

CAPE BRETON REGIONAL MUNICIPALITY
Council Meeting – Minutes

**Tuesday,
May 18, 2021
6:03 p.m.**

Via Video Conferencing

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
Deborah Campbell Ryan, Municipal Clerk
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
Chris March, Deputy Fire Chief
Sheila Kolanko, Property Manager
Karen Neville, Senior Planner
Kristen Knudskov, Planner
Sharon MacSween, Senior Administrative Assistant
Angela Ross, Recording Secretary

Absent: N/A

The Council met In Camera earlier this date (May 18, 2021) and on May 3, 2021, pursuant to Section 22 (2) (e) of the *Municipal Government Act*.

Summary of Decisions

Land Acknowledgement

Roll Call

1. APPROVAL OF MINUTES:

Motion to approve minutes from:

- **Council – April 20, 2021**

Carried.

Motion to approve minutes from:

- **Special Council (Budget) – April 27 & 29, 2021**

Carried.

2. APPROVAL OF AGENDA:

Motion to approve the May 18, 2021 Council Agenda and Addendum as presented.
Carried.

Mayor McDougall advised that a request was received to reorder the agenda so that item 7.1 b) be dealt with after Item 3. **AGREED**

3. PROCLAMATIONS AND RESOLUTIONS:

3.1 Davis Day– June 11th:

Motion that the Cape Breton Regional Municipality's Mayor Amanda M. McDougall and Council proclaim June 11th, 2021 as Davis Day in the CBRM. **Carried.**

3.2 Victorian Order of Nurses (VON) Week 2021:

Motion that CBRM Mayor Amanda M. McDougall and Council, recognize the contributions made by the VON through their work in making our Province a better place in which to live by proclaiming May 23rd to May 29th, 2021, as “**VON Week**” in the Cape Breton Regional Municipality. **Carried.**

Continued...

Summary of Decisions (Cont'd):

PROCLAMATIONS AND RESOLUTIONS (Cont'd):

3.3 Access Awareness Week 2021:

Motion that CBRM Mayor Amanda M. McDougall and Council hereby proclaim May 30th – June 5th, 2021 as **Access Awareness Week** in the CBRM and encourage residents to live with the spirit of inclusion and champion accessibility for all. **Carried.**

**Item 7.1 b) was presented at this point of the meeting.*

7.1 b) Property MacKessey Drive:

Motion to approve Option 1 for the purchase of the two lots for market value at a total cost of \$26,500, as outlined in the staff report dated May 2021. **Carried.**

4. DELEGATION:

4.1 Nova Scotia Power:

A presentation and update was provided on the current initiatives of Nova Scotia Power.

For information only.

5. PRESENTATION:

5.1 Creative Economy Update:

A presentation was provided on the Creative Economy by the Cape Breton Partnership.

For information only.

Continued...

Summary of Decisions (Cont'd)

6. PLANNING ISSUES:

6.1 FINAL APPROVAL – PUBLIC HEARINGS:

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

Motion for final approval of the Amending Bylaws found in Attachment C of the staff Issue Paper dated May 10th, 2021 to allow a Medical Clinic at 46 Cottage Rd, Sydney (PID 15105133 and 15270382). **Carried.**

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

Motion for final approval of the Amending Bylaw found in Attachment F of the staff Issue Paper dated May 10th, 2021 to rezone PID 15037278 at 2248 Kings Road, Howie Center, to the Kings Road Sales (KRS) zone to permit motor vehicle sales developments in the Kings Road Sales (KRS) Zone – Case 1079. **Carried.**

6.2 APPROVAL TO ADVERTISE:

- a) **Request to Purchase CBRM Land and Zoning Amendment Application (Case 1081) by Menelik Hall Society - Laurier Street and Tupper Street, Whitney Pier:**

Motion that portions of PID 15547284, PID 15609902, PID 15609910 and PID 15609928 be declared **surplus** to the needs of the Municipality. **Carried.**

Motion to schedule a Public Hearing in accordance with the *Municipal Government Act* to sell portions of PID 15547284, PID 15609902, PID 15609910 and PID 15609928 for the sum of \$1.00 to the Menelik Hall Society. **Carried.**

Motion for approval to advertise notice of a public hearing to consider the zoning amendment application by the Menelik Hall Society to expand its service, as outlined in Attachment C and Attachment E of the staff report dated April 27, 2021, at an upcoming meeting of Council. **Carried.**

Continued...

