

CAPE BRETON REGIONAL MUNICIPALITY
Council Meeting – Minutes

**Tuesday,
March 23, 2021
6:02 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 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
Gil Boone, Staff Sergeant
Karen Neville, Senior Planner
Kristen Knudskov, Planner
Sharon MacSween, Senior Administrative Assistant
Angela Ross, Recording Secretary

Absent: N/A

Summary of Decisions

Roll Call

O' Canada

Moment of Silent Reflection

The passing of Kay MacInnis, RN and Dr. Bob O'Brien were recognized.

1. APPROVAL OF AGENDA:

Item 6.1 a) *Second / Final Reading – Public Hearing: Tow Truck Licencing By-law* is postponed until a later date.

Motion to approve the March 23rd, 2021 Council Agenda, noting the postponement of the Tow Truck Licencing By-law. **Carried.**

2. PROCLAMATION:

2.1 Purple Day for Epilepsy:

Motion that Mayor Amanda M. McDougall and Council proclaim March 26, 2021 as "Purple Day" in the Cape Breton Regional Municipality in an effort to raise epilepsy awareness. **Carried.**

2.2 Cape Breton Highlanders Memorial Way:

Motion that CBRM Mayor Amanda M. McDougall and Council request staff to write a letter to the Honourable Lloyd Hines Minister of Transportation and Infrastructure Renewal, asking for their support for the members of the Cape Breton Highlanders proposal to designate Route 223 as "Cape Breton Highlanders Memorial Way". **Carried.**

2.3 Paid Sick Days:

Motion that Mayor Amanda M. McDougall and Council request staff write a letter to the Premier of Nova Scotia, the Minister of Labour and Advanced Education and all CBRM MLAs providing our support to updating the Labour Standard Codes to enshrine ten (10) paid sick days in the next Legislative session.

Motion to Amend to remove "ten (10)" from the original motion.

Motion to Amend Defeated.

Main Motion Defeated.

Continued...

Summary of Decisions (Cont'd):

3. DELEGATIONS:

3.1 Collaborative Environmental Planning Initiative (CEPI):

A presentation was provided on behalf of the Collaborative Environmental Planning Initiative and Pitu'paq.

For information only.

3.2 Develop Nova Scotia – Update on Louisbourg Waterfront Development:

An update was provided on the Louisbourg Waterfront Development.

For information only.

3.3 Society for the Improvement of Accessible Transportation:

An update on the work of the Society for the Improvement of Accessible Transportation was provided to Council.

For information only.

4. PLANNING ISSUE:

4.1 Report on Public Participation Program:

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

Motion to accept staff's recommendation to uphold the current Policy. **Defeated**

Motion that staff be directed to prepare and present a series of amendment options for Council consideration prior to setting a date for the Public Hearing and that the applicant be requested to submit a detailed floor plan, site plan drawn to scale in compliance with the requirements of the Land Use By-law, and a description of their development proposal to be used in the drafting of amending by-laws for Council's consideration. **Carried.**

Continued...

Summary of Decisions (Cont'd):

5. BUSINESS ARISING:

5.1 Council Meeting – February 23, 2021:

a) Public Report: Citizen Appointments to various Committees:

The Clerk provided a report on the names of the successful names candidates for citizen appointments to various Committees.

For Information Only.

7. BY-LAWS & MOTIONS:

7.1 By-laws:

a) Second / Final Reading – Public Hearing:

i) Tow Truck Licencing By-law (Amendments):

As noted earlier in the meeting, this issue has been postponed.

b) First Reading: N/A

8. FINANCIAL STATEMENTS:

8.1 CBRM to January 31, 2021:

For Information Only.

8.2 Port of Sydney Development Corporation to January 31, 2021:

For Information Only.

Continued...

Summary of Decisions (Cont'd):

9. Update on Upcoming Meetings:

The list of dates and times of upcoming meetings was reviewed.

For Information Only.

10. Review of Action Items from the Meeting:

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

For Information Only.

Adjournment

Roll Call

O'Canada

Moment of Silent Reflection

Councillor Edwards recognized the passing of Kay MacInnis, RN, and Dr. Bob O'Brien and offered condolences to their family and friends.

1. APPROVAL OF AGENDA:

Mayor McDougall advised that item 6.1 a) *Second / Final Reading – Public Hearing: Tow Truck Licencing By-law Amendments* will require additional public consultation and will therefore be postponed until a later date.

Motion:

Moved by Councillor Green, seconded by Councillor Parsons, to approve the March 23rd, 2021 Council Agenda, noting the postponement of the Tow Truck Licencing by-law.

Motion Carried.

2. PROCLAMATIONS AND RESOLUTIONS:

2.1 Purple Day for Epilepsy:

Motion:

Moved by Councillor Bruckschwaiger, seconded by Deputy Mayor MacMullin, that Mayor Amanda M. McDougall and Council proclaim March 26, 2021 as "Purple Day" in the Cape Breton Regional Municipality in an effort to raise epilepsy awareness.

Motion Carried.

