

Cape Breton Regional Municipality

Council Meeting Minutes

January 23, 2024

9:32 a.m. at City Hall Council Chambers

Council

Mayor Amanda M. McDougall-Merrill

Councillor Gordon MacDonald

Councillor Earlene MacMullin

Councillor Steve Gillespie

Councillor Eldon MacDonald

Councillor Glenn Paruch

Councillor Steve Parsons

Deputy Mayor James Edwards

Councillor Ken Tracey

Councillor Darren Bruckschwaiger

Councillor Darren O'Quinn

Councillor Lorne Green

Staff

Demetri Kachafanas, KC, Regional Solicitor

Jennifer Campbell, Chief Financial Officer

John MacKinnon, Deputy Chief Administrative Officer/Director of Technology

Wayne MacDonald, Director of Engineering and Public Works

Michael Ruus, Director of Planning and Development

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

Sheila Kolanko, Property Manager

Karen Neville, Senior Planner

Peter Vandermeulen, Planner

Rob MacNamara, Communications Advisor – Mayor's Office

Sharon MacSween, Senior Administrative Assistant

Kelly McDonald, Recording Secretary

Absent

Councillor Cyril MacDonald (Regrets)

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.

The Council met In Camera in accordance with Section 22(2)(e) of the *Municipal Government Act* for item number nine.

Mayor Amanda M. McDougall-Merrill called the meeting to order.

Land Acknowledgement

Roll Call

O' Canada

1. Approval of Agenda

Mayor McDougall-Merrill suggested to move item number nine following item number ten on the agenda, Council agreed.

Motion

Moved by Councillor Parsons, seconded by Deputy Mayor Edwards, to approve the January 23, 2024, Council Agenda and Addendum as presented.

Motion Carried

2. Approval of Minutes

Motion

Moved by Councillor MacMullin, seconded by Councillor Paruch, to approve the CBRM Minutes from:

- Council – June 13, 2023
- Council – November 14, 2023
- Council – November 28, 2023
- Council – December 12, 2023

Motion Carried

3. Proclamations

3.1 Bell Let's Talk Day

Motion

Moved by Councillor Tracey, seconded by Councillor Bruckschwaiger, that CBRM Mayor Amanda M. McDougall-Merrill and Council proclaim Wednesday, January 24, 2024, as Bell Let's Talk Day in the Cape Breton Regional Municipality and encourage all residents to show their support for all those who live with mental illness and those taking action to help them.

Motion Carried

3.2 African Heritage Month

Motion

Moved by Councillor Green, seconded by Councillor O'Quinn, that CBRM Mayor Amanda M. McDougall-Merrill and Council proclaim the month of February 2024, as African Heritage Month in the Cape Breton Regional Municipality and encourage all residents, businesses, and community groups to participate in the activities and celebrations and to take the opportunity to reflect on the story of Nova Scotia's vibrant African Nova Scotian Community.

Motion Carried

3.3 White Cane Week

Motion

Moved by Councillor Eldon MacDonald, seconded by Councillor Paruch, that CBRM Mayor Amanda M. McDougall-Merrill and Council proclaim the week of February 4th to 10th, 2024, as White Cane Week in the Cape Breton Regional Municipality.

Motion Carried

3.4 Alzheimer's Awareness Month

Motion

Moved by Councillor Eldon MacDonald, seconded by Councillor Green, that CBRM Mayor Amanda M. McDougall-Merrill and Council proclaim the month of January 2024, as Alzheimer's Awareness Month in the Cape Breton Regional Municipality.

Motion Carried

4. Public Hearings

4.1 Request for Street Closure – PID 15723240 –

Undeveloped Road Parcel North Sydney (District 2)

Sheila Kolanko, Property Manager, reviewed the issue paper and recommendation in the agenda package. Mayor McDougall-Merrill called three times for any members of the public wishing to speak on the matter, no speakers came forth. The following motion was then put forward:

Motion

Moved by Councillor MacMullin, seconded by Councillor Gordon MacDonald, to approve the closure of the undeveloped road parcel (as identified in red on the map – Attachment "A" – included in the agenda package) pursuant to *MGA*; and to deem the undeveloped road parcel (as identified in red on the map – Attachment "A" – included in the agenda package) surplus; and to sell the surplus property at market value.

Motion Carried

4.2 Deregistration of 2734 Lingan Road (PID 15268188) – St. Joseph's Church

Karen Neville, Senior Planner, reviewed the issue paper and recommendation in the agenda package. Mayor McDougall-Merrill called three times for any members of the public wishing to speak on the matter, no speakers came forth. The following motion was then put forward:

Motion

Moved by Councillor O’Quinn, seconded by Councillor Green, to direct staff to deregister 2734 Lingan Road (PID 15268188) as a Municipal Heritage Property.