Summary of Decisions (Cont'd):

PLANNING ISSUES - APPROVAL TO ADVERTISE (Cont'd):

b) **Case 1082 - Rural CBRM and Rural CBRM - No Mobile Home Zones (Staff Request):**

Motion for approval to advertise Notice of a Public Hearing to be held at an upcoming meeting of Council to consider the amendment to remove the Rural CBRM - No Mobile Homes (RCB-NM) Zone from the Land Use Bylaw and to apply the Special Provision for Grand Lake Road/Sydney Road within the Rural CBRM (RCB) Zone, as outlined in Attachment C of the staff report dated April 22, 2021 - Case 1082. **Carried.**

7. **BUSINESS ARISING:**

7.1 **Council – April 20, 2021:**

a) **Parking Area Request – CBRM Parking Meter Bylaw T-5:**

Motion to proceed with option 3 as outlined in the staff report dated May 7, 2021 which is to amend CBRM's Parking Meter Bylaw to create a process for the Designation of On-Street Parking Spaces for Property Owners. **Carried.**

7.2 **Nominating Committee – May 11, 2021**

a) **Report on Call for Expressions of Interest – Citizen Representatives on Committees:**

Motion:

Moved by Deputy Mayor MacMullin, seconded by Councillor Gillespie, to appoint the following eight (8) citizens to the Accessibility Advisory Committee:

- Candidate #1
- Candidate #2
- Candidate #3
- Candidate #4
- Candidate #5
- Candidate #6
- Candidate #7
- Candidate #8

Carried.

Motion to appoint Councillor Cyril MacDonald and Councillor Steve Gillespie as the two Council representatives on the Accessibility Advisory Committee. **Carried.**

Continued...

Summary of Decisions (Cont'd):

BUSINESS ARISING - Nominating Committee – May 11, 2021 - Report on Call for Expressions of Interest – Citizen Representatives on Committees (Cont'd):

Motion to appoint Candidate #10 to the Diversity Committee as the Gay, Lesbian and Transgender Community representative. **Carried.**

ADDENDUM:

7.3 In Camera Council – May 18, 2021

a) Membertou Policing Agreement – Renewal:

Motion to approve the renewal of the Agreement for the provision of policing services by the Cape Breton Regional Police Service in the community of Membertou; and that the Mayor and Clerk be authorized to sign on behalf of CBRM, the associated Membertou First Nation Quadripartite Agreement and the Funding Agreement with the Province of Nova Scotia for the term April 1, 2021 to March 31, 2023. **Carried.**

8. CORPORATE SERVICES ISSUES:

8.1 Issue Paper – Seaview Manor Resolutions:

Motion to approve the Resolution appointing members to the Board of Directors of Seaview Manor as outlined in the staff Issue Paper dated May 13, 2021. **Carried.**

Motion to approve the Resolution guaranteeing the borrowing by Seaview Manor in the amount of \$200,000 for working capital. **Carried.**

8.2 Request for Street Closure - Portion of 8th Street, New Waterford:

Motion , that staff of the Legal Department be directed to initiate a formal street closure pursuant to Section 315 of the *Municipal Government Act* for that portion of 8th Street, New Waterford, outlined in the maps (Attachments “B” and “C”) of the staff Issue Paper dated May 18, 2021, with the intention of deeming it surplus and to be conveyed to the Province of Nova Scotia as part of transfer to land required for the New Waterford Hub Project. **Carried.**

Continued...

Summary of Decisions (Cont'd):

CORPORATE SERVICES ISSUES (Cont'd):

8.3 Request to Deem Property Surplus - Portion of PID 15080195, St. Bridget Street, Sydney:

Motion to declare a portion of PID 15080195, as outlined in blue on the map attached to the staff Issue Paper dated May 18, 2021, as **surplus** to the needs of the Municipality and be sold at market value to Wendy Gouthro. All costs will be the responsibilities of the proposed purchaser and subject to lot consolidation and compliance with the Land Use By-law and other applicable legislation and government requirements. **Carried.**

8.4 Request from New Aberdeen Revitalization Affordable Housing Society for PID 15440514 – Ninth Street, Glace Bay; PID 15440696 – Tenth Street, Glace Bay; and PID 15438591 – Second Street, Glace Bay (Vacant land):

