

CAPE BRETON REGIONAL MUNICIPALITY
Council Meeting – Minutes

**Tuesday,
April 20, 2021
6:01 p.m.**

**Main Concourse
Centre 200**

481 George Street, 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 Steve Parsons
Councillor James Edwards
Councillor Ken Tracey
Councillor Darren O'Quinn
Councillor Lorne Green

Staff: Marie Walsh, Chief Administrative Officer
Jennifer Campbell, Chief Financial Officer
John MacKinnon, Deputy Chief Administrative Officer
Demetri Kachafanas, QC, Regional Solicitor
Wayne MacDonald, Director of Engineering & Public Works
Bill Murphy, Director of Recreation, Parks, Grounds & Buildings
Michael Ruus, Director of Planning & Development
Karen Neville, Senior Planner
Kristen Knudskov, Planner
Sharon MacSween, Senior Administrative Assistant
Tanya Nicholson, Recording Secretary

Absent: Councillor Darren Bruckschwaiger (Regrets)

The Council met In Camera earlier this date pursuant to Section 22 (2) (c) of the *Municipal Government Act*.

Summary of Decisions

Call to Order

O' Canada

Roll Call

1. APPROVAL OF MINUTES:

Motion to approve minutes from:

- **Council Meeting – March 9, 2021**

Carried.

Motion to approve minutes from:

- **Council Meeting – March 23, 2021**

Carried.

2. APPROVAL OF AGENDA:

Motion to approve the April 20, 2021 Council Agenda and Addendum as circulated.

Carried.

3. PROCLAMATIONS:

3.1 Multiple Sclerosis Awareness Month:

Motion that Mayor Amanda M. McDougall and Council hereby declare the month of May 2021 as “Multiple Sclerosis Awareness Month” in the Cape Breton Regional Municipality.

Carried.

3.2 Lyme Disease Awareness Month:

Motion that CBRM Mayor Amanda M. McDougall and Council proclaim May 2021 as “Lyme Disease Awareness Month” in the Cape Breton Regional Municipality. **Carried.**

3.3 Melanoma and Skin Cancer Awareness Month:

Motion that Mayor Amanda M. McDougall and Council proclaim May 2021 as “Melanoma and Skin Cancer Awareness Month” in the Cape Breton Regional Municipality. **Carried.**

Continued...

Summary of Decisions (Cont'd)

PROCLAMATIONS (Cont'd):

3.4 2021 Volunteer Week:

Motion that Mayor Amanda M. McDougall and Council proclaim April 18th to 24th, 2021 as “Volunteer Week” in recognition of the splendid efforts of our volunteers who provide service to our residents and communities. **Carried.**

3.5 North American Occupational Safety and Health Week:

Motion that Mayor Amanda M. McDougall and Council proclaim the week of May 2nd to May 8th, 2021 as “North American Occupational Safety and Health Week” in the Cape Breton Regional Municipality. **Carried.**

4. PRESENTATION:

4.1 Highland Arts Theatre:

A presentation was provided on provided a presentation on the arts and culture sector of CBRM.

For information only.

5. DELEGATION:

5.1 Nova Scotia Construction Sector Council – ICI:

A presentation was provided on the Nova Scotia Construction Sector Council.

For information only.

6. REPORT:

6.1 Efficiency Nova Scotia:

A presentation was provided by Efficiency Nova Scotia regarding CBRM Energy Management.

For information only.

Continued...

Summary of Decisions (Cont'd)

7. PLANNING ISSUE:

7.1 APPROVAL TO ADVERTISE:

- a) **Case 1078 - Municipal Planning Strategy Amendment to allow a Medical Clinic at 46 Cottage Road, Sydney (PID 15105133 and 15270382):**

Motion approval to advertise Notice of a Public Hearing at an upcoming meeting of Council, to consider the amendment, Case 1078, to allow a Medical Clinic at 46 Cottage Road, Sydney (PID 15105133 and 15270382) and regulate following Option 3, General Provisions specifically for Medical Clinics, as outlined in the staff Report paper dated April 13, 2021. **Carried.**

Motion approval to advertise Notice of a Public Hearing at an upcoming meeting of Council, to consider an amending the North End Sydney Secondary Planning Strategy and Land Use Bylaw in accordance with Option 3, General Provisions to permit Medical Clinics, as outlined in the staff Report dated April 13, 2021. **Carried.**