Motion Carried

5. Presentations

5.1 Nova Scotia Power Report

Representatives of Nova Scotia Power Incorporation provided a presentation titled, “Cape Breton Regional Municipality Reliability Overview”. Discussion took place regarding weather conditions, extensive power outages, and the implementation of reliability plans.

For Information Only

5.2 Property Valuation Services Corporation

Representatives of Property Valuation Services Corporation provided a presentation titled, “2024 Assessment Roll – Property Valuation Services Corporation”. Discussion took place regarding the assessment process, tax increases, and the appeal process.

For Information Only

Council recessed at 12:36 p.m.

Council reconvened at 1:17 p.m.

6. Report

6.1 Consultant Report – Assessment of Former Courthouse Building

James Abend, Senior Designer/ Stantec Associate, provided a presentation titled, “Library Building Condition Assessment and Feasibility Study”.

Discussion took place regarding site and building context, design options, and renovation costs.

For Information Only

7. Planning Issue

7.1 Approval to Advertise

a) Land Use By-law Amendment – 001094 – Lot Coverage Requirements for Accessory Buildings

Peter Vandermeulen, Planner, reviewed the issue paper and recommendation in the agenda package. The following motion was then put forward:

Motion

Moved by Councillor Bruckschwaiger, seconded by Councillor Tracey, to schedule a public hearing to consider amending the Land Use By-law to increase the lot coverage of accessory buildings from 5% to 10%.

Discussion:

- Reason for prior reduction
- CBRM Forward, Land Use By-law, and Planning Strategy
- Performance measurements
- Spot zoning
- Application renewals

Motion Carried

8. Corporate Services Issues

8.1 Request for Easement – NSPI Commercial Street, North Sydney (District 2) – PID 15638919

Sheila Kolanko, Property Manager, reviewed the issue paper and recommendation in the agenda package. The following motion was then put forward:

Motion

Moved by Councillor MacMullin, seconded by Councillor Gordon MacDonald, to authorize the Mayor and Clerk to execute an Easement Agreement in favour of Nova Scotia Power Incorporation across the CBRM property (PID 15638919) to help facilitate the applicant's request.

Motion Carried

8.2 Seaview Manor Instrument of Incorporation and Bylaws

Demetri Kachafanas, Regional Solicitor, reviewed the issue paper and recommendation in the agenda package. The following motion was then put forward:

Motion

Moved by Councillor Tracey, seconded by Councillor Bruckschwaiger, to pass the resolutions to amend the Instrument of Incorporation and the Seaview Manor Corporation Bylaws.

Motion Carried

9. In Camera

9.1 Waterfront Development Update

This item was addressed after item number ten, In Camera in accordance with Section 22(2)(e) of the *Municipal Government Act*.

10. Financial Statements

10.1 CBRM to November 30, 2023

For Information Only

10.2 Summary of Costs – Association Memberships

Jennifer Campbell, Chief Financial Officer, reviewed the memo in the agenda package and discussion took place regarding association memberships. The following motion was then put forward:

Motion

Moved by Councillor Gillespie, seconded by Councillor Eldon MacDonald, to send letters to AMANS, NSFM, and FCM requesting their attendance at a future Council meeting to discuss organizational benefits.

Motion Carried

10.3 Welcome to the Port of Sydney Development Corporation

New Chief Executive Officer – Lorna Campbell

Mayor McDougall-Merrill and Council welcomed Lorna Campbell to the Port of Sydney Development Corporation as the new Chief Executive Officer. The following motion was then put forward:

Motion

Moved by Councillor Parsons, seconded by Deputy Mayor Edwards, to coordinate a meeting between Council and Port of Sydney Development Corporation Board of Directors within a three-week time frame from January 23, 2024.

Motion Carried

10.4 Port of Sydney Development Corporation to November 30, 2023

For Information Only

9. In Camera

9.1 Waterfront Development Update

Council met In Camera at 2:45 p.m. in accordance with Section 22(2)(e) of the *Municipal Government Act*. Council reconvened for open session at 3:04 p.m.

Director Ruus reviewed background information and the recommendation regarding the Waterfront Development project. The following motion was then put forward:

Motion

Moved by Councillor Eldon MacDonald, seconded by Councillor Paruch, to approve a six-month extension of the due diligence requirements, and a two-month extension to the timeline for necessary building permits of the current MOU.

Motion Carried

11. Review of Action Items from this Meeting

Mayor Amanda M. McDougall-Merrill noted the following action items:

- Follow up with Nova Scotia Power Incorporation regarding right away access in terms of Municipal Policy changes and Provincial Policy changes.
- Discussion with the Provincial Department of Municipal Affairs and Housing on the *Assessment Act* regarding changes to protect residents and regarding the thirty-one-day appeal period.
- Coordinate a meeting between CBRM Council and Staff with the Library Board of Directors and Library Staff regarding the proposed courthouse site at earliest convenience.

Meeting adjourned at 3:08 p.m.

Amanda M. McDougall-Merrill
Mayor

Christa Dicks
Municipal Clerk
/km