Motion to convey the properties identified in the staff report dated May 18, 2021 as PID 15440514; PID 15440696 and 15438591 to the New Aberdeen Revitalization Society for \$1.00. The conveyance shall be subject to application for a building permit within one (1) year. All costs will be the responsibility of the Society. **Carried.**

8.5 Borrowing Resolution, Lease Facility:

Motion to approve the renewal of a Lease Facility with a limit of \$2,000,000 with the Bank of Montreal for the 2021/2022 fiscal year to allow CBRM departments to opt to finance equipment purchases through a capital lease agreement. **Carried.**

8.6 Borrowing Resolution, Operating:

Motion to approve the renewal of the Borrowing Resolution for the Operating Line of Credit in the amount of \$44,000,000 with the Bank of Montreal (BMO) for the 2021/2022 fiscal year to finance short term operations and bridge financing for capital projects. **Carried.**

Continued...

CORPORATE SERVICES ISSUES (Cont'd):

8.7 Resolution for Pre-Approval of Debt Issuance:

Motion to approve the amended resolution for the pre-approval of debt issuance in the amount of \$11,133,693 for capital projects completed up to March 31, 2020. **Carried.**

8.8 C200 Expansion Feasibility Study:

Motion to authorize, conditional on successfully securing 2/3 external funding, that staff carry out a feasibility study on a possible expansion to the existing building at Centre 200, Sydney N.S. Further, that the CBRM maximum contribution of \$30,000.00 be financed through an equal amount from the CAO and Department budgets. **Carried.**

9. Review of Action Items from the Meeting:

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

ADJOURNMENT

The Council met In Camera earlier this date (May 18, 2021) and on May 3, 2021, pursuant to Section 22 (2) (e) of the *Municipal Government Act*.

Roll Call

Land Acknowledgement

1. APPROVAL OF MINUTES:

Motion:

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

- **Council – April 20, 2021**

Motion Carried.

Motion:

Moved by Deputy Mayor MacMullin, seconded by Councillor Gillespie, approval of the following Minutes as previously circulated:

- **Special Council (Budget) – April 27 & 29, 2021**

Motion Carried.

Mayor McDougall advised that a request was received to reorder the agenda so that item 7.1 b) be dealt with after Item 3. **AGREED**

2. APPROVAL OF AGENDA:

Motion:

Moved by Councillor Parsons, seconded by Councillor Cyril MacDonald, to approve the May 18th, 2021 Council Agenda and the Addendum as presented.

Motion Carried.

3. PROCLAMATIONS AND RESOLUTIONS:

3.1 Davis Day– June 11th:

Motion:

Moved by Councillor O’Quinn, seconded by Councillor Cyril MacDonald, that the Cape Breton Regional Municipality’s Mayor Amanda M. McDougall and Council proclaim June 11th, 2021 as Davis Day in the CBRM.

Motion Carried.

Continued...

PROCLAMATIONS AND RESOLUTIONS (Cont'd):

3.2 Victorian Order of Nurses (VON) Week 2021:

Motion:

Moved by Councillor Paruch, seconded by Councillor Cyril MacDonald, that CBRM Mayor Amanda M. McDougall and Council recognize the contributions made by the VON through their work in making our Province a better place in which to live by proclaiming May 23rd to May 29th, 2021, as “**VON Week**” in the Cape Breton Regional Municipality.

Motion Carried.

3.3 Access Awareness Week 2021:

Motion:

Moved by Councillor Green, seconded by Councillor Bruckschwaiger, that CBRM Mayor Amanda M. McDougall and Council hereby proclaim May 30th – June 5th, 2021 as **Access Awareness Week** in the CBRM and encourage residents to live with the spirit of inclusion and champion accessibility for all.

Motion Carried.

**Item 7.1b was presented at this point of the meeting.*

7.1b) Property MacKessey Drive:

Bill Murphy, Director of Recreation, Parks, Grounds & Buildings, provided background information on the issue. The existing properties include a playground established by a community group in the late 1980's and a dry hydrant on the lot which was installed by the New Victoria Volunteer Fire Department. Director Murphy provided Council with 2 options.

1. Purchase the two lots for the market value at a total cost of \$26,500.
2. Relocate the existing dry hydrant at a cost of \$9,346.25.

Motion:

Moved by Councillor Green, seconded by Councillor Bruckschwaiger, to approve Option 1 for the purchase of the two lots for market value at a total cost of \$26,500, as outlined in the staff report dated May 2021.

