

CAPE BRETON REGIONAL MUNICIPALITY
Council Meeting – Minutes

**Tuesday,
June 27, 2023
9:30 a.m.
Council Chambers
2nd Floor, City Hall
320 Esplanade, Sydney, NS**

Deputy Mayor James Edwards called the meeting to order.

Council: Mayor Amanda M. McDougall-Merrill (arrived at 9:42 a.m.)
Councillor Gordon MacDonald
Councillor Earlene MacMullin
Councillor Cyril MacDonald (left at 10:57 a.m., returned at 11:05 a.m.)
Councillor Steve Gillespie (arrived at 10:48 a.m.)
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: Marie Walsh, Chief Administrative Officer
Jennifer Campbell, Chief Financial Officer
Deborah Campbell Ryan, Municipal Clerk
Demetri Kachafanas, KC, Regional Solicitor
Wayne MacDonald, Director of Engineering & Public Works
Kirk Durning, Director of Recreation, Parks & Grounds, and Buildings & Facilities
Cory Youden, Supervisor Engineering Services
Mike Targett, Community Consultation Coordinator
Sheila Kolanko, Property Manager
Sharon MacSween, Senior Administrative Assistant
Kelly McDonald, Recording Secretary

Summary of Decisions

Land Acknowledgement

Roll Call

O' Canada

1. APPROVAL OF AGENDA:

Motion to approve the June 27, 2023, Council Agenda as circulated. **Carried.**

2. BY-LAWS & MOTIONS:

2.1 By-laws:

a) **Second/Final Reading:** N/A

b) **First Reading:**

i) **Marketing Levy By-law:**

Main Motion for Council to approve for first reading the proposed amendments to the Marketing Levy By-law and schedule a public hearing for an upcoming meeting of Council.

Motion to Amend that the proposed amendments to the Marketing Levy By-law include the recommendations provided by the Solicitor.

Motion to Amend Carried.

Main Motion Carried.

3. PUBLIC SERVICES ISSUE

3.1 “J-Class Roads” – 2024/2026 Cost Share Paving Agreement:

Motion that Council authorize the Mayor & Municipal Clerk to sign a three (3) Year Provincial Cost Share Agreement for the Paving of “J-Class” Subdivision Streets, noting that the CBRM funding for the same will be subject to annual budget approval. **Carried.**

Continued...

Summary of Decisions (Cont'd)

4. CORPORATE SERVICES ISSUES:

4.1 Bridgeport School Property & Surrounding Land: PID 15450349, 15450356, 15904600, 15064900, Main Street, Glace Bay (District 10)

a) Presentation by MacLeod Group:

A presentation for the future use of the Bridgeport School property and surrounding land for the replacement of the Victoria Haven Long-Term Care Facility.

b) Staff Issue Paper:

Motion:

- To declare the CBRM Properties surplus to the needs of the municipality.
- To accept the applicant's offer to purchase the CBRM Properties for a purchase price representing the difference between the Fair Market Value of the CBRM Properties and the cost of removal of the former Bridgeport School or \$1.00, whichever is greater.
- The same shall be subject to an Easement for the existing cross country sewer line or relocation of said sewer line, at the expense of the applicant and approved by CBRM's Engineering and Public Works Department.
- The sale shall be subject to approval by the CBRM's Planning & Development Department for lot consolidation and compliance with Land Use By-law and issuance of a building development permit.

Carried.

4.2 Request to Deem CBRM Property Surplus PID 15702327 – Intercolonial Street, Sydney (District 5):

Motion to deem the subject property (PID 15702327) surplus to the needs of the municipality and direct staff to issue a Request for Proposal for housing development on the property. **Carried.**

4.3 Request to Deem CBRM Property Surplus PID 15500598 – James Street, River Ryan (District 11):

Motion to declare the lands identified herein as PID 15500598 as surplus land to the municipality and see at market value to the applicant. **Carried.**

Continued...