Motion approval to advertise Notice of a Public Hearing to consider amending the CBRM Municipal Planning Strategy, Land Use Bylaw, North End Sydney Secondary Planning Strategy and North End Sydney Secondary Land Use Bylaw, to permit medical clinics as home-based businesses as outlined in the staff Report dated April 13, 2021. **Carried.**

- b) **Case 1079-Motor Vehicle Sales PID 15037278 (2248 Kings Road, Howie Center; District 7)**

Motion approval to advertise Notice of a Public Hearing for an upcoming meeting of Council, to consider the site plan approval criteria to permit motor vehicle sales developments in the Kings Road Sales (KRS) Zone and assist in mitigating potential adverse effect on surrounding residential development – Case 1079, PID 15037278, 2248 Kings Road, Howie Center. **Carried.**

7.2 Parking Area Request – CBRM Parking Meter Bylaw T-5:

Motion that staff be directed to draft an issue paper outlining potential options for amendments to the CBRM Parking Meter Bylaw T-5. **Carried.**

Summary of Decisions (Cont'd):

8. COUNCILLOR AGENDA REQUESTS:

8.1 Land Purchase for Playground/Dry Fire Hydrant – MacKessey Drive, Victoria Mines:

Motion to direct staff to prepare an Issue paper for the next regular meeting of Council for the purpose of negotiating the purchase of Lot 16 – PID15519929 – (Playground area) and Lot 18 – PID 15519903 – (Dry Fire Hydrant) located on MacKessey Drive in Victoria Mines from the Executors of the estate concerning Gladys MacKessey. **Carried.**

8.2 Outstanding Loan Forgiveness – Emera North Sydney:

Motion to direct staff to prepare an Issue paper for the upcoming Budget Sessions for Council consideration to forgive the outstanding loan balance owed to CBRM by the Northside Community Civic Centre Society. **Carried.**

9. FINANCIAL STATEMENTS:

9.1 CBRM to February 28, 2021:

For Information Only.

9.2 Port of Sydney Development Corporation to February 28, 2021:

For Information Only.

ADDENDUM:

10.00 BUSINESS ARISING:

10.01 In Camera – April 20, 2021:

a) Selection of Police Chief:

Motion to approve the appointment of Robert Walsh to the position of Police Chief effective April 20, 2021. Furthermore, that the Deputy Chief position be advertised in accordance with the requirements of Section 37 (4) of the *Nova Scotia Police Act* and the CBRM Recruitment and Selection Policy. **Carried.**

Summary of Decisions (Cont'd):

10. Review of Action Items from the Meeting:

Mayor McDougall reviewed the list of action items from this meeting.

For Information Only.

ADJOURNMENT

The Council met In Camera earlier this date pursuant to Section 22 (2) (c) of the *Municipal Government Act*.

Call to Order

O' Canada

Roll Call

1. APPROVAL OF MINUTES:

Motion:

Moved by Councillor Green, seconded by Councillor Edwards, approval of the following Minutes as previously circulated:

- **Council Meeting – March 9, 2021**

Motion Carried.

Motion:

Moved by Councillor Gordon MacDonald, seconded by Councillor Cyril MacDonald approval of the following Minutes as previously circulated:

- **Council Meeting – March 23, 2021**

Motion Carried.

2. APPROVAL OF AGENDA:

Motion:

Moved by Deputy Mayor MacMullin, seconded by Councillor Gordon MacDonald, to approve the April 20th, 2021 Council Agenda and the Addendum as circulated.

Motion Carried.

3. PROCLAMATIONS:

3.1 Multiple Sclerosis Awareness Day:

Motion:

Moved by Councillor Tracey, seconded by Gillespie, that Mayor Amanda M. McDougall and Council hereby declare the month of May 2021 as “Multiple Sclerosis Awareness Month” in the Cape Breton Regional Municipality.

Motion Carried.

Continued...

PROCLAMATIONS (Cont'd):

3.2 Lyme Disease Awareness Month:

Motion:

Moved by Councillor Eldon MacDonald, seconded by Councillor Cyril MacDonald, that CBRM Mayor Amanda M. McDougall and Council proclaim May 2021 as “Lyme Disease Awareness Month” in the Cape Breton Regional Municipality.

Motion Carried.

3.3 Melanoma and Skin Cancer Awareness Month:

Motion:

Moved by Councillor Parsons, seconded by Councillor Gillespie, that Mayor Amanda M. McDougall and Council proclaim May 2021 as “Melanoma and Skin Cancer Awareness Month” in the Cape Breton Regional Municipality.

