

CAPE BRETON REGIONAL MUNICIPALITY
Council Meeting – Minutes

**Tuesday,
April 12, 2022
6:01 p.m.
Council Chambers
2nd Floor, City Hall
320 Esplanade, Sydney, NS**

Mayor Amanda M. McDougall called the meeting to order.

Council: Mayor Amanda M. McDougall
Councillor Gordon MacDonald
Deputy Mayor Earlene MacMullin
Councillor Cyril MacDonald
Councillor Steve Gillespie
Councillor Eldon MacDonald
Councillor Glenn Paruch
Councillor James Edwards
Councillor Ken Tracey
Councillor Darren Bruckschwaiger
Councillor Darren O'Quinn
Councillor Lorne Green

Staff: Marie Walsh, Chief Administrative Officer
Jennifer Campbell, Chief Financial Officer
Deborah Campbell Ryan, Municipal Clerk
Demetri Kachafanas, QC, Regional Solicitor
Wayne MacDonald, Director of Engineering & Public Works
Michael Ruus, Director of Planning & Development
Sharon MacSween, Senior Administrative Assistant
Tanya Nicholson, Recording Secretary

Absent: Councillor Steve Parsons

Summary of Decisions

Land Acknowledgement

Roll Call

O' Canada

Moment of Silent Reflection:

Mayor McDougall recognized the recent passing of Inverness County Warden Laurie Cranton.

Councillor Green recognized the recent passing of the former City of Sydney Alderman John Kennedy.

1. APPROVAL OF MINUTES:

Motion to approve Minutes from:

- **Council – February 8, 2022**

Carried.

Motion to approve Minutes from:

- **Council – March 8, 2022**

Carried.

2. APPROVAL OF AGENDA:

Motion to approve the April 12, 2022, Council Agenda as circulated. **Carried.**

3. PROCLAMATIONS & RESOLUTIONS:

3.1 North America Occupational Safety and Health Week “Together We Can Create Safe Workplaces & Communities”:

Motion that CBRM Mayor Amanda M. McDougall and Council proclaim the week of May 1st to May 7th, 2022 as “North American Occupational Safety and Health Week” in the Cape Breton Regional Municipality. **Carried.**

Continued...

Summary of Decisions (Cont'd)

PROCLAMATIONS & RESOLUTIONS (Cont'd):

3.2 2022 Volunteer Week:

Motion that CBRM Mayor Amanda M. McDougall and Council proclaim April 24th to 30th, 2022 as “Volunteer Week” in recognition of the splendid efforts of our volunteers who provide service to our residents and communities. **Carried.**

3.3 2022 Daffodil Campaign:

Motion that CBRM Mayor Amanda M. McDougall and Council hereby recognize April’s Daffodil Campaign in Nova Scotia and thank all the volunteers who help raise funds in an effort to save lives. **Carried.**

3.4 Year of the Garden 2022:

Motion that the CBRM Mayor Amanda M. McDougall and Council proclaim **2022 as the Year of the Garden** in celebration of the contribution of gardens and gardening to the development of our country, our municipality and the lives of our citizens in terms of health, quality of life and environmental challenges, and **that**; The Saturday before Father’s Day, June 18th, 2022, be recognized as Garden Day in the Cape Breton Regional Municipality, a legacy of Canada’s Year of the Garden 2022, and **that**; The CBRM is committed to be a **Garden Friendly City** supporting the development of its garden culture, and that; All municipalities across Canada be invited to proclaim 2022 to be the **Year of the Garden** in their respective municipalities, and that a copy of this resolution be provided to the FCM, and for that purpose. **Carried.**

3.5 Multiple Sclerosis Awareness Month - 2022:

Motion that CBRM Mayor Amanda M. McDougall and Council hereby declare the month of May, 2022 as “Multiple Sclerosis Awareness Month” in the Cape Breton Regional Municipality. **Carried.**

3.6 CCGS Hudson:

Motion that CBRM Mayor Amanda M. McDougall and Council request staff to send a letter to the Honourable Joyce Murray, MP, Minister of Fisheries, Oceans, and the Canadian Coast Guard requesting assistance in relocating the CCGS *Hudson* to the CBRM before scrap tenders are called.

Motion to Amend that before relocating the CCGS Hudson, all costs associated with the relocation and any repairs and upgrades that would be needed would have to be known by the CBRM.

Motion to Amend Withdrawn

Main Motion Carried.