Discussion:

Councillors discussed the importance of the playground site and referenced the bench placed at that location to honour the memory of the late Cody Burke by his family. Deputy Fire Chief March indicated that the hydrant is located in the safest place for the Fire Service and the community, adding that it would be difficult to find another suitable location in this area.

Motion Carried.

DELEGATION:

4.1 Nova Scotia Power:

Peter Gregg, President and CEO of Nova Scotia Power, introduced Mark Sidebottom, Chief Operating Officer; and Judith Ferguson, Executive Vice President of Legal, Regulatory, Business Planning & Communications at Nova Scotia Power, who were also in attendance.

During the presentation, the following was highlighted:

- Commitment to action on climate change,
- Opportunities to green the electricity grid and reduce greenhouse gas emissions,
- Opportunities to partner with CBRM, support communities through the transition, and participate in CBRMs Municipal Planning Strategy.

After the presentation, some of the discussion included:

- Programs to procure renewable wind and solar energy
- How the choice is made for areas that are serviced each year
- Tracking the outages
- Weather and climate change
- Where to invest on the grid
- Redevelopment of downtown, underground wiring and transformers

Mayor McDougall thanked Peter Gregg and Mark Sidebottom for their presentation.

5. PRESENTATION:

5.1 Creative Economy Update:

Carla Arsenault, President and CEO of the Cape Breton Partnership, provided an update on the creative economy in the community and activities taking place within the sector. She highlighted the following:

- Economic impact of culture in Canada and in Nova Scotia
- Cape Breton Partnership and the Creative Economy
- Examples of Creative Sector Partners in CBRM

Erin Flynn, Creative Economy Development Officer, described her role and the support that she provides to the creative economy on the Island. She provided examples and information on the following:

Continued...

PRESENTATION - Creative Economy Update (Cont'd):

- Past initiatives
 - Advisory services for the creative sector
 - Key priorities from the Creative Economy Leaders Workshop
- Current Initiatives
- Creative Sector Impact of COVID-19
- Creative Sector Advocacy

Erin Flynn shared a video with Council and noted that the Partnership worked with 16 creative sector organizations to develop the video campaign that highlights that local artists and art organizations are still in need of ongoing innovative and sustainable support.

After the presentation, Mayor McDougall noted that the REN will be reporting to Council on a regular basis and working to find solutions for the Creative Economy. During discussion, Carla Arsenault agreed to provide to Council the Island Wide Strategy, CBRM Creative Economy Plan, and reports along with the video that was shared.

Mayor McDougall thanked Carla Arsenault and Erin Flynn for their presentation.

6. PLANNING ISSUES:

6.1 FINAL APPROVAL – PUBLIC HEARINGS:

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

Kristen Knudskov, Planner, provided background information on the issue and advised that staff have drafted a series of amending bylaws based on Council's direction. She advised that before Council makes a decision to amend the Planning Strategy and Land Use Bylaw, a Public Hearing must be held. She advised that as mandated by Provincial Legislation, the Public Hearing for the application was advertised in the newspaper, on the CBRM Facebook page, including a mail-out to 136 property owners in the vicinity of 46 Cottage Road property. Residents were invited to submit statements for Council to consider. Planner Knudskov provided a breakdown of the submissions as outlined in the staff Issue Paper dated May 10, 2021.

Continued...

PLANNING ISSUES - FINAL APPROVAL – PUBLIC HEARINGS - Case 1078 - Municipal Planning Strategy Amendment to Allow a Medical Clinic at 46 Cottage Rd, Sydney (PID 15105133 and 15270382):

Motion:

Moved by Councillor Paruch, seconded by Councillor Cyril MacDonald, final approval of the Amending Bylaws found in Attachment C of the staff Issue Paper dated May 10th, 2021 to allow a Medical Clinic at 46 Cottage Rd, Sydney (PID 15105133 and 15270382).

Discussion:

During discussion, some of the issues raised included:

- Public Hearing Submissions included in the agenda and those received after agenda completion that were circulated to Council and posted to the CBRM website
- Public Hearing response turnout was higher with this application than the average
- Clarification of the motion
- Information regarding the Public Hearing not being received by some area residents
- Comments made to suggest postponing the decision until after the pandemic when people could meet in person for the Public Hearing
- Parking in proximity to the proposed Medical Clinic
- CBRM is not responsible to regulate the number of staff at the proposed development or number of residents who may live in a proposed rental space
- CBRM Policy and process followed for Public Hearings under the *Municipal Government Act*
- The need for doctors in CBRM
- CBRM Comprehensive Review of Planning documents

Motion Carried.

