carried

3. Proclamations & Resolutions

3.1 Davis Day

Motion

Moved by Councillor O'Quinn, seconded by Councillor Gordon MacDonald, that Mayor Cecil P. Clarke and Council proclaim June 11, 2025, as a day of remembrance of the sacrifice William Davis made, 100 years ago today, for workers everywhere and the legacy this tragedy carries to this day.

Motion Carried

3.2 National Green Building Day

Motion

Moved by Councillor MacNeil, seconded by Councillor Paruch, that CBRM Mayor Cecil P. Clarke and Council proclaim June 4, 2025, as "National Green Building Day" in the Cape Breton Regional Municipality.

Motion Carried

4. Public Hearing

4.1 Request for Street Closure – Portion of an Undeveloped Road Reserve (PID 15716020) Off Dalton Lane, Sydney

This item proceeded at 6:00 p.m. as scheduled.

5. Planning Issues

5.1 Appeal of Site Plan Approval at PID 15287386 (Reservoir Road, Sydney)

This item proceeded following item number four.

ADDENDUM

5B. Corporate Services Issues

5B.1 Memorandum of Understanding with Destination Cape Breton

Kirk Durning, Director of Parks, Recreation, Buildings and Facilities, reviewed the staff report and recommendation included in the addendum package.

Discussion took place regarding marketing event attraction and funding opportunities. The following motion was then put forward:

Motion

Moved by Councillor Paruch, seconded by Councillor MacMullin, to approve the amended Memorandum of Understanding (MOU) as shown in Attachment A, which is included in the June 10, 2025, council meeting addendum, and have staff finalize the agreement with Destination Cape Breton.

Discussion:

- Strategy process clarification
- Hiring process clarification

Motion Carried

Mayor Clarke informed CFO Campbell has another meeting and asked Council if it is okay to address item number ten at this point of the meeting, Council agreed.

10. Financial Statements

10.1 Draft CBRM Financial Statements – Year ended March 31, 2025

Jennifer Campbell, Chief Financial Officer, reviewed the memo included in the addendum package. Discussion took place regarding emergency services, future planning, and strategic use of surplus funds.

For Information Only

6. Business Arising – Committee of the Whole June 3, 2025

6.1 Request for Municipal Heritage Registration – 5 Court Street / 312 Commercial Street, North Sydney

Karen Neville, Heritage Officer / Senior Planner, reviewed the staff report and recommendation included in the agenda package. The following motion was then put forward:

Motion

Moved by Councillor MacMullin, seconded by Councillor Gordon MacDonald, to approve the recommendation of the Heritage Advisory Committee and initiate the process for registering Court Street /312 Commercial Street, North Sydney (PID 15028640) as a Municipal Heritage Property.

Motion Carried

Councillor Gillespie and Councillor O'Quinn were not present for the above vote.

6.2 Request for Municipal Heritage Registration – Bethel Presbyterian Church (9 Brookland Street, Sydney)

Karen Neville, Heritage Officer / Senior Planner, reviewed the staff report and recommendation included in the agenda package. The following motion was then put forward:

Motion

Moved by Deputy Mayor Eldon MacDonald, seconded by Councillor Paruch, to approve the recommendation of the Heritage Advisory Committee and initiate the process for registering Bethel Presbyterian Church located at 9 Brookland street, Sydney (PID 15066780) as a Municipal Heritage Property.

Motion Carried

Councillor Gillespie and Councillor O'Quinn were not present for the above vote.

6.3 Compost Facility Future Planning

John Phalen, Director of Public Works, reviewed the staff report and recommendation included in the agenda package. The following motion was then put forward:

Motion

Moved by Councillor Parsons, seconded by Councillor Paruch, to direct staff to proceed with option two, which is included in the June 10, 2025, council meeting agenda, and start a phased close out of the CBRM compost facility.

Discussion:

- Cost savings
- Public education regarding the decision-making process
- Diversion continuation

Motion Carried

Councillor Marshall was not present for the above vote.

6.4 Operation of our Solid Waste Recycling Facility

John Phalen, Director of Public Works, reviewed the staff report and recommendation included in the agenda package. The following motion was then put forward:

Motion

Moved by Councillor MacMullin, seconded by Councillor Gordon MacDonald, to approve sale of facility at 345 Gulf Crescent.

Motion Carried

Councillor Marshall was not present for the above vote.

6.5 Extended Producer Responsibility - Collection of Recyclables

John Phalen, Director of Public Works, reviewed the staff report and recommendation included in the agenda package. The following motion was then put forward:

Motion

Moved by Councillor Gillespie, seconded by Councillor Gordon MacDonald, to direct staff to proceed with the collection of recyclables using Circular Materials as per council motion of November 28, 2023.

Motion Carried**6.6 Main-a-Dieu Community Development Association / Coastal Discovery Centre Lease Renewal**

Demetri Kachafanas, Chief Administrative Officer, reviewed the memo and recommendation included in the agenda package. The following motion was then put forward:

Motion

Moved by Councillor MacNeil, seconded by Councillor Sheppard-Campbell, to approve a five-year lease with the Main-a-Dieu Community Development Association on the same terms as the previous lease.