Summary of Decisions (Cont'd)

4. STREET CLOSING – PUBLIC HEARING:

4.1 Request for Street Closure: Portion of a Honey Lane off Borden Street, Sydney, District 12 (Portion of PID 15716301):

Motion to approve the closure of the portion of the former honey lane identified as a portion of PID 15716301, the crosshatched area in red on Attachment “A” of the Issue Paper dated April 12th, 2022, pursuant to the *Municipal Government Act* and to deem it **surplus** and offer it for sale at market value to the applicant, Vanessa Syms, provided the applicant purchases CBRM surplus properties identified as PID 15155757 and 15155807. The sale is to subject to subdivision, lot consolidation, and compliance of Land Use By-Law, with all costs would be the responsibility of the purchaser. **Carried.**

5. DELEGATION:

5.1 Undercurrent Youth – Proposed Youth Waterfront Facility in Glace Bay:

Motion to support, in principle, Undercurrent Youth Centre as they explore preliminary plans to secure funding for a Youth Waterfront Facility in Glace Bay, and if funding becomes available, that CBRM work with Undercurrent to evaluate options for CBRM-owned land required for the project. **Carried.**

6. REPORT:

6.1 Savoy Theatre:

A presentation was provided on the activities of the Savoy Theatre.

For information only.

7. PROTECTIVE SERVICES ISSUE:

7.1 Fire Inspector Appointment:

Motion to appoint Fire Prevention Officer Stephen Noel MacKenzie as a Municipal Fire Inspector in accordance with the provisions of the *Fire Safety Act of Nova Scotia*, Chapter 6 of the Acts of 2002, article 19(1) (b) thereof, to carry out fire inspections within the Cape Breton Regional Municipality in accordance with the said *Act* and any regulations made thereunder. **Carried.**

Continued...

Summary of Decisions (Cont'd)

8. CORPORATE SERVICES ISSUES:

8.1 Request for Street Closure: Portion of PID 15711948 – Portion of Undeveloped Road, MacAulay’s Lane, Sydney (District 6):

Motion that the Legal Department be directed to initiate a formal street closure pursuant to Section 315 of the *Municipal Government Act* for that portion of PID 15711948 outlined in yellow on the site plan (Attachment “A”) to the Issue Paper dated April 12, 2022, with the intention of deeming it **surplus** and sold at market value to the applicant, Mr. Phu Quy Dao. **Carried.**

8.2 Request for Street Closure: Portion of Undeveloped Road – Ainsley Street, Sydney (District 6):

Motion that the Legal Department be directed to initiate a formal street closure pursuant to Section 315 of the *Municipal Government Act* for that portion of the undeveloped road reserve, portion of PID 15711716 located at the end of Ainsley Street, Sydney, as outlined in yellow on the plan (Attachment “A”) to the Issue Paper dated April 12th, 2022 with the intention of deeming the small triangular parcel **surplus** to the needs of the municipality and convey the said lot to the applicant, Cape Breton Community Housing Association, for \$1.00. **Carried.**

8.3 Request to Deem Property Surplus: Portion of 15173917 – Grand Lake Road (District 12) – Lingan Golf Country Club:

Motion to declare a portion of PID 15173917, as shown crosshatched in red on the map attached to the staff Issue Paper dated April 13, 2022, **surplus** to the needs of the municipality and be sold at market value to the applicant and that all costs will be the responsibility of the proposed purchaser and subject to survey approved by staff, lot consolidation, subdivision approval, compliance with Land Use By-law and issuance of a building development permit. **Carried.**

8.4 Proposed Council Videoconferencing Policy:

Motion to approve the Council Videoconferencing Policy as presented. **Carried.**

9. COUNCILLOR REQUEST:

9.1 Student Hiring:

Motion that staff be directed to provide an issue paper regarding student hiring to address the inefficiencies and ~~unfair hiring practices~~ of the Student Job Lottery, and it is prudent that all other managers and directors be consulted if deemed necessary. **Carried.**

Summary of Decisions (Cont'd)

10. COMMITTEE REPORTS:

N/A

11. Review of Action Items from this Meeting:

The Mayor reviewed action items from the meeting.

ADJOURNMENT

Land Acknowledgement

Roll Call

O' Canada

Moment of Silent Reflection:

Mayor Amanda. M. McDougall recognized the recent passing of Inverness County Warden Laurie Cranton.

Councillor Lorne Green recognized the recent passing of the former City of Sydney Alderman John Kennedy.