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

Kristen Knudskov, Planner, provided background information on the issue and advised that one (1) submission was received in opposition to the amendment, a copy of which was provided to Council.

Motion:

Moved by Councillor Edwards, seconded by Councillor Parsons, final approval of the Amending Bylaw found in Attachment F of the staff Issue Paper dated May 10th, 2021 to rezone PID 15037278 at 2248 Kings Road, Howie Center, to the Kings Road Sales (KRS) zone to permit motor vehicle sales developments in the Kings Road Sales (KRS) Zone – Case 1079.

Discussion:

Planner Knudskov explained the requirements for a Public Hearing under the *MGA* and also advised in response to a question that there are no set back requirements in relation to a build in proximity to water.

Motion Carried.

PLANNING ISSUES (Cont'd):

6.2 APPROVAL TO ADVERTISE:

- a) **Request to Purchase CBRM Land and Zoning Amendment Application (Case 1081) by Menelik Hall Society - Laurier Street and Tupper Street, Whitney Pier:**

Karen Neville, Senior Planner, provided background information on the issue and advised that the Planning and Development and Legal Departments have received requests from the Menelik Hall Society to acquire CBRM property for \$1.00 and to amend the zoning on several properties to enable the Society to expand its service to the community. The properties currently contain a travel way that are identified as essential to the needs of the Municipality, and that the Engineering and Public Works Department indicated that CBRM should retain the travel way as a public street.

Senior Planner Neville advised that in order to sell the properties for \$1.00 and at less than Market Value, the properties need to be declared as **surplus** and the *Municipal Government Act* requires that a Public Hearing be held.

Motion:

Moved by Councillor Green, seconded by Councillor Gillespie, that portions of PID 15547284, PID 15609902, PID 15609910 and PID 15609928 be declared **surplus** to the needs of the Municipality.

Motion Carried.

Motion:

Moved by Councillor Green, seconded by Deputy Mayor MacMullin, to schedule a Public Hearing in accordance with the *Municipal Government Act* to sell portions of PID 15547284, PID 15609902, PID 15609910 and PID 15609928 for the sum of \$1.00 to the Menelik Hall Society.

Motion Carried.

Motion:

Moved by Councillor Green, seconded by Councillor Paruch, approval to advertise notice of a public hearing to consider the zoning amendment application by the Menelik Hall Society to expand its service, as outlined in Attachment C and Attachment E of the staff report dated April 27, 2021, at an upcoming meeting of Council.

Motion Carried.

Continued...

PLANNING ISSUES (Cont'd):

6.2 APPROVAL TO ADVERTISE:

b) Case 1082 - Rural CBRM and Rural CBRM - No Mobile Home Zones (Staff Request):

Kristen Knudskov, Planner, provided background information on the issue and advised that staff is requesting Council consider the amendment to clarify access provisions in the Rural CBRM – No Mobile Homes (RCB-NM) and Rural CBRM (RCB) zones within the Land Use Bylaw.

Motion:

Moved by Councillor Gillespie, seconded by Councillor Parsons, approval to advertise Notice of a Public Hearing to be held at an upcoming meeting of Council to consider the amendment to remove the Rural CBRM - No Mobile Homes (RCB-NM) Zone from the Land Use Bylaw and to apply the Special Provision for Grand Lake Road/Sydney Road within the Rural CBRM (RCB) Zone, as outlined in Attachment C of the staff report paper dated April 22, 2021 - Case 1082.

Motion Carried.

In response to a question, Planner Knudskov clarified that there will be no changes to the zoning for current properties. They are simply adding access provisions specific to properties fronting on the Grand Lake Road and Sydney Road area into the RCB zone.

7. BUSINESS ARISING:

7.1 Council – April 20, 2021:

a) Parking Area Request – CBRM Parking Meter Bylaw T-5:

Karen Neville, Senior Planner, provided background information on the issue and advised that staff have provided three options for Council's consideration regarding the request by Breton Brewing based on a jurisdictional scan and regulatory options as follows:

1. CBRM Traffic Authority Designate Loading Zones
2. Property Owner Parking Permits
3. Designation of On-Street Parking Spaces for Property Owner

Senior Planner Neville advised that if Council wishes to proceed with one of these options, a motion should be made for staff to proceed to draft any applicable bylaw amendments and to schedule a Public Hearing.

