

CAPE BRETON REGIONAL MUNICIPALITY
Council Meeting – Minutes

**Tuesday,
February 8, 2022
6:00 p.m.
Via Videoconference**

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 Bruckschwaiger
Councillor Darren O'Quinn
Councillor Lorne Green

Staff: Marie Walsh, Chief Administrative Officer
Jennifer Campbell, Chief Financial Officer
John MacKinnon, Deputy Chief Administrative Officer
Deborah Campbell Ryan, Municipal Clerk
Demetri Kachafanas, QC, Regional Solicitor
Wayne MacDonald, Director of Engineering & Public Works
Michael Ruus, Director of Planning & Development
Sheila Kolanko, Property Manager
Karen Neville, Senior Planner/Heritage Officer
Kristen Knudskov, Planner
Tanya Johnson MacVicar, Municipal L'nu Advisor
Sharon MacSween, Senior Administrative Assistant
Tanya Nicholson, Recording Secretary

Absent: N/A

Summary of Decisions

Land Acknowledgement

Roll Call

Moment of Silent Reflection:

1. APPROVAL OF MINUTES:

Motion to approve minutes from:

- **Special Council Meeting – November 22, 2021**

Carried.

Motion to approve minutes from:

- **Special Council Meeting – December 17, 2021**

Carried.

2. APPROVAL OF AGENDA:

Motion to approve the February 8, 2022, Council Agenda and Addendum as presented.
Carried.

3. Introduction/Role of Municipal L’nu Advisory – Tanya Johnson MacVicar:

Mayor Amanda M. McDougall introduced Tanya Johnson MacVicar as the new Municipal L’nu Advisor, and Ms. Johnson MacVicar explained her intentions for this new role at CBRM.

For Information Only.

4. HERITAGE PROPERTY ISSUES:

4.1 Municipal Heritage Registration Requests – Public Hearings:

- i) Menelik Hall (88 Laurier Street, Whitney Pier)

Motion to approve the request to register Menelik Hall (88 Laurier Street, Whitney Pier) as a Municipal Heritage Property. **Carried.**

Continued...

Summary of Decisions (Cont'd)

HERITAGE PROPERTY ISSUES – Municipal Heritage Registration Requests – Public Hearings (Cont'd):

- ii) The Cedars Club (30 MacKenzie Street, Sydney)

Motion to approve the request to register The Cedars Club (30 MacKenzie Street, Sydney) as a Municipal Heritage Property. **Carried.**

- iii) 8399 Grand Narrows Highway, Christmas Island

Motion to approve the request to register 8399 Grand Narrows Highway, Christmas Island as a Municipal Heritage Property. **Carried.**

5. PLANNING ISSUES:

5.1 FINAL APPROVAL – PUBLIC HEARING:

- a) **Case 1086 – Request from Rob Smith for a 3-Unit Apartment at 98 Caledonia Street, North Sydney (PID 15026313; District 2):**

Motion final approval of the application by Rob Smith to permit a 3-unit apartment at 98 Caledonia Street, North Sydney, by amending the zoning for PID 15026313 from Residential Urban C (RUC) to Residential Urban 3-Unit (RU3). **Carried.**

5.2 APPROVAL TO ADVERTISE: N/A

5.3 Temporary Sign Survey: What We Heard Report:

The Planner provided a report on the temporary sign survey.

For information only.

6. CORPORATE SERVICE ISSUE:

6.1 Request for Street Closure: Portion of PID 15583164 - Portion of Undeveloped Road Parcel Off Main Street, Reserve Mines (District 9)

Motion that staff be directed to initiate a formal street closure pursuant to Section 315 of the *Municipal Government Act* for that portion of PID 15583164 outlined and crosshatched in red on the map (Attachment “A”) included with the staff Issue Paper dated February 8th, 2022 in the agenda package with the intention of deeming it **surplus** and to be conveyed to the owner of 75 Main Street, Reserve Mines. **Carried.**

Continued...