1. APPROVAL OF MINUTES:

Motion:

Moved by Councillor Paruch, seconded by Councillor Cyril Macdonald, approval of the Minutes from:

- **Council Meeting – February 8, 2022**

Motion Carried.

Motion:

Moved by Deputy Mayor MacMullin, seconded by Councillor Green, approval of the Minutes from:

- **Council Meeting – March 8, 2022**

Motion Carried.

2. APPROVAL OF AGENDA:

Mayor McDougall noted Solicitor Kachafanas will be introducing the Fire Chief's and the Property Manager's issues on the agenda, and that Jennifer Sheppard will be presenting on behalf of the Savoy Theatre.

Motion:

Moved by Councillor Green, seconded by Councillor Gordon MacDonald, to approve the April 12, 2022, Council Agenda as presented.

Motion Carried.

Continued...

3. PROCLAMATIONS & RESOLUTIONS:

3.1 North American Occupational Safety and Health Week “Together We Can Create Safe Workplaces & Communities”:

Motion:

Moved by Councillor Gordon MacDonald, seconded by Deputy Mayor MacMullin, that CBRM Mayor Amanda M. McDougall and Council proclaim the week of May 1st to May 7th, 2022 as “North American Occupational Safety and Health Week” in the Cape Breton Regional Municipality.

Motion Carried.

3.2 2022 Volunteer Week:

Motion:

Moved by Councillor Cyril MacDonald, seconded by Councillor Edwards, that CBRM Mayor Amanda M. McDougall and Council proclaim April 24th to 30th, 2022 as “Volunteer Week” in recognition of the splendid efforts of our volunteers who provide service to our residents and communities.

Motion Carried.

Mayor McDougall noted the Volunteer Awards will be presented at the May 10th Council meeting.

3.3 2022 Daffodil Campaign:

Motion:

Moved by Councillor Paruch, seconded by Councillor Eldon MacDonald, that CBRM Mayor Amanda M. McDougall and Council hereby recognize April’s Daffodil Campaign in Nova Scotia and thank all the volunteers who help raise funds in an effort to save lives.

Motion Carried.

Continued...

PROCLAMATIONS & RESOLUTIONS (Cont'd):

3.4 Year of the Garden 2022:

Motion:

Moved by Councillor Gillespie, seconded by Councillor Paruch, that the CBRM Mayor Amanda M. McDougall and Council proclaim **2022 as the Year of the Garden** in celebration of the contribution of gardens and gardening to the development of our country, our municipality and the lives of our citizens in terms of health, quality of life and environmental challenges, and **that**; The Saturday before Father's Day, June 18th, 2022, be recognized as Garden Day in the Cape Breton Regional Municipality, a legacy of Canada's Year of the Garden 2022, and **that**; The CBRM is committed to be a **Garden Friendly City** supporting the development of its garden culture, and that; All municipalities across Canada be invited to proclaim 2022 to be the *Year of the Garden* in their respective municipalities, and that a copy of this resolution be provided to the FCM, and for that purpose.

Motion Carried.

3.5 Multiple Sclerosis Awareness Month - 2022:

Motion:

Moved by Councillor Tracey, seconded by Councillor O'Quinn, that CBRM Mayor Amanda M. McDougall and Council hereby declare the month of May, 2022 as "Multiple Sclerosis Awareness Month" in the Cape Breton Regional Municipality.

Motion Carried.

3.6 CCGS Hudson:

Motion:

Moved by Councillor Edwards, seconded by Councillor Tracey, that CBRM Mayor Amanda M. McDougall and Council request staff to send a letter to the Honourable Joyce Murray, MP, Minister of Fisheries, Oceans, and the Canadian Coast Guard requesting assistance in relocating the CCGS *Hudson* to the CBRM before scrap tenders are called.

Discussion:

Council discussion included the following:

- Potential costs to CBRM and future responsibility
- Postpone sending the letter until after the community meeting with the Assistant Commissioner of the Coast Guard

Continued

PROCLAMATIONS & RESOLUTIONS CCGS Hudson (Cont'd):

Motion to Amend:

Moved by Councillor Gordon MacDonald, seconded by Deputy Mayor MacMullin, that before relocating the CCGS Hudson, all costs associated with the relocation and any repairs and upgrades that would be needed would have to be known by the CBRM.

The Regional Solicitor advised there is no commitment by the CBRM at this point.