Motion Carried**6.7 Station 23 Glace Bay Budget Error**

Mark Bettens, Fire Chief and Director of Fire and Emergency Services, reviewed the staff report and recommendation included in the agenda package. The following motion was then put forward:

Motion

Moved by Councillor Gillespie, seconded by Councillor Sheppard-Campbell, that Committee of the Whole recommend to Council to approve a decrease in Glace Bay #23 budget by \$50,000 and place in Fire Train Cost Centre, GL 6020.

Amended Motion

Moved by Councillor Paruch, seconded by Councillor Gillespie, to approve the decrease in Glace Bay #23 budget by \$35,200 and place in Fire Train Cost Centre, GL 6020. This decrease results in Glace Bay #23 receiving a total of \$29,800.

Main Motion Withdrawn**Amended Motion Carried****6.8 Fleet Replacement**

Craig MacNeil, Deputy Fire Chief, reviewed the staff report and recommendation included in the agenda package. Discussion took place regarding financial pressure, future budget planning, and support needed from the province of Nova Scotia. The following motion was then put forward:

Motion

Moved by Councillor Paruch, seconded by Councillor Nickituk, to review and consider the purchase of all fire apparatus listed in the June 10, 2025, council agenda, as part of the 2025 replacement plan.

Discussion:

- Performance review audit
- Clarification on recommendation
- Fleet refurbish timelines

Motion Carried**6.9 Exploration of Amendments to Planning Documents
Related to Single Access Communities and Subdivisions**

Councillor Parsons reviewed the council agenda request and recommendation included in the agenda package. The following motion was then put forward:

Motion

Moved by Councillor Parsons, seconded by Councillor Gordon MacDonald, that the CAO direct staff to explore potential amendments to planning documents to address concerns related to subdivisions and communities with only one point of ingress and egress. This review should consider public safety, emergency access, traffic flow, and future connectivity. A report outlining potential options and recommendations shall be brought back to Council for consideration.

Motion Carried**6.10 Open Air Burning Bylaw (B-400)**

Councillor MacMullin reviewed the council agenda request and recommendation included in the agenda package. The following motion was then put forward:

Motion

Moved by Councillor MacMullin, seconded by Councillor Nickituk, to direct the CAO to have staff review the Open Air Burning Bylaw (B-400) which was passed and adopted by council May 18, 1999, with particular attention to Schedule A and Schedule B which outline the areas of CBRM that are permitted and prohibited from participating in open air burning.

Motion Carried**6.11 Cape Breton Regional Municipality Burning Bylaw B400**

Councillor MacKeigan reviewed the council agenda request and recommendation included in the agenda package. The following motion was then put forward:

Motion

Moved by Councillor MacKeigan, seconded by Councillor MacMullin, to direct staff to conduct a comprehensive review of the current Burning Bylaw B400, and prepare a proposed new bylaw that aligns with and is consistent across all communities within the Cape Breton Regional Municipality. That the enforcement of the Burning Bylaw also be reviewed and addressed to ensure the safety of our firefighters and first responders.

Motion Carried**6.12 Discarded Needles**

Councillor Gordon MacDonald reviewed the council agenda request and recommendation included in the agenda package. The following motion was then put forward:

Motion

Moved by Councillor Gordon MacDonald, seconded by Councillor Parsons, to direct staff to provide a staff report at an upcoming meeting of Council regarding what CBRM does to collect discarded needles.

Motion Carried**6.13 CAO Performance Evaluation Policy and Committee**

Christa Dicks, Municipal Clerk, reviewed the staff report and recommendation included in the agenda package. Discussion took place regarding governance structure for evaluating the CAO and contract negotiation process. The following motion was then put forward:

Motion

Moved by Councillor Sheppard-Campbell, seconded by Councillor MacMullin, to approve the *Chief Administrative Officer Performance Evaluation Policy* with the amendment that a new committee be appointed at a council meeting following the annual review process.

Discussion:

- Clarification of the process
- Council surveys
- Canadian Association of Municipal Administrators (CAMA)

Motion Carried

Mayor asked Council if they want to put forward nominations at this current meeting or future meeting, Council agreed to appoint committee members at this current meeting. Solicitor Sampson clarified the responsibilities of the committee.

Nomination:

- Councillor Gordon MacDonald nominated Councillor MacMullin for North Division, Councillor MacMullin accepted the nomination.
- Deputy Mayor Eldon Macdonald nominated Councillor Paruch for Central Division, Councillor Paruch accepted the nomination.
- Councillor Sheppard-Campbell nominated Councillor Parsons for Central Division, Councillor Parsons did not accept the nomination.
- Councillor Nickituk nominated Councillor Sheppard-Campbell for East Division, Councillor Sheppard-Campbell accepted the nomination of East Division.