Summary of Decisions (Cont'd)

CORPORATE SERVICES ISSUES (Cont'd):

4.4 Request to Deem CBRM Property Surplus – Portion of PID 15690480 Queen Street, North Sydney (District 2):

Motion to deem the subject property (portion of PID 15690480, outlined in red in Attachment “A”, surplus to the needs of the municipality and sell to the applicant at market value. The sale shall be conditional upon lot consolidation and compliance with Land Use By-law. All costs associated with the sale shall be the responsibility of the applicant. **Carried.**

4.5 Strategic Vision Review and Recommendations

Motion to adopt the revised Strategic Vision as presented in the staff MEMO dated June 13, 2023, and implement by way of striking a Taskforce on Affordable Housing & Homelessness, a Taskforce on Youth and Family Recreation, and a Taskforce on Transit. **Carried.**

5. COUNCILLOR AGENDA REQUEST:

5.1 Create a Disaster Relief Fund for Emergencies:

Motion to prepare an Issue Paper on engaging with our Federal and Provincial Governments to create a Local Disaster Relief Fund for CBRM. **Carried.**

6. COMMITTEE REPORTS

N/A

7. Review of Action Items from this Meeting:

Mayor Amanda M. McDougall-Merrill reviewed her list of action items from the meeting.

ADJOURNMENT

Land Acknowledgement

Roll Call

O' Canada

Deputy Mayor Edwards advised that Mayor McDougall-Merrill will be arriving shortly due to an early engagement.

1. APPROVAL OF AGENDA:

Motion:

Moved by Councillor Cyril McDonald, seconded by Councillor Parsons, to approve the June 27, 2023, Council Agenda as circulated.

Motion Carried.

2. BY-LAWS & MOTIONS:

2.1 By-laws:

a) **Second/Final Reading:** N/A

b) **First Reading:**

Terry Smith, CEO – Destination Cape Breton, introduced this issue and provided background information that was discussed during the meeting on November 22, 2023. He advised changes will be required to be in effect by January 1, 2024.

Motion:

Moved by Councillor Green, seconded by Councillor Gordon MacDonald, to approve for first reading the proposed amendments to the Marketing Levy By-law and schedule a public hearing for an upcoming meeting of Council.

Discussion:

During the discussion, Terry Smith, CEO for Destination Cape Breton, was advised that the 3% rate is lower compared to other provinces and is the maximum rate per legislation. Solicitor Kachafanas recommended that a more direct repeal provision be included, and a provision that states if one part of the by-law is invalid, that it does not make the rest of the by-law invalid, be included, further in Section 36, the statement that the CAO or designate may enter the business premises at reasonable times where the occupant's records are kept.

Motion to Amend:

Moved by Councillor Bruckschwaiger, seconded by Councillor Parsons, that the proposed amendments to the Marketing Levy By-law include the recommendations provided by the Solicitor.

Motion to Amend Carried.

Main Motion Carried.

3. PUBLIC SERVICES ISSUE:

3.1 “J-Class Roads” – 2024/2026 Cost Share Paving Agreement:

Cory Youden, Supervisor of Engineering Services, reviewed the Issue Paper, dated June 27, 2023, included in the agenda. He noted that CBRM’s current “J-Class” Subdivision Roads cost share paving agreement with the Nova Scotia Department of Transportation and Infrastructure Renewal expires on March 31st, 2024, and without renewal of the program, the CBRM will not be able to request future paving of “J-Class” roads.

At this point in the meeting, Mayor McDougall-Merrill assumed the chair.

Motion:

Moved by Deputy Mayor Edwards, seconded by Councillor Cyril MacDonald, to authorize the Mayor & Municipal Clerk to sign the three (3) Year Provincial “Cost Share Agreement No. 2023-005 for the Paving of “J-Class” Subdivision Streets, noting that the CBRM funding for the same will be subject to annual budget approval.