Motion to Amend Withdrawn.

The Mayor then called for the vote.

Main Motion Carried.

4. STREET CLOSING – PUBLIC HEARING:

4.1 Request for Street Closure: Portion of a Honey Lane, off Borden Street, Sydney, District 12 (Portion of PID 15716301):

Demetri Kachafanas, QC, Regional Solicitor reviewed the Issue Paper in the agenda package and recommended Council approve the street closing for a portion of the former Honey Lane located at the rear of the lot fronting on Borden Street, Sydney. He noted that various departments advised that the requested parcel is not essential for municipal purposes and staff supports the applicant's request.

Motion:

Moved by Councillor Green, seconded by Councillor O'Quinn, to approve the closure of the portion of the former honey lane identified as a portion of PID 15716301, the crosshatched area in red on Attachment "A" of the Issue Paper dated April 12th, 2022, pursuant to the *Municipal Government Act* and to deem it **surplus** and offer it for sale at market value to the applicant, Vanessa Syms, provided the applicant purchases CBRM surplus properties identified as PID 15155757 and 15155807. The sale is to subject to subdivision, lot consolidation, and compliance of Land Use By-Law, with all costs would be the responsibility of the purchaser.

Public Hearing:

The Mayor asked if there was anyone present to speak for or against the street closure. Seeing that there was no one, Mayor McDougall then called for the vote.

Motion Carried.

5. DELEGATION:

5.1 Undercurrent Youth – Proposed Youth Waterfront Facility in Glace Bay, NS:

David Sawler, Undercurrent Youth Centre, provided a presentation on a proposed youth waterfront facility in Glace Bay, Nova Scotia.

During discussion, Mr. Sawler noted that the funds that are currently being offered by Develop Nova Scotia to secure preliminary studies, and there is a funding that is available from the Provincial and Federal Governments for waterfront development.

After the presentation and Council discussion, the following motion was put forward:

Motion:

Moved by Councillor O'Quinn, seconded by Councillor Tracey, to support, in principle, Undercurrent Youth Centre as they explore preliminary plans to secure funding for a Youth Waterfront Facility in Glace Bay, and if funding becomes available, that CBRM work with Undercurrent to evaluate options for CBRM-owned land required for the project.

Following discussion on the motion the Mayor called for the vote.

Motion Carried.

Mayor McDougall suggested having a conversation with Mr. Sawler regarding a workshop with Council around the Iceland Model and what it entails.

The Director of Engineering & Public Works advised that the site location discussed is not the treatment plant site. He advised there will be underground infrastructure built as part of the finalization of the treatment plant in that area but they can work around that location.

The Mayor thanked Mr. Sawler for his presentation.

6. REPORT:

At this point in the meeting, the Mayor noted over the next (3) three Council meetings, Council will receive reports from the different organizations that CBRM historically funds.

6.1 Savoy Theatre:

Jennifer Sheppard, Savoy Theatre, provided a presentation to update Council on the activities at the Savoy Theatre.

After Council discussion, the Mayor thanked Jennifer Sheppard for the update.

For information only.

7. **PROTECTIVE SERVICES ISSUE:**

7.1 **Fire Inspector Appointment:**

Demetri Kachafanas, QC, Regional Solicitor, advised that the Fire Safety Act of Nova Scotia requires the Municipality to appoint Fire Prevention Officers and noted in order for the position to be filled, a motion of Council is required to provide the authority to conduct fire inspections and enforce the relative Codes and Acts in the CBRM.

Motion:

Moved by Councillor Bruckschwaiger, seconded by Councillor Gillespie, to appoint Fire Prevention Officer Stephen Noel MacKenzie as a Municipal Fire Inspector in accordance with the provisions of the *Fire Safety Act of Nova Scotia*, Chapter 6 of the Acts of 2002, article 19(1) (b) thereof, to carry out fire inspections within the Cape Breton Regional Municipality in accordance with the said *Act* and any regulations made thereunder.

Motion Carried.

8. **CORPORATE SERVICES ISSUES:**

8.1 **Request for Street Closure: Portion of PID 15711948 – Portion of Undeveloped Road, MacAulay’s Lane, Sydney (District 6):**

Demetri Kachafanas, QC, Regional Solicitor, reviewed the Issue Paper included in the agenda package and recommended a street closure for a portion of an undeveloped section of MacAulay’s Lane lying adjacent to the applicant’s property. The Solicitor noted the applicant has submitted a development application to open a small restaurant at the corner of MacAulay’s Lane and Reeves Street in Sydney, and after an internal staff review there are no issues with this request.