6.14 Administration of Policies, Procedures and Guidelines**Policy Motion**

Christa Dicks, Municipal Clerk, reviewed the staff report and recommendation included in the agenda package. The following motion was then put forward:

Motion

Moved by Councillor Gillespie, seconded by Councillor MacMullin, to approve the *Administration of Policies, Procedures and Guidelines Policy*, as outlined in council meeting agenda.

Discussion:

- Public procedure
- Process timeline

Motion Carried

Addendum

6.15 CBRM Designated Comfort Centre Memorandums of Understanding

Mayor asked Chief Bettens if comfort centres were going to meet accessibility standards. Chief Bettens informed that accessibility assessments have been completed.

For Information Only

6.16 Municipal Regulation of Nuisance - Mining Activities

Tyson Simms, Director of Planning and Development, reviewed the staff report and recommendation included in the agenda package. The following motion was then put forward:

Motion

Moved by Councillor MacNeil, seconded by Councillor Sheppard-Campbell, to direct the CAO to direct staff to conduct a legal review of the *Municipal Government Act* to explore the municipality's role or ability, if any, to regulate nuisance, specifically noise, originating from mining activities.

Discussion:

- Provincial review report
- Support for residents

Motion Carried

7. Council Agenda Requests

7.1 Review of CBRM Fire Services

Councillor Gordon MacDonald reviewed the council agenda request and recommendation included in the agenda package. The following motion was then put forward:

Motion

Moved by Councillor Gordon MacDonald, seconded by Councillor Gillespie, to direct the CAO to initiate a comprehensive review of fire services, encompassing volunteer, composite, and career departments.

Discussion:

- CBRM Fire Services' equipment
- Efficient services importance

Motion Carried

7.2 Catalone Lake Restoration

Councillor MacNeil reviewed the council agenda request and recommendation included in the agenda package. The following motion was then put forward:

Motion

Moved by Councillor MacNeil, seconded by Deputy Mayor Eldon MacDonald, to direct CAO and staff to conduct a jurisdictional scan regarding the Catalone Gut bridge to identify potential funding partners for the dredging and restoration of Catalone Lake and Catalone Gut.

Motion Carried

7.3 Donkin Mine Noise

Councillor MacNeil reviewed the council agenda request and recommendation included in the agenda package. The following motion was then put forward:

Motion

Moved by Councillor MacNeil, seconded by Councillor Paruch, to direct the Chief Administrative Officer (CAO), to direct staff to confirm by-law and jurisdictional authority regarding noise from the Donkin mine site.

Motion Carried

8. Correspondence

8.1 Rod Beresford – Paging Protocol for Possible or Working Structure Fires

For Information Only

8.2 Request for Reinstatement of French Road Area into District 7

For Information Only

Council recessed at 4:59 p.m. to go in camera.

9. In Camera

9.1 Contract Update

9.2 Request to Operate Portside

Council reconvened at 6:21 p.m. to go to open session.

4. Public Hearing

4.1 Request for Street Closure – Portion of an Undeveloped Road Reserve (PID 15716020) Off Dalton Lane, Sydney

Sheila Kolanko, Property Manager, reviewed the staff report and recommendation included in the agenda package. The Mayor provided an opportunity for Council to ask clarifying questions; Council had no questions. Mayor then opened the floor for public hearing and asked three times if

anyone was present to speak, no speakers came forth. Mayor then closed the public hearing. The following motion was then put forward:

Motion

Moved by Councillor Sheppard-Campbell, seconded by Councillor Paruch, to approve the closure of a section of the undeveloped road parcel identified in staff's report (as shown crosshatched in yellow and purple on the attached map – Attachment "A"), which is included in the June 10, 2025, council meeting agenda, and to deem the subject area surplus. Also, to approve the sale of that portion shown crosshatched in purple Attachment "A" to the applicant, subject to compliance with all applicable provisions of the Subdivision and Land Use By-Law requirement.

Motion Carried**5. Planning Issues****5.1 Appeal of Site Plan Approval at PID 15287386 (Reservoir Road, Sydney)**

Colleen Clare, Development Officer, reviewed the staff report and recommendation included in the agenda package. Discussion took place regarding housing needs in the CBRM, CBRM forward, and provincial roads. The Mayor provided information on the process to appeal a site plan and the Director of Planning and Development informed the appellants are the only individuals who can speak to a site plan appeal in accordance with the *MGA*. The Mayor then provided the appellants an opportunity to speak, the applicant spoke regarding their concerns of the development. The following motion was then put forward:

Motion

Moved by Deputy Mayor Eldon MacDonald, seconded by Councillor Paruch, to uphold the site plan approval granted by the Development Officer to allow for the development of a multi-unit dwelling at PID 15287386 (Reservoir Road, Sydney).

Discussion:

- Parking space
- Infrastructure
- Land use By-law; setbacks

Motion Carried

Meeting adjourned at 7:14 p.m.

Cecil P. Clarke
Mayor

Christa Dicks
Municipal Clerk
/yc