Continued...

BUSINESS ARISING - Council – April 20, 2021 (Cont'd)

Parking Area Request – CBRM Parking Meter Bylaw T-5 (Cont'd):

Council discussion included the following:

- Clarification of the area of downtown core
- Current loading zones
- Consultation with the Sydney Downtown Development Association
- Downtowns in other areas of CBRM
- Planned redevelopment of downtown Sydney
- Time sensitivity of the issue

Motion:

Moved by Councillor Paruch, seconded by Councillor Eldon MacDonald, to proceed with option 3 as outlined in the staff report dated May 7, 2021 which is to amend CBRM's Parking Meter Bylaw to create a process for the Designation of On-Street Parking Spaces for Property Owners.

Discussion:

During discussion, some of the issues raised included:

- Parking Fees
- Loading Zones
- Responsibilities of permit holder if space becomes occupied by the public
- Areas that would be subject to the proposed amendment
- Parking and patios on Charlotte Street, Sydney
- Signage

Motion Carried.

7.2 Nominating Committee – May 11, 2021:

a) Report on Call for Expressions of Interest – Citizen Representatives on Committees:

Deborah Campbell Ryan, Municipal Clerk, referenced the recommendations from the Nominating Committee and advised that three (3) separate motions are required. She also advised that once the positions have been accepted and the required background checks have been completed, the names of the successful candidates will be publicly released at a future Council meeting.

Continued...

BUSINESS ARISING Nominating Committee – May 11, 2021 (Cont'd)

Report on Call for Expressions of Interest – Citizen Representatives on Committees (Cont'd):

Motion:

Moved by Deputy Mayor MacMullin, seconded by Councillor Gillespie, to appoint the following eight (8) citizens to the Accessibility Advisory Committee:

- Candidate #1
- Candidate #2
- Candidate #3
- Candidate #4
- Candidate #5
- Candidate #6
- Candidate #7
- Candidate #8

Motion Carried.

Motion:

Moved by Councillor Gordon MacDonald, seconded by Councillor Parsons, to appoint Councillor Cyril MacDonald and Councillor Steve Gillespie as the two Council representatives on the Accessibility Advisory Committee.

Motion Carried.

Motion:

Moved by Councillor Tracey, seconded by Councillor Gillespie, to appoint Candidate #10 to the Diversity Committee as the Gay, Lesbian and Transgender Community representative.

Motion Carried.

In response to a question, the Municipal Clerk clarified that a motion of Council was not required to re-advertise for the Housing Authority Board as the Nomination Committee has that authority and passed a motion regarding same.

Continued...

ADDENDUM:

7.3 In Camera Council – May 18, 2021

b) Membertou Policing Agreement – Renewal:

Marie Walsh, Chief Administrative Officer, provided background information on the issue.

Motion:

Moved by Councillor Eldon MacDonald, seconded by Councillor Green, to approve the renewal of the Agreement for the provision of policing services by the Cape Breton Regional Police Service in the community of Membertou; and that the Mayor and Clerk be authorized to sign on behalf of CBRM, the associated Membertou First Nation Quadripartite Agreement and the Funding Agreement with the Province of Nova Scotia for the term April 1, 2021 to March 31, 2023.

Motion Carried.

8. CORPORATE SERVICES ISSUES:

8.1 Issue Paper – Seaview Manor Resolutions:

Demetri Kachafanas, QC, Regional Solicitor, provided background information on the issue and advised that the Seaview Manor Board has submitted two Resolutions for approval of Council: one to appoint the members to the Board of Directors; and the other is regarding a guarantee for borrowing.

Following the update, the role of CBRM in terms of Seaview Manor was discussed.

Motion:

Moved by Deputy Mayor MacMullin, seconded by Councillor Tracey, to approve the Resolution appointing members to the Board of Directors of Seaview Manor as outlined in the staff Issue Paper dated May 13, 2021.

Motion Carried.

Motion:

Moved by Councillor Tracey, seconded by Councillor Green, to approve the Resolution guaranteeing the borrowing by Seaview Manor in the amount of \$200,000 for working capital.

