

Cape Breton Regional Municipality

Council Meeting Minutes

November 14, 2023

6:00 p.m. at City Hall Council Chambers

Council

Mayor Amanda M. McDougall-Merrill

Councillor Gordon MacDonald

Councillor Earlene MacMullin

Councillor Cyril MacDonald

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

Marie Walsh, Chief Administrative Officer

Christa Dicks, Municipal Clerk

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

Karen Neville, Senior Planner

Peter Vandermeulen, Planner

Sharon MacSween, Senior Administrative Assistant

Kelly McDonald, Recording Secretary

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.

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

Land Acknowledgement

Roll Call

O' Canada

A **Point of Order** was raised by Councillor Eldon MacDonald to acknowledge the technology in the overflow boardroom has an error that needs to be addressed.

1. Approval of Agenda

Motion

Moved by Deputy Mayor Edwards, seconded by Councillor Tracey, to approve the November 14, 2023, Council Agenda and Addendums as presented.

Motion to Amend

Moved by Councillor MacMullin, seconded by Councillor Cyril MacDonald, to remove item number 8.1 from the agenda until the grievance process is complete.

Motion to Amend Carried

Motion Carried

2. Approval of Minutes

Motion

Moved by Councillor Green, seconded by Councillor O’Quinn, to approve the CBRM Council Minutes from:

- August 22, 2023

Motion Carried

3. Proclamations

3.1 YMCA Peace Week

Motion

Moved by Councillor Eldon MacDonald, seconded by Councillor Paruch, that CBRM Mayor Amanda M. McDougall-Merrill and Council proclaim the week of November 19th to 25th, 2023, as YMCA Peace Week in the Cape Breton Regional Municipality.

Motion Carried

3.2 Restorative Justice Week

Motion

Moved by Councillor Gordon MacDonald, seconded by Councillor Parsons, that CBRM Mayor Amanda M. McDougall-Merrill and Council proclaim the week of November 19th to 25th, 2023, as Restorative Justice Week in the Cape Breton Regional Municipality.

3.3 Transgender Day of Remembrance

Motion

Moved by Councillor Cyril MacDonald, seconded by Councillor Gordon MacDonald, that CBRM Mayor Amanda M. McDougall-Merrill and Council proclaim the Monday, November 20th, 2023, as Transgender Day of Remembrance in the Cape Breton Regional Municipality.

Motion Carried

3.4 Economic Abuse Awareness Day

Motion

Moved by Councillor MacMullin, seconded by Councillor Eldon MacDonald, that CBRM Mayor Amanda M. McDougall-Merrill and Council proclaim November 26th of each year as Economic Abuse Awareness Day in the Cape Breton Regional Municipality.

Motion Carried

3.5 GivingTuesday

Motion

Moved by Councillor Gillespie, seconded by Councillor Cyril MacDonald, that CBRM Mayor Amanda M. McDougall-Merrill and Council proclaim November 28th, 2023, as GivingTuesday in the Cape Breton Regional Municipality.

Motion Carried

3.6 National Nurse Practitioner Week

Motion

Moved by Councillor O’Quinn, seconded by Councillor Parsons, that CBRM Mayor Amanda M. McDougall-Merrill and Council proclaim the week of November 12 to 18, 2023, and every third week of November thereafter as National Nurse Practitioner Week in the Cape Breton Regional Municipality, in recognition of the numerous contributions that NPs have made over the past half century and will continue to make to the health and well-being of Nova Scotians.

Motion Carried

4. By-Laws and Motions

4.1 By-Laws

a) Second/Final Reading

- i) CBRM Fee Policy: Planning, Development, and Building (Building By-Law B-300)**

Karen Neville, Senior Planner, reviewed the Issue Paper and recommendations in the agenda package. Mayor McDougall-Merrill invited the public to speak on the issue, no speakers came forth. The following motions were then put forward:

Motion

Moved by Councillor Gillespie, seconded by Councillor Paruch, to adopt the CBRM Fee Policy: Planning, Development, and Building and repeal of the CBRM Fees to Process Land Use Bylaw Amendments, Development Agreements, and Municipal Planning Strategy Amendments Policy.

Discussion:

- Timelines of past reviews of CBRM Fees
- Recommendation to brief CBRM Fee Structures comparisons to other jurisdictions

Motion Carried

Motion

Moved by Councillor Paruch, seconded by Councillor Cyril MacDonald, to give Second/Final Reading of the amendments to the Building By-law.

Motion Carried

5. Delegations

5.1 Keep Coxheath Clean – Issue Response Presentation

Spokespersons of the Keep Coxheath Clean Association including, Laura MacNeil, Cheryl MacInnis, Rubin Binder, and Erin Thompson provided a presentation titled, "Keep Coxheath Clean – Issue Response Presentation". Discussion, including questions and answers, took place between Council, staff, and the members of the Keep Coxheath Clean Association.