Discussion:

Some of the discussion included the following:

- Further discussion with the Provincial Government asking that they commit to three-year project funding
- Maximizing funding
- Convening a meeting with local MLAs on the issue

Following discussion, the Mayor called for the vote.

Motion Carried.

4. CORPORATE SERVICES ISSUES:

4.1 Bridgeport School Property & Surrounding Land: PID 15450349, 15450356, 15904600, 15064900, Main Street, Glace Bay (District 10):

a) Presentation by MacLeod Group:

Donna Hoar, Project Manager – Grey Cardinal Management; and Brenda Dale MacLean, Senior Architect – FBM Architecture, provided a presentation for the future use of the Bridgeport School property and surrounding land for the replacement of the Victoria Haven Long-Term Care Facility. They Discussed:

- Introduction of the Team
- MacLeod Group
- Design Team
- Approval for Redevelopment with Department of Seniors & Long-Term Care (DSLTC)
- Site Selection & Context

Continued...

CORPORATE SERVICES ISSUES (Cont'd): Bridgeport School Property & Surrounding Land: PID 15450349, 15450356, 15904600, 15064900, Main Street, Glace Bay (District 10):

- Site Design Concept
- Building Design
- Campus of Care Opportunities
- Victoria Haven Vision

b) Staff Issue Paper:

Sheila Kolanko, Property Manager, reviewed the Issue Paper in the agenda package and advised upon review and consideration of the development proposal, recommended consideration. The following was then put forward:

Motion:

Moved by Councillor Bruckschwaiger, seconded by Councillor Tracey, approval:

- To declare the CBRM Properties PID 15450349, 15450356, 15904600, 15064900, Main Street, Glace Bay **surplus** to the needs of the municipality;
- To accept the applicant's offer to purchase the CBRM Properties for a purchase price representing the difference between the Fair Market Value of the CBRM Properties and the cost of removal of the former Bridgeport School or \$1.00, whichever is greater;
- The same shall be subject to an Easement for the existing cross country sewer line or relocation of said sewer line, at the expense of the applicant and approved by CBRM's Engineering and Public Works Department;
- The sale shall be subject to approval by the CBRM's Planning & Development Department for lot consolidation and compliance with Land Use By-law and issuance of a building development permit.

Discussion:

Some of the discussion included the following:

- Appraisal will determine the Fair Market Value
- Retain easement to allow future sewer repair

Motion Carried.

4.2 Request to Deem CBRM Property Surplus PID 15702327 – Intercolonial Street, Sydney (District 5):

Sheila Kolanko, Property Manager, reviewed the Issue Paper in the agenda package and recommended that Council deem the subject property (PID 15702327) surplus to the needs of the municipality and direct staff to issue a Request for Proposal for housing development on the property.

Continued...

CORPORATE SERVICES ISSUES (Cont'd): Request to Deem CBRM Property Surplus PID 15702327 – Intercolonial Street, Sydney (District 5):

Motion:

Moved by Councillor Eldon MacDonald, seconded by Councillor Cyril MacDonald, approval to deem the subject property (PID 15702327) **surplus** to the needs of the municipality and direct staff to issue a Request for Proposal (RFP) for housing development on the property.

Discussion:

Some of the discussion included the following:

- Surplus inventory is updated online
- Property should be maximized to benefit the CBRM and residents
- Surplus properties are reviewed by the Property Review Committee.

Motion Carried.

4.3 Request to Deem CBRM Property Surplus PID 15500598 – James Street, River Ryan (District 11):

Sheila Kolanko, Property Manager, reviewed the Issue Paper in the agenda package and recommended that Council declare the lands identified as surplus to the municipality and sell at market value to the applicant.

Motion:

Moved by Councillor O'Quinn, seconded by Councillor Green, to declare the lands identified herein as PID 15500598 as **surplus** land to the municipality and sell at market value to the applicant.