Carried.

3.4 2021 Volunteer Week:

Motion:

Moved by Councillor Cyril MacDonald, seconded by Councillor Eldon MacDonald, that Mayor Amanda M. McDougall and Council proclaim April 18th to 24th, 2021 as “Volunteer Week” in recognition of the splendid efforts of our volunteers who provide service to our residents and communities.

Carried.

3.5 North American Occupational Safety and Health Week:

Motion:

Moved by Councillor Gordon MacDonald, seconded by Deputy Mayor MacMullin, that Mayor Amanda M. McDougall and Council proclaim the week of May 2nd to May 8th, 2021 as “North American Occupational Safety and Health Week” in the Cape Breton Regional Municipality.

4. PRESENTATION:

4.1 Highland Arts Theatre:

Wesley Colford, Artistic & Executive Director, Highland Arts Theatre, provided a presentation on the arts and culture sector of CBRM. They apologized for the confusion regarding their understanding of the intent of this presentation.

Continued...

PRESENTATION Highland Arts Theatre (Cont'd):

Council was advised that the amended requests to be presented will also distributed following the meeting. Presentation highlights included:

- History of arts and culture on Cape Breton Island
- Performing arts that have been derived from local cultures
- Local success stories: Savoy, Center for Craft and Design, New Dawn Convent project, CB Mike, Celtic Colours and Sacred Heart Downtown
- Cultural activity amid COVID pandemic
- Venues for local performing arts
- Potential for the local arts and culture
- Highlights and challenges
- Highland Arts Theatre:
 - Overview from 2014 to present
 - Video presentation, A Special Radical Access Announcement
 - HAT being the first professional community-funded theatre in Canada
- Spin-off effects created by the local arts and culture with revenue going into the local economy
- Funding and support
- Key Requests:
 - Increased and designated operating funding for arts and culture organizations and activities within the CBRM - allocated in the budget.
 - A commitment to better transparency policies and constructive feedback regarding results of municipal funding grants such as Sustainability, Festivals and Event, and Operations.
 - A dedicated granting program for individual artists

Mayor McDougall thanked Wesley Colford for their presentation and noted the requests will be brought into the Budget discussion. She expressed her appreciation for the cultural sector and their activities in the community.

5. DELEGATION:

5.1 Nova Scotia Construction Sector Council – ICI:

Trent Soholt, Executive Director Nova Scotia Construction Sector Council - ICI, provided a presentation on the Nova Scotia Construction Sector Council - ICI including the following highlights:

- Who we are
- What is Best Value Procurement?
- Why Should I Care?
- Common Themes

Continued...

DELEGATION – Nova Scotia Construction Sector Council – ICI (Cont'd):

- What is a Community Benefit Agreement (CBA)?
- What is Included?
- Key Ingredients – Core Criteria for Successful CBAs
- Opportunity
- Procurement with CBA Integration – Examples of Results
- Contract Language Implemented June 2020
- CBRM Major Projects
- Updated Major Project Data for Cape Breton
- Updated Demand Scenario
- Updated Major Project Data: Estimated Supply vs. Demand
- Known Occupation & Training Needs
- How Nova Scotia Construction Sector Council is helping

After the presentation, Council discussed the following:

- Skill alignments
- Encouraging trade workers to contact Nova Scotia Construction Sector Council
- Work with Unions

Mayor McDougall thanked Trent Soholt for his presentation and noted the contact information for Rochelle Hatcher would be forwarded to Council.

6. REPORT:

6.1 Efficiency Nova Scotia:

Bill Murphy introduced Khaled Ibrahim, On-Site Energy Manager, CBRM – Efficiency Nova Scotia, who provided a presentation on Efficiency Nova Scotia, CBRM Energy Management 2021-2021, discussing the following highlights:

- Introduction
 - Efficiency Nova Scotia
 - UN Sustainable Development Goals
 - Canada Energy
- Energy Efficiency
 - Energy Conservation Measures (ECM)
- CBRM Last 5 Years Achievement
 - CBRM Energy & GHG Achievement
- CBRM Energy Management Goals, Objectives and Plan
- CBRM 2021-2025 Energy Efficiency Projects

Continued...