A **Point of Order** was raised by Councillor Eldon MacDonald to state the importance of everyone to show respect for each other and each other's opinions.

5.2 NSCC Sydney Waterfront Campus

Carla Arsenault, Principal of NSCC Marconi Campus, introduced her colleague Mike Chapman, NSCC Project Team Member. Carla provided a presentation titled, "NSCC Sydney Waterfront Campus". Discussion, including questions and answers, between Council, staff, Carla, and Mike took place. The following motion was then put forward:

Motion

Moved by Councillor MacMullin, seconded by Councillor Cyril MacDonald, to direct staff to proceed with negotiations with NSCC Sydney Waterfront Campus regarding the potential of a 5-year parking lease at Centre 200.

Motion Carried

6. Planning Issue

6.1 Development Agreement Discharge – 001093 – Lisa and Dave Penny 165 Peppett St., North Sydney (PID 15681588)

Peter Vandermeulen, Planner, reviewed the Issue Paper and recommendations in the agenda package. The following motions were then put forward:

Motion

Moved by Councillor MacMullin, seconded by Councillor Gordon MacDonald, to discharge the Development Agreement in effect for PID 15681588.

Motion Carried

Motion

Moved by Councillor MacMullin, seconded by Councillor Cyril MacDonald, to schedule a public hearing to consider the removal of reference to the Development Agreement for PID 15681588 from Subsection 2.9 Existing Development Agreements for an upcoming meeting of Council.

Motion Carried

7. Business Arising

7.1 Heritage Advisory Committee – October 12, 2023

**a) 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. The following motion was then put forward:

Motion

Moved by Councillor O’Quinn, seconded by Councillor Tracey, to initiate the process to deregister 2734 Lingan Road (PID 15268188) as a Municipal Heritage Property.

Motion Carried

8. Corporate Service Issue

8.1 CUPE 759 Illegal Strike

This item was removed from the agenda.

9. Councillor Agenda Request

9.1 Evening Parades

Councillor Glenn Paruch reviewed the Councillor Agenda Request Form – Staff Report in the agenda package. Robert Walsh, CBRM Chief of Police, discussed the constraints and risks of hosting nighttime parades. Council and staff discussed parade safety. The following motion was then put forward:

Motion

Moved by Councillor Paruch, seconded by Councillor MacMullin, to rescind the motion of Council October 19, 2019, banning nighttime parades in the CBRM; and for staff to review and recommend changes, and amend the Parade Safety & Rules as needed to permit the safe hosting of community parades during evening hours.

Discussion:

- Past incidents that occurred during daytime and nighttime parades
- Community groups host parades
- Priority is public safety
- Police resources needed to ensure parade safety
- Stationery and hybrid models of parades
- Insurance policies and regulations
- Parade request requirements
- The support of police decisions regarding parade requests

Motion Carried**10. Committee Report****10.1 Fire and Emergency Services Committee**

Deputy Mayor James Edwards reviewed the Fire & Emergency Services Committee Report to Council in the agenda package. Discussion took place regarding the quantity of medical first response calls that the Sydney Fire Department responded to, provincial inspection mandates, response times by firefighters, and response times by Emergency Health Services.

10.2 Cape Breton Regional Fire Chiefs' Association

Rod Beresford, Volunteer Fire Chief, provided a presentation on behalf of the Cape Breton Regional Fire Chiefs' Association. Discussion took place regarding the importance of career and volunteer fire fighters. The following motion was then put forward:

Motion

Moved by Councillor Cyril MacDonald, seconded by Councillor Parsons, to make a formal statement/position on the value of CBRM Volunteer and career firefighters.

Motion Carried

11. Financial Statements

11.1 CBRM to September 30, 2023

For Information Only

11.2 Port of Sydney Development Corporation to September 30, 2023

For Information Only

12. Review of Action Items from this Meeting

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

- Follow-up with Keep Coxheath Clean Association to access sited studies, literature, and research
- Facilitate a session with Cape Breton Partnership, the Department of Environment and Climate Change, Mi'kmaw partners, and Keep Coxheath Clean Association
- Follow-up with province regarding fire prevention requests and Emergency Health Services requests
- Prepare an official statement of support for CBRM volunteer and career firefighters, including signatures of Council, for the Council meeting being held on November 28, 2023
- Provide each Fire Department with official statement of support
- Creation of a service recognition program
- Coordinate a workshop to review 6-month financial statements

Meeting adjourned at 10:23 p.m.

Amanda M. McDougall-Merrill
Mayor
/km

Christa Dicks
Municipal Clerk