Discussion:

In response to questions, clarification was provided by Eric Doucette, CEO for Seaview Manor, regarding the timing for when funds approved for the working capital would be used; and the Regional Solicitor explained the requirement for CBRM to act as Guarantor.

Motion Carried.

Continued...

Council **agreed** to continue the Council meeting beyond 9:00 p.m.

CORPORATE SERVICES ISSUES (Cont'd):

8.2 Request for Street Closure - Portion of 8th Street, New Waterford:

Sheila Kolanko, Property Manager, provided background information on the issue and advised that a letter of request was received on behalf of the Nova Scotia Lands Inc. seeking a street closure for a portion of 8th Street, New Waterford, to develop a green space across 8th Street and to connect the new Hub on the Breton Education Centre property to the new walking track/recreation facilities on MacKinnon's Field.

The Property Manager advised that Engineering and Public Works support the request, provided easements related to CBRM's existing infrastructure, as well as any new easement be acquired prior to transferring the property. She also added that the Recreation, Parks Grounds & Buildings Department support the request.

The Planning Department has indicated that if Council proceeds with the requested street closing, the travel way for 8th Street will be disconnected which can be a cause of confusion. Council should direct staff of the Planning and Development Department to initiate a street renaming prior to officially closing that section of 8th Street.

Motion:

Moved by Councillor O'Quinn, seconded by Councillor Cyril MacDonald, that staff of the Legal Department be directed to initiate a formal street closure pursuant to Section 315 of the *Municipal Government Act* for that portion of 8th Street, New Waterford, outlined in the maps (Attachments "B" and "C") of the staff Issue Paper dated May 18, 2021, with the intention of deeming it surplus and to be conveyed to the Province of Nova Scotia as part of transfer to land required for the New Waterford Hub Project.

Discussion:

Discussion took place regarding aspects of street renaming and the follow up processes regarding the same.

Motion Carried.

Continued...

CORPORATE SERVICES ISSUES (Cont'd):

8.3 Request to Deem Property Surplus - Portion of PID 15080195, St. Bridget Street, Sydney:

Sheila Kolanko, Property Manager, provided background information on the issue and advised that CBRM received a letter of interest asking CBRM to consider selling a portion of CBRM property located in Sydney (PID 15080195) that is currently deemed an essential for a natural drainage system along the Churchill Drive area leading to Membertou.

The Property Manager advised that an internal staff review determined that while CBRM requires a large portion of this property for municipal purposes, staff found no reason not to consider conveying the small section to Ms. Gouthro for her intended use. It was noted that any proposed sale would be subject to lot consolidation with existing lands of Ms. Gouthro and compliance with Land Use By-law and all other applicable legislation and government regulations.

Motion:

Moved by Councillor Eldon MacDonald, seconded by Councillor Parsons, to declare a portion of PID 15080195, as outlined in blue on the map attached to the staff Issue Paper dated May 18, 2021, as **surplus** to the needs of the Municipality and be sold at market value to Wendy Gouthro. All costs will be the responsibilities of the proposed purchaser and subject to lot consolidation and compliance with the Land Use By-law and other applicable legislation and government requirements.

Discussion:

During discussion, it was noted that it appeared that a neighbouring property owner may be encroaching on CBRM identified land.

Motion Carried.

8.4 Request from New Aberdeen Revitalization Affordable Housing Society for PID 15440514 – Ninth Street, Glace Bay; PID 15440696 – Tenth Street, Glace Bay; and PID 15438591 – Second Street, Glace Bay (Vacant land):

Sheila Kolanko, Property Manager, provided background information on the issue and advised that CBRM is in receipt of a request from the New Aberdeen Revitalization Affordable Housing Society requesting CBRM convey 3 parcels of land for consideration of \$1.00. The properties are identified as PID 15440514; PID 15440696 and 15438591. All parcels are in red on the maps and outlined in the staff Issue Paper dated May 18, 2021.

Continued...

CORPORATE SERVICES ISSUES (Cont'd):

Request from New Aberdeen Revitalization Affordable Housing Society (cont'd)

Motion:

Moved by Councillor Bruckschwaiger, seconded by Councillor Green, to convey the properties identified in the staff report dated May 18, 2021 as PID 15440514; PID 15440696 and 15438591 to the New Aberdeen Revitalization Society for \$1.00. The conveyance shall be subject to application for a building permit within one (1) year. All costs will be the responsibility of the Society.

Motion Carried.