REPORT - Efficiency Nova Scotia (Cont'd):

After the presentation, Council discussed the following:

- Focus on wind and solar power for green projects
- Utilize waste from wastewater into energy
- Federal Government Budget for Green Economy

Mayor McDougall thanked Khaled Ibrahim for his presentation and noted she looks forward to future conversations.

7. PLANNING ISSUES:

7.1 APPROVAL TO ADVERTISE:

- a) **Case 1078 - Municipal Planning Strategy Amendment to allow a Medical Clinic at 46 Cottage Road, Sydney (PID 15105133 and 15270382):**

Karen Neville, Senior Planner and Kristen Knudskov, Planner, provided background information on this issue which is outlined in the staff Report dated April 13, 2021.

Motion:

Moved by Councillor Paruch, seconded by Councillor Gordon MacDonald, approval to advertise Notice of a Public Hearing at an upcoming meeting of Council, to consider the amendment, Case 1078, to allow a Medical Clinic at 46 Cottage Road, Sydney (PID 15105133 and 15270382) and regulate following Option 3, General Provisions specifically for Medical Clinics, as outlined in the staff report paper dated April 13, 2021.

Discussion:

- Traffic and parking related provisions and concerns
- Any interior alterations (i.e. expansions) would require a permit to meet threshold
- Council *agreed* to separate the recommendations motion into three (3) separate motions
- Amendment is only for provisions for a medical clinic
- Support of local physicians
- Medical clinic definition
- Commercial sector effect
- Similarities and differences for a doctor office in residential versus commercial zone
- Similar approach is taken for long-term care facilities

Motion Carried.

Continued...

PLANNING ISSUES: APPROVAL TO ADVERTISE: Case 1078 - Municipal Planning Strategy Amendment to allow a Medical Clinic at 46 Cottage Road, Sydney (PID 15105133 and 15270382) (Cont'd):

Motion:

Moved by Deputy Mayor MacMullin, seconded by Councillor Paruch, approval to advertise Notice of a Public Hearing at an upcoming meeting of Council, to consider an amending the North End Sydney Secondary Planning Strategy and Land Use Bylaw in accordance with Option 3, General Provisions to permit Medical Clinics, as outlined in the staff Report dated April 13, 2021.

Discussion:

- Additional provisions for homebased versus standalone medical clinic
- Home based businesses, the operator must be a resident of the home with the provision that allows for one additional staff member.

Motion Carried.

Motion:

Moved by Councillor Eldon MacDonald, seconded by Councillor Gordon MacDonald, approval to advertise Notice of a Public Hearing to consider amending the CBRM Municipal Planning Strategy, Land Use Bylaw, North End Sydney Secondary Planning Strategy and North End Sydney Secondary Land Use Bylaw, to permit medical clinics as home-based businesses as outlined in the staff Report dated April 13, 2021.

Motion Carried.

b) **Case 1079 – Motor Vehicle Sales PID 15037278 (2248 Kings Road, Howie Center; District 7):**

Kristen Knudskov, Planner, advised the Planning Department received an application to permit a motor vehicle repair and sales shop on PID 15037278 (2248 Kings Road, Howie Center) which would primarily deal with smaller vehicles such as ATVs and motorcycles but may include other types as well. She noted the property is presently zoned Rural CBRM (RCB) and motor vehicle sales are not permitted within the RCB zone. It was noted that this was once a former commercial site.

Motion:

Moved by Councillor Parsons, seconded by Councillor Green, approval to advertise Notice of a Public Hearing for an upcoming meeting of Council, to consider the site plan approval criteria to permit motor vehicle sales developments in the Kings Road Sales (KRS) Zone and assist in mitigating potential adverse effect on surrounding residential development – Case 1079, PID 15037278, 2248 Kings Road, Howie Center.

Motion Carried.

PLANNING ISSUES (Cont'd):

7.2 Parking Area Request – CBRM Parking Meter Bylaw T-5:

Michael Ruus, Director of Planning and Development, advised that Breton Brewing is considering a new location in downtown Sydney at 278 Charlotte Street that spans Charlotte Street to the Esplanade and would require a loading zone on the Esplanade side of the building. The Planning and Development Department received a request from Breton Brewing for dedicated on-street parking spaces from 8-11 a.m. (Monday – Friday) at that site for the purpose of loading and unloading.

Motion:

Moved by Councillor Eldon MacDonald, seconded by Councillor Edwards, that staff be directed to draft an issue paper outlining potential options for amendments to the CBRM Parking Meter Bylaw T-5.