Motion:

Moved by Councillor Paruch, seconded by Councillor Eldon MacDonald, that the Legal Department be directed to initiate a formal street closure pursuant to Section 315 of the *Municipal Government Act* for that portion of PID 15711948 outlined in yellow on the site plan (Attachment “A”) to the Issue Paper dated April 12, 2022, with the intention of deeming it **surplus** and sold at market value to the applicant, Mr. Phu Quy Dao.

Discussion:

Following discussion, the Mayor called for the vote.

Motion Carried.

Continued...

CORPORATE SERVICES ISSUES (Cont'd):

8.2 Request for Street Closure: Portion of Undeveloped Road – Ainsley Street, Sydney (District 6):

Demetri Kachafanas, QC, Regional Solicitor, reviewed the Issue Paper included in the agenda package and recommended that staff be directed to initiate a formal street closure of a portion of PID 15711716 located at the end of Ainsley Street, Sydney, with the intention of deeming the parcel surplus to the municipality and convey the lot to Cape Breton Community Housing Association for \$1.00.

Motion:

Moved by Councillor Paruch, seconded by Deputy Mayor MacMullin, that the Legal Department be directed to initiate a formal street closure pursuant to Section 315 of the *Municipal Government Act* for that portion of the undeveloped road reserve, portion of PID 15711716 located at the end of Ainsley Street, Sydney, as outlined in yellow on the plan (Attachment “A”) to the Issue Paper dated April 12th, 2022 with the intention of deeming the small triangular parcel **surplus** to the needs of the municipality and convey the said lot to the applicant, Cape Breton Community Housing Association, for \$1.00

Motion Carried.

8.3 Request to Deem Property Surplus: Portion of 15173917 – Grand Lake Road (District 12) – Lingan Golf Country Club:

Demetri Kachafanas, QC, Regional Solicitor, reviewed the Issue Paper included in the agenda package and recommended Council declare a portion of PID 15173917 **surplus** to the needs of the municipality and be sold at market value to the Lingan Golf and Country Club.

Motion:

Moved by Councillor Green, seconded by Councillor O’Quinn, to declare a portion of PID 15173917, as shown crosshatched in red on the map attached to the staff Issue Paper dated April 13, 2022, **surplus** to the needs of the municipality and be sold at market value to the applicant and that all costs will be the responsibility of the proposed purchaser and subject to survey approved by staff, lot consolidation, subdivision approval, compliance with Land Use By-law and issuance of a building development permit.

Discussion:

Following discussion, the Mayor called for the vote.

Motion Carried.

Continued...

CORPORATE SERVICES ISSUES (Cont'd):

8.4 Proposed Council Videoconferencing Policy:

Deborah Campbell Ryan, Municipal Clerk, reviewed the Memo included in the agenda package and recommended Council approve the Videoconferencing Policy.

Motion:

Moved by Councillor Gillespie, seconded by Councillor Tracey, to approve the Council Videoconferencing Policy as presented.

Motion Carried.

9. COUNCILLOR REQUESTS:

9.1 Student Hiring:

Councillor Cyril MacDonald discussed the request included in the agenda package and then put forward the following motion.

Motion:

Moved by Councillor Cyril MacDonald, seconded by Councillor Green, that staff be directed to provide an issue paper regarding student hiring to address the inefficiencies ~~and unfair hiring practices~~ of the Student Job Lottery, and it is prudent that all other managers and directors be consulted if deemed necessary.

Discussion:

During discussion, with consent of the mover and seconder, it was agreed that the motion be amended to remove the words “and unfair hiring practices”.

Motion Carried.

10. COMMITTEE REPORTS:

N/A

11. Review of Action Items from this Meeting:

At the conclusion of the meeting, Mayor Amanda M. McDougall noted the following:

- The remainder of the issues in the pending file for April will be on the April 26th, 2022 Council agenda.
- The Mayor will bring forward a Memo to the April 26th, 2022 Council meeting on proposed meeting structure and scheduling.
- Budget meetings will resume on April 19th, 2022
- Coordinate a Council workshop on the Iceland Strategy with Dave Sawler from Undercurrent Youth Centre.

Meeting adjourned at 8:34 p.m.

Mayor Amanda M. McDougall

/tcn

**Deborah Campbell Ryan
Municipal Clerk**