Summary of Decisions (Cont'd)

7. BUSINESS ARISING:

7.1 Special Council – January 25, 2022:

a) CBRM District Boundary Review:

Motion to allocate \$50,000 to the operating budget for the 2022/23 Boundary Review Study and authorize staff to issue a Request for Proposals (RFP) to begin the project. **Carried.**

7.2 Council – January 18, 2022:

a) Public Report: Citizen Appointments to Various Committees:

The Municipal Clerk provided a public report on the successful citizen appointments to various committees.

For Information Only.

ADDENDUM

7.B COUNCILLOR AGENDA REQUEST:

i) Affordable Housing:

Motion to request staff to bring back an Issue Paper to a future meeting of Council concerning how CBRM can support affordable housing, and to consider the following:

- Can surplus land be sold for \$1.00 to accommodate affordable housing;
- Can permit fees, subdivision fees, and zone amendment fees be waived when affordable housing projects are in the making;
- Can CBRM install sewer and water for these projects to support affordable housing.

Carried.

8. COMMITTEE REPORTS:

8.1 Nova Scotia Solid Waste Resource Management Regional Chairs Committee:

Councillor Cyril MacDonald provided a report on the December 10, 2021 meeting of the Nova Scotia Solid Waste Resource Management Regional Chairs Committee.

For Information Only.

Continued...

Summary of Decisions (Cont'd)

9. FINANCIAL STATEMENTS:

9.1 CBRM to December 31, 2021:

For Information Only.

9.2 Port of Sydney Development Corporation to December 31, 2021:

For Information Only.

10. Review of Action Items from the Meeting:

Mayor McDougall advised that the Council's pre-budget workshops will commence on February 16, 2022.

ADJOURNMENT

Land Acknowledgement

Roll Call

Moment of Silent Reflection

Deputy Mayor MacMullin recognized the passing of former CBRM Councillor Gordon MacLeod and the late Dr. Wanda Robson, O.N.S, D. Litt.

1. APPROVAL OF MINUTES:

Motion:

Moved by Councillor Parsons, seconded by Councillor Cyril MacDonald, approval of the Minutes from:

- **Special Council Meeting – December 22, 2021**

Motion Carried.

Motion:

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

- **Special Council Meeting – December 17, 2021**

Motion Carried.

2. APPROVAL OF AGENDA:

Motion:

Moved by Councillor Green, seconded by Deputy Mayor MacMullin, to approve the February 8, 2022, Council Meeting Agenda and Addendum as presented.

Motion Carried.

3. Introduction/Role of Municipal L’nu Advisor – Tanya Johnson MacVicar:

Mayor Amanda M. McDougall introduced Tanya Johnson MacVicar as CBRM’s L’nu Advisor and welcomed her to her new role at CBRM.

Tanya Johnson MacVicar advised that her intentions for her role as L’nu Advisor at CBRM are to have conversations about truth and reconciliation, calls to action and to work together to learn and grow from one another and to tear down the misconceptions that people have about her people.

For Information Only.

Continued...

4. HERITAGE PROPERTY ISSUES:

4.1 Municipal Heritage Registration Requests – Public Hearings:

Karen Neville, Heritage Officer/Senior Planner, provided background information on these Heritage Property Registration requests and advised that the property owners were notified of their opportunity to address Council at the Public Hearings. However, no comments were received by the Planning Department.

- i) Menelik Hall (88 Laurier Street, Whitney Pier)

Motion:

Moved by Councillor Green, seconded by Councillor Eldon MacDonald, to approve the request to register Menelik Hall (88 Laurier Street, Whitney Pier) as a Municipal Heritage Property.

Motion Carried.

- ii) The Cedars Club (30 MacKenzie Street, Sydney)

Motion:

Moved by Councillor Paruch, seconded by Councillor Eldon MacDonald, to approve the request to register The Cedars Club (30 MacKenzie Street, Sydney) as a Municipal Heritage Property.

Motion Carried.