Discussion:

The following items were discussed:

- Parking Permits
- Loading Zones

Motion Carried.

8. COUNCILLOR AGENDA REQUESTS:

8.1 Land Purchase for Playground/Dry Fire Hydrant – MacKessey Drive, Victoria Mines:

Councillor Lorne Green provided background information on the request.

Motion:

Moved by Councillor Green, seconded by Councillor Gillespie, to direct staff to prepare an Issue paper for the next regular meeting of Council for the purpose of negotiating the purchase of Lot 16 – PID15519929 – (Playground area) and Lot 18 – PID 15519903 – (Dry Fire Hydrant) located on MacKessey Drive in Victoria Mines from the Executors of the estate concerning Gladys MacKessey.

Discussion:

Councillor Green advised that the playground has been in existence since 1985 and the fire hydrant in place since about 2010 or 2011. The intent is to maintain the two vital community assets.

Motion Carried.

COUNCILLOR AGENDA REQUESTS (Cont'd):

8.2 Outstanding Loan Forgiveness – Emera North Sydney:

Deputy Mayor Earlene MacMullin, advised in the fall of 2020, the Emera Centre and CBRM jointly facilitated the process of developing a 5-year business plan for the Centre with the purpose of supporting rebuilding capital and operating funds to maintain operations. She noted there is a balance of approximately \$172,000 owing to the Municipality as a result of a loan granted to Northside Community Civic Centre Society in the initial development stages to bridge the gap of the community-based funds to meet funding requirements for the construction of the facility. The outstanding balance is now preventing the organization from applying for any Municipal funding.

Motion:

Moved by Deputy Mayor MacMullin, seconded by Councillor Gordon MacDonald, to direct staff to prepare an Issue paper for the upcoming Budget Sessions for Council consideration to forgive the outstanding loan balance owed to CBRM by the Northside Community Civic Centre Society.

Discussion:

Discussion included the following items:

- Clarification that the loan amount was \$231,000 and not \$1.5 million for the Emera Center
- Miners Forum is only other nonprofit group other than volunteer fire departments with a loan guarantee from CBRM
- Last loan payment was received in January 2017 from the Society and multiple statements of account were sent
- Emera business plan and Society detailed finances
- Issue Paper will have up-to-date financial details
- Funds raised were invested into center operations
- Recreation Master Plan
- Reserve funds are depleting
- Collection options
- Arenas are not taxed
- CBRM bridged a funding gap in the amount of \$231,000 for the Emera Center

Point of Order:

Councillor Green raised a Point of Order as the motion being discussed was to direct staff to prepare an Issue Paper not to enter debate on the issue at this time.

Mayor McDougall suggested that Council ask questions that they would want addressed in the Issue Paper.

Further discussion included the following:

- Miners Forum (former Bayplex) loan was for a geothermal upgrade. CBRM is now the owner of the building
- Allowances for uncollectable receivables in the Budget

The CAO advised she would work with CFO to have the Issue Paper prepared prior to the Budget deliberations commencing on April 27, 2021.

Motion Carried.

9. FINANCIAL STATEMENTS:

9.1 CBRM to February 28, 2021:

For Information Only.

9.2 Port of Sydney Development Corporation to February 28, 2021:

For Information Only.

ADDENDUM:

10.00 BUSINESS ARISING:

10.01 In Camera – April 20, 2021:

a) Selection of Police Chief:

John MacKinnon, Deputy Chief Administrative Officer, advised in mid-March the selection of Chief of Police process started and now has been completed.

Motion:

Moved by Councillor Eldon MacDonald, seconded by Councillor Parsons, to approve the appointment of Robert Walsh to the position of Police Chief effective April 20, 2021. Furthermore, that the Deputy Chief position be advertised in accordance with the requirements of Section 37 (4) of the *Nova Scotia Police Act* and the CBRM Recruitment and Selection Policy.

Motion Carried.

Mayor and Council congratulated Robert Walsh on his appointment to the position of Police Chief.

10. Review of Action Items from the Meeting:

1. Share with Council, contact information for Rochelle Hatcher, Nova Scotia Construction Sector Council.
2. List of Issue Papers from Agenda items.
3. Reminder that Budget meetings are scheduled April 27 – 29th at the Joan Harriss Cruise Pavilion

Meeting adjourned at 8:48 p.m.

Mayor Amanda M. McDougall

/tcn

John MacKinnon

**Deputy Chief Administrative
Officer**