2.2 Cape Breton Highlanders Memorial Way:

Motion:

Moved by Councillor Cyril MacDonald, seconded by Councillor Gillespie, that CBRM Mayor Amanda M. McDougall and Council request staff to write a letter to the Honourable Lloyd Hines, Minister of Transportation and Infrastructure Renewal, asking for their support for the members of the Cape Breton Highlanders proposal to designate Route 223 as "Cape Breton Highlanders Memorial Way".

Motion Carried.

Continued...

PROCLAMATIONS AND RESOLUTIONS (Cont'd):

2.3 Paid Sick Days:

Motion:

Moved by Councillor Gordon MacDonald, seconded by Councillor Lorne Green, that Mayor Amanda M. McDougall and Council request staff write a letter to the Premier of Nova Scotia, the Minister of Labour and Advanced Education and all CBRM MLAs providing our support to updating the Labour Standard Codes to enshrine ten (10) paid sick days in the next Legislative session.

Discussion:

Some of Council discussion included the following:

- The employer would be responsible to pay for same
- Impact on small business
- Provincial jurisdiction

Motion to Amend

Moved by Councillor Gordon MacDonald, seconded by Councillor Cyril MacDonald to remove “ten (10)” from the original motion. **Motion to Amend Defeated.**

The Mayor then called for the vote on the main motion. **Motion Defeated.**

3. DELEGATIONS:

3.1 Collaborative Environmental Planning Initiative (CEPI):

Mr. Ron Newcombe, CEPI Spokesperson, and Mr. Paul Schwartz, Pitu’paq representative, provided a presentation on the Bras d’Or Lakes Collaborative Environmental Planning Initiative and Pitu’paq which were included in the agenda package.

After the presentation, Council discussed the following:

- The UNESCO designation
- Emptying of Sewage into the Bras d’Or Lakes
- Current Projects
- Blue Dot Movement

It was noted that Council would be provided with access to the information, studies and reports referenced in the presentations.

Mayor McDougall thanked Mr. Newcombe and Mr. Schwartz for their presentations.

DELEGATIONS (Cont'd):

3.2 Develop Nova Scotia:

Mr. Brian Webb, Regional Lead, Project Planning & Delivery for Develop Nova Scotia, provided an update on the Louisbourg Waterfront Development and provided an overview of the Project concept which is outlined in the agenda.

After the presentation, some of Council discussion included the following:

- Parks Canada involvement
- Tourism
- Louisbourg/Gabarus Road
- Synergy Project
- Promoting overnight stays
- Funding availability

Mayor McDougall thanked Mr. Webb for his presentation.

3.3 Society for the Improvement of Accessible Transportation:

Ms. Marcie Shwery-Stanley, Chair of the Society for the Improvement of Accessible Transportation, provided a presentation on the work of the Society and background information and overview of the CBRM Handi-Trans service and the *Accessibility Act*.

Ms. Shwery-Stanley recommended the following:

- Accessible Transportation remain an essential service
- CBRM Financial Statements for Transit and Handi-Trans should be separated into two (2) separate line items.
- Add a line for contingency in the upcoming CBRM Budget

The following was discussed after the presentation.

- Handi-Trans service should be measured by the number of trips, not kilometers
- The complexity of shared services being separated i.e. Handi-Trans from the remainder of the transit service in the budget
- Ridership during COVID-19
- New transit service in Eskasoni

Mayor McDougall thanked Ms. Shwery-Stanley for her presentation.

5. **PLANNING ISSUE:**

5.1 **Report on Public Participation Program:**

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

Ms. Kristen Knudskov, Planner, provided background information on this issue and reviewed the results from the online survey regarding the proposed amendments which are outlined in the staff Issue Paper dated March 8, 2021.

Motion:

Moved by Councillor Gillespie, seconded by Councillor Green, to accept staff's recommendation to uphold the current Policy.

Discussion:

During discussion, Councillors expressed their concerns regarding the need for more education and discussion on Council's Policies, accessible healthcare and the wider Planning Strategy.

Senior Planner Neville advised that Planning Department staff could provide Council with various alternative options to consider, which is Council's discretion because the Planning Strategy is Council's Policy.

In response to a question, Senior Planner Neville clarified that if the motion is defeated, Council would need to make another motion to provide staff with direction.

Motion Defeated.

Motion:

Moved by Councillor Paruch, seconded by Councillor Cyril MacDonald, that staff be directed to prepare and present a series of amendment options for Council consideration prior to setting a date for the Public Hearing and that the applicant be requested to submit a detailed floor plan, site plan drawn to scale in compliance with the requirements of the Land Use By-law, and a description of their development proposal to be used in the drafting of amending by-laws for Council's consideration.

Discussion:

Councillor Eldon MacDonald requested that the issue of Medical Clinics in residential areas be included as part of the comprehensive review of CBRM's Planning documents.

Motion Carried.

5. BUSINESS ARISING:

5.1 Council Meeting – February 23, 2021:

a) Public Report: Citizen Appointments to various Committees:

Deborah Campbell Ryan, Municipal Clerk, provided a report on the names of the Citizen Appointments to various Committees and advised that all successful applicants have accepted the positions and the required background checks are complete and in order.