- iii) 8399 Grand Narrows Highway, Christmas Island

Motion:

Moved by Councillor Cyril MacDonald, seconded by Councillor Eldon MacDonald, to approve the request to register 8399 Grand Narrows Highway, Christmas Island as a Municipal Heritage Property.

Motion Carried.

Continued...

5. PLANNING ISSUES:

5.1 FINAL APPROVAL – PUBLIC HEARING:

a) Case 1086 – Request from Rob Smith for a 3-Unit Apartment at 98 Caledonia Street, North Sydney (PID 15026313; District 2):

Kristen Knudskov, Planner, reviewed the updated staff report included in the agenda package. Staff is recommending approval of the zone amendment.

Motion:

Moved by Deputy Mayor MacMullin, seconded by Councillor Gordon MacDonald, final approval of the application by Rob Smith to permit a 3-unit apartment at 98 Caledonia Street, North Sydney, by amending the zoning for PID 15026313 from Residential Urban C (RUC) to Residential Urban 3-Unit (RU3).

Public Hearing:

The Planner noted that three (3) written submissions were received and all were opposed to the application. One (1) telephone call was received and was opposed to the application; however, the individual chose not to submit a public hearing statement.

Discussion:

- There is a need for housing in CBRM
- Applicant could add on to the existing building

Motion Carried.

5.2 APPROVAL TO ADVERTISE: N/A

5.3 Temporary Sign Survey: What We Heard Report:

Kristen Knudskov, Planner, advised that staff conducted a survey to identify the community expectation for temporary signs and their regulations. She advised that the next step is to collaborate with the stakeholder group and to create a draft Temporary Sign Bylaw that is guided by the feedback from the survey. She noted that staff would return to Council with policy alternatives as well as the budget implications.

Council thanked the Planner for her report and discussed aspects of the findings in the survey.

For information only.

Continued...

6. CORPORATE SERVICE ISSUE:

6.1 Request for Street Closure: Portion of PID 15583164 – Portion of Undeveloped Road Parcel Off Main Street, Reserve Mines (District 9):

Sheila Kolanko, Property Manager, advised that a letter of request was received from Crosby Law Group on behalf of the resident of 75 Main Street, Reserve Mines seeking a street closure for a portion of an undeveloped road reserve lying adjacent to the applicant's property.

Ms. Kolanko advised that an internal staff evaluation was requested to determine if CBRM required this portion of the undeveloped road parcel. The evaluation showed the Planning Department would need an application for a subdivision to consolidate the requested parcel with the applicants existing property and that development on the property would be subject to compliance with applicable provisions of the Land Use By-Law and the issuance of a Building Development Permit.

Motion:

Moved by Councillor Tracey, seconded by Councillor Bruckschwaiger, that staff be directed to initiate a formal street closure pursuant to Section 315 of the *Municipal Government Act* for that portion of PID 15583164 outlined and crosshatched in red on the map (Attachment "A") included with the staff Issue Paper dated February 8th, 2022 in the agenda package with the intention of deeming it **surplus** and to be conveyed to the owner of 75 Main Street, Reserve Mines.

Motion Carried.

7. BUSINESS ARISING:

7.1 Special Council – January 25, 2022:

a) CBRM District Boundary Review:

Michael Ruus, Director of Planning & Development, reviewed the Issue Paper in the agenda package. Staff is recommending that Council allocate \$50,000 for the Boundary Review Study and that staff issue an RFP for a consultant to carry out the project.

Continued...

BUSINESS ARISING – Special Council – January 25, 2022 - CBRM District Boundary Review (Cont'd):

Motion:

Moved by Councillor Eldon MacDonald, seconded by Councillor Tracey, to allocate \$50,000 to the operating budget for the 2022/23 Boundary Review Study and authorize staff to issue a Request for Proposals (RFP) to begin the project.