Discussion:

In response to a question, the Property Manager advised she did not have the total assessed value of all surplus CBRM properties; however, she would obtain the information and provide to Council.

Motion Carried.

4.4 Request to Deem CBRM Property Surplus – Portion of PID 15690480 Queen Street, North Sydney (District 2):

Sheila Kolanko, Property Manager, reviewed the Issue Paper in the agenda package. She recommended that Council deem the subject property (portion of PID 15690480) surplus to the needs of the municipality and to sell to the applicant at market value. It was advised that the sale is conditional upon lot consolidation and compliance with Land Use By-law, and that all costs associated with the sale will be the responsibility of the applicant.

Continued...

CORPORATE SERVICES ISSUES (Cont'd): Request to Deem CBRM Property Surplus – Portion of PID 15690480 Queen Street, North Sydney (District 2):

Motion:

Moved by Councillor MacMullin, seconded by Councillor Gordon MacDonald, approval to deem the subject property (portion of PID 15690480), outlined in red in Attachment “A” of the staff Issue Paper dated June 27, 2023, **surplus** to the needs of the municipality and sell to the applicant at market value. The sale shall be conditional upon lot consolidation and compliance with Land Use By-law. All costs associated with the sale shall be the responsibility of the applicant.

Motion Carried.

4.5 Strategic Vision Review and Recommendations:

Mike Targett, Community Consultation Coordinator, provided a summary of the Strategic Vision Council Workshop, that was held on May 10, 2023. He discussed the following:

- Review of the Strategic Vision and Strategic Vision Survey
- Engage Nova Scotia’s “Quality of Life” Initiative
- Youth & Family Recreation
- Public Transit
- Afford Housing & Homelessness
- Recommendations: Re-Organize Strategic Priorities and Strike Community Inclusion Strategic Taskforces

Motion:

Moved by Councillor MacMullin, seconded by Councillor Tracey, to adopt the revised Strategic Vision as presented in the staff Memo dated June 13, 2023, and implement by way of striking a Taskforce on Affordable Housing & Homelessness, a Taskforce on Youth and Family Recreation, and a Taskforce on Transit.

Discussion:

Some of the discussion included the following:

- Taskforce: collaboration of Affordable Housing and Homelessness, Youth and Family Recreation, and Transit committees and assigning category responsibilities
- Capacity
- Reporting to Council
- Census and statistical data

Motion Carried.

5. COUNCILLOR AGENDA REQUEST:

5.1 Create a Disaster Relief Fund for Emergencies:

Councillor Gordon MacDonald introduced the request and advised that learning from experience with Hurricane Fiona, CBRM became too reliant on volunteers and other levels of government to start on emergency relief and help the community. As capital grant monies provided by CBRM cannot be used for disaster relief, non-profits are left out as they cannot apply for or use capital grant funding for disaster relief.

Motion:

Moved by Councillor Gordon MacDonald, seconded by Councillor Bruckschwaiger, that staff be directed to prepare an Issue Paper on engaging with our Federal and Provincial Governments to create a Local Disaster Relief Fund for CBRM.

Discussion:

Some of the discussion included the following:

- Hurricane Fiona and 2016 Flood
- Wildfires and alternate exit routes in communities during emergency situations
- ACOA support

Motion Carried.

6. COMMITTEE REPORTS:

N/A

7. Review of Action Items from this Meeting:

At the conclusion of the meeting, Mayor Amanda M. McDougall-Merrill reviewed her list of action items from the meeting which included the following:

1. To convene a meeting of local MLAs and Council members to discuss “J-Class Roads” and how to complete the list more rapidly.
2. Solutions session to designate responsibilities to working groups identified in the revised Strategic Vision.
3. Convene a census related meeting and data session.
4. Discuss and review community entry and exit points for emergency situations.

Meeting adjourned at 11:17 a.m.

Mayor Amanda M. McDougall-Merrill

Deborah Campbell Ryan
Municipal Clerk