Ms. Campbell Ryan read the names of the successful candidates for the public record as follows:

- **CBRM Board of Police Commissioners (2-year term):**
 - North Division: Lloyd Bailey (Candidate # P-1)
 - Central Division: Helen Luedee (Candidate # P-6)
 - East Division: Dale Deering-Bert (Candidate # P-11)

- **Audit Committee (2-year term):**
 - Mark Galley (Candidate #A-1)

- **Heritage Advisory Committee (2-year term):**
 - Thomas Ashford (Candidate # H-1)
 - Eric Macdonald Keys (Candidate # H-2)
 - Allie MacInnis (Candidate # H-3)
 - Saul MacNeil (Candidate # H-4)
 - Spyro Trifos (Candidate # H-5)

- **Cape Breton Regional Library Board (2-year term):**
 - Ron MacDonald (Candidate # L-2)
 - Douglas MacLennan (Candidate # L-5)

- **Port of Sydney Development Corporation (3-year term):**
 - *Individuals with Business and Commerce Expertise:*
 - Greg Delaney (Candidate # Port-2)
 - Peter Gillis (Candidate # Port-4)
 - *Licensed to Practice Law:*
 - Dan MacDonald (Candidate # Port-9)

Continued

BUSINESS ARISING - Council Meeting – February 23, 2021 - Public Report: Citizen Appointments to various Committees (Cont'd):

- **Diversity Committee (2-year term):**
 - *African Nova Scotia Community*
 - Andrea Hawley (Candidate # D-1)
 - *Disability Community*
 - Jenny-Rachel Lind (Candidate # D-8)
 - *Mental Health Community*
 - Keith Anderson (Candidate # D-2)
 - *First Nations Community*
 - Jennifer Jesty (Candidate # D-4)
 - *Newcomer Community*
 - Hind Eloukkal (Candidate # D-3)
 - *Women's Group Community*
 - Ann MacPhee (Candidate # D-5)
 - *Community Members at Large:*
 - Mary Susan Burke (Candidate # D-6)
 - Susan McDonald (Candidate # P-12)
 - Amanda Seymour-Skinner (Candidate # P-14)

Ms. Campbell Ryan noted that a second call for citizen representatives on the Diversity Committee for the Gay, Lesbian & Transgendered community; Cape Breton University and the Cape-Breton Victoria Regional Centre for Education has been issued with a deadline of March 26th.

Further, Ms. Campbell Ryan advised that there were citizens appointed to the Port of Sydney Development Corporation Board at the January 21, 2020 Council meeting, however their names were never publicly released. She reported the following:

- *Individual with a professional engineering designation:*
 - Troy Hulme
- *Individual with a professional accounting designation:*
 - Sylvie Gerbasi
- *Individual with expertise in Business and Commerce:*
 - James Kerr

For Information Only.

7. **BY-LAWS & MOTIONS:**

7.1 **By-laws:**

b) **Second / Final Reading – Public Hearing:**

ii) **Tow Truck Licencing By-law (Amendments):**

As noted earlier in the meeting, this issue has been postponed.

c) **First Reading:** N/A

7. **FINANCIAL STATEMENTS:**

7.1 **CBRM to January 31, 2021:**

Councillor Parsons requested an overtime review by Department to be prepared prior to Budget session.

For Information Only.

7.2 **Port of Sydney Development Corporation to January 31, 2021:**

For Information Only.

8. **Update on Upcoming Meetings:**

Mayor McDougall provided the schedule for upcoming meetings of Council as follows:

- **Friday, March 26th at 1:30 p.m.** Council Workshop with Engage NS re: Quality of Life Survey – Centre 200 main concourse
- **Monday, March 29th at 2:00 p.m.** Board of Police Commissioners – Council Chambers
- **Tuesday, March 30th at 9:30 a.m.** Council Meeting Re: Committee Meeting Structure and Schedule - via Zoom
- **Wednesday, March 31st at 9:30 a.m.** Council Meeting Re: Sydney Central Library - via Zoom
- **Tuesday, April 6th and Wednesday, April 7th (both starting at 9:30 a.m.)** Council Meetings re: 2021-2022 Budget Sessions – Pittman Hall, Joan Harriss Cruise Pavilion

It was **agreed** to hold the Sydney Central Library meeting in person.

9. Review of Action Items from the Meeting:

1. A letter be sent to the Minister of Transportation and Infrastructure Renewal regarding Cape Breton Highlanders Memorial Way
2. Contact CEPI and Pitu'paq to request links to all the reports and studies that were cited during the March 23rd meeting to be circulated to Council
3. Contact the office of MP Kelloway and MLA Alana Paon for an update on the Louisbourg/Gabarus Road
4. Include the Louisbourg Waterfront Project within Council's list of priorities and also research potential municipal funding to move that forward
5. Keep the medical clinic issue as part of the upcoming Municipal Planning Strategy Review
6. Arrange Diversity Training for Council
7. Overtime review request by Department to be prepared prior to Budget session

Meeting adjourned at 9:37 p.m.

Mayor Amanda M. McDougall

Deborah Campbell Ryan
Municipal Clerk
/acr