8.5 Borrowing Resolution, Lease Facility:

Jennifer Campbell, Chief Financial Officer, provided background information on the issue and advised that CBRM has in place a lease facility that carries a limit of \$2,000,000. CBRM's financial institution, the Bank of Montreal, requires CBRM to renew this lease facility annually. The Bank of Montreal requires a motion from Council to renew this lease facility for the 2021/2022 fiscal year.

Motion:

Moved by Councillor Parsons, seconded by Councillor Eldon MacDonald, to approve the renewal of a Lease Facility with a limit of \$2,000,000 with the Bank of Montreal for the 2021/2022 fiscal year to allow CBRM departments to opt to finance equipment purchases through a capital lease agreement.

Discussion:

In response to a question regarding a future tender process and the potential of a change in the financial institution provider for CBRM that was discussed at the Audit Committee meeting, Chief Financial Officer advised that regardless of the financial institution providing service to CBRM, the resolution is required.

Motion Carried.

Continued...

CORPORATE SERVICES ISSUES (Cont'd):

8.6 Borrowing Resolution, Operating:

Jennifer Campbell, Chief Financial Officer, provided background information on the issue and advised that CBRM has in place a borrowing resolution for a \$44,000,000 line of credit and CBRM's financial institution, the Bank of Montreal, requires CBRM to renew this operating line of credit annually.

Motion:

Moved by Councillor Green, seconded by Councillor Cyril MacDonald, to approve the renewal of the Borrowing Resolution for the Operating Line of Credit in the amount of \$44,000,000 with the Bank of Montreal (BMO) for the 2021/2022 fiscal year to finance short term operations and bridge financing for capital projects.

Motion Carried.

8.7 Resolution for Pre-Approval of Debt Issuance:

Jennifer Campbell, Chief Financial Officer, provided background information on the issue and advised that CBRM requires a pre-approval for Debenture Issuance for Municipal Finance Corporation's 2021 Fall Debenture due to the fact that longer than 12 months have elapsed since the original borrowing resolution approval and the required borrowing amount has changed. A current resolution must be passed to meet MFC's debenture participation requirements as outlined in the staff Memo dated May 6, 2021.

Motion:

Moved by Deputy Mayor MacMullin, seconded by Councillor Green, to approve the amended resolution for the pre-approval of debt issuance in the amount of \$11,133,693 for capital projects completed up to March 31, 2020.

Discussion:

In response to a question, the Chief Financial Officer advised that there were no cost overruns on the projects it was simply a result of cost timing.

Motion Carried.

8.8 C200 Expansion Feasibility Study:

Bill Murphy, Director of Recreation, Parks, Grounds & Buildings, advised that the objective of the Issue Paper is to request approval to carry out a feasibility study providing a general perspective on operating costs on a possible addition of a 47,800,000 square ft. multi-purpose recreation facility to the existing facility at Centre 200. The budget estimate for the study would be \$90,000.00. Discussions held with both levels of government indicate there is interest in participating in the project. It is anticipated two-thirds of the cost of the study will be recovered.

Continued...

CORPORATE SERVICES ISSUES (Cont'd):

C200 Expansion Feasibility Study (Cont'd):

In response to a question, Director Murphy clarified the motion and process moving forward.

Motion:

Moved by Councillor Gillespie, seconded by Councillor Paruch, that staff be authorized Conditional on successfully securing 2/3 external funding, Council authorize staff to carryout out a feasibility study on a possible expansion to our existing building at C200, Sydney N.S. Further, that CBRM maximum contribution of \$30,000.00 be financed through an equal amount from the CAO and Department budgets.

Discussion:

- Funding for the Application
- Cost of the Project and funding formula
- Square footage of the addition
- Green fund Application

Motion Carried.

9. Review of Action Items from the Meeting:

Mayor Amanda M. McDougall advised that the REN will provide Council with some resources from action lists from the work they have done in terms of support for artists and the creative sector. Council will also work with CBRM staff to do some follow up on what it is that we do as a Municipality in terms of supporting the creative sector and what are the options going forward.

The Mayor recognized the hard work of the Nominating Committee and important deliberations that have taken place. She added that a date has been set so that CBRM Council and staff will meet with the Port Board members and staff to open important communication to ensure they have a good working relationship going forward.

Meeting adjourned at 9:44 p.m.

Mayor Amanda M. McDougall

Deborah Campbell Ryan
Municipal Clerk