Discussion:

During Council discussion, some of the matters raised included:

- Consultant will enable a more hands-off approach for Council
- Consultant would provide progress reports to Council, and can seek input from Council members
- Estimated cost of \$50,000 is based on the 2010 CBRM Boundary Review facilitated by an external consultant
- Ad Hoc Committee could be struck
- CBRM staff could carry out the Boundary Review Study rather than pay an external consultant
- Impact of the pandemic on public consultation
- Boundary Review Study is mandated under the *Municipal Government Act* (MGA)
- Council must approve the Study and make a recommendation on the number of councillors and district boundaries for the application to the NS Utility and Review Board (URB)
- Councillors have the right to make their own presentations to the URB
- The Viability Study recommendation was not to reduce number of Councillors; it was to consider three (3) districts with multiple councillors in each district (which would require a change to legislation)

Motion Carried.

Continued...

BUSINESS ARISING (Cont'd):

7.2 Council – January 18, 2022:

a) Public Report: Citizen Appointments to Various Committees:

Municipal Clerk, Deborah Campbell Ryan, provided Council with a public report on the names of successful candidates who have all accepted the positions, as follows:

• **Audit Committee:**

➤ *Rakesh Kochhar* (for a 2-year term)

• **Cape Breton Regional Library Board:**

➤ *Kathy MacIntyre* (for the balance of a 2-year term – to February 2023)

• **Port of Sydney Development Corporation Board of Directors:**

○ *Professional Accounting Designation:*

> Sylvie Gerbasi (for a 3-year term)

○ *Expertise in Business and Commerce:*

> James Kerr (for a 3-year term commencing April 1, 2022)

For Information Only.

ADDENDUM:

7.B COUNCILLOR AGENDA REQUEST:

i) Affordable Housing:

Mayor Amanda M. McDougall provided background information on this issue, noting that bringing this issue to Council will start the process of defining what CBRM's role could be in supporting affordable housing.

Councillor Gordon MacDonald then brought forward the following motion:

Continued...

COUNCILLOR AGENDA REQUEST – Affordable Housing (Cont'd):

Motion:

Moved by Councillor Gordon MacDonald, seconded by Councillor Cyril MacDonald, to request staff to bring back an Issue Paper to a future meeting of Council concerning how CBRM can support affordable housing, and to consider the following:

- Can surplus land be sold for \$1.00 to accommodate affordable housing;
- Can permit fees, subdivision fees, and zone amendment fees be waived when affordable housing projects are in the making;
- Can CBRM install sewer and water for these projects to support affordable housing.

Discussion:

During Council discussion, some of the issues raised included:

- CBRM's mandatory transfer to the Province annually for housing (last year \$2.3 million = 1.5% of CBRM's budget);
- Would CBRM citizens be willing to pay more in taxes for housing and homelessness?
- Waiving fees for permits
- Impact of transit service throughout all CBRM on affordable housing
- Use of CBRM-owned properties (including surplus schools) for affordable housing projects
- CBRM has not waived fees for sewer and water installations for non-profits in the past
- Residential service extensions are funded by the developer

Motion Carried.

8. COMMITTEE REPORTS:

8.1 Nova Scotia Solid Waste Resource Management Regional Chairs Committee:

Councillor Cyril MacDonald provided a report on the December 10, 2021 meeting of the Nova Scotia Solid Waste Resource Management Regional Chairs Committee, highlighting the following:

- A 90-day consultation process for Extended Producer Responsibility (EPR) on paper and packaging
- Divert NS update on allocating diversion credits

Mayor McDougall advised that through the NSFPM, the Mayors, Wardens and CAOs are meeting with the priority committee who will present as part of the consultation process and the information can be shared with Council.

For information only.

Continued...

9. FINANCIAL STATEMENTS:

9.1 CBRM to December 31, 2021:

For information only.

9.2 Port of Sydney Development Corporation to December 31, 2021:

For information only.

10. Review of Action Items from the Meeting:

At the conclusion of the Council meeting, Mayor McDougall advised that the Council pre-budget workshops will commence February 16, 2022.

Meeting adjourned at 8:08 p.m.

Mayor Amanda M. McDougall

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Deborah Campbell Ryan
Municipal Clerk