



**HARBOUR EAST-MARINE DRIVE COMMUNITY COUNCIL
SPECIAL MEETING MINUTES
July 23, 2015**

PRESENT: Councillor Gloria McCluskey, Chair
Councillor Bill Karsten, Vice Chair
Councillor David Hendsbee
Deputy Mayor Darren Fisher
Councillor Lorelei Nicoll

STAFF: Ms. E. Roxanne MacLaurin, Senior Solicitor
Ms. Jennifer Weagle, Legislative Assistant

The following does not represent a verbatim record of the proceedings of this meeting.

The agenda, supporting documents, and information items circulated to Community Council are available online: <http://www.halifax.ca/Commcoun/east/HEMDCC.php>

The meeting was called to order at 7:04 p.m., and adjourned at 8:27 p.m.

1. CALL TO ORDER

The Chair called the meeting to order at 7:04 p.m. at the Royal Canadian Legion, Eastern Marine Branch #161, 6644 Highway #7, Gaetz Brook.

2. APPROVAL OF MINUTES – June 10, 2015

MOVED by Deputy Mayor Nicoll, seconded by Councillor Fisher,

THAT the minutes of the June 10, 2015 meeting be approved, as circulated.

MOTION PUT AND PASSED.

3. APPROVAL OF THE ORDER OF BUSINESS AND APPROVAL OF ADDITIONS AND DELETIONS

MOVED by Councillor Karsten, seconded by Councillor Hendsbee,

THAT the agenda be approved as presented.

MOTION PUT AND PASSED.

4. HEARINGS

4.1 PUBLIC HEARINGS

4.1.1 Case 19421 – Development Agreement for a Kennel – 343 West Petpeswick Road, West Petpeswick

The following was before Community Council:

- A staff recommendation report dated May 13, 2015
- Correspondence from Priscilla & Dave Kovacs; Brenda Rose; Nick Colpitts; Nina Harries; and Melissa Gwinn.
- Copy of the presentation by the Applicant.

Mr. Tyson Simms, Planner, Planning and Development, presented Case 19421, an application for a Development Agreement for a kennel expansion at 343 West Petpeswick Road, West Petpeswick.

Mr. Simms explained two non-substantive amendments being proposed by staff. The first clarified that commencement deadline for construction would be three years from the date of registration, and that the commencement of construction would be the issuance of a development permit for the kennel. The second clarified that the completion deadline would be five years from the date of registration, and that the completion of construction would be the issuance of an occupancy permit for the kennel.

Mr. Simms reviewed revisions to the staff recommendation, which would remove the requirement for a wooden fence, which was never the intent, and also to clarify that the fencing would only be required to face the inlet, which staff believe is adequate.

Responding to questions from Community Council, Mr. Simms advised that the parking changes proposed are non-substantive, and parking is allowed on areas of the site. He confirmed that the Noise By-law would apply to this property with regard to barking dogs. Mr. Simms further confirmed that property owner would be required to go through the permitting process to make any further amendments to parking on the site.

At the request of Community Council, Mr. Simms discussed signage allowed on the property, noting that the agreement would allow one road sign to be retained, and that any new signage would have to abide by the Land Use By-law.

In response to questions regarding dog runs on the property, Mr. Simms advised that should the property owner wish to expand the number of dog runs on the property, it would be considered a substantive amendment to the development agreement, and would be required to go through an application to amend the development agreement, which would require another public hearing.

With regard to the buffering of noise, Mr. Simms advised that the intent is to retain vegetation along the watercourse area. With regard to access to the property, he indicated that there is one access point to the property, and Nova Scotia Transportation and Infrastructure Renewal wanted the property owner to retain the existing driveway.

Mr. Simms further clarified that there is no limit to the number of dogs included in the agreement, as the policy does not set a limit, although there were no issues presented during the application process with the number of dogs.

Ms. Jeanette Reynolds, Applicant and President of the Greyhound Pets of Atlantic Canada (GPAC), advised that she started this 100% volunteer run organization 23 years ago, which has placed more than 4000 grey hounds, galgos and podencos across Atlantic Canada. She spoke of the support from members, volunteers and communities across the Atlantic provinces for the organization. Ms. Reynolds explained that the organization is funded entirely through donations and fundraising. She noted that one of their major costs is running air conditioners 24/7, and that the expansion of the kennel will allow for an improved air system which will allow the organization to better use its funds. Ms. Reynolds reviewed the costs associated with rescuing and placing each dog. She discussed the placement process, which requires an in home assessment, vet references and a training session prior to adoption. Ms. Reynolds indicated that the greyhounds come from Florida, and are examined and cared for by veterinarians and veterinary assistants from Pet Focus Animal clinics, who volunteer their time to help out.

Hearing no questions from members for the applicant, the Chair opened the floor for those wishing to speak.

Ms. Karen Mitchell, West Petpeswick Road, spoke in support of the application, advising that she walks past the kennel on a daily basis and has only ever had positive experiences with the kennel, the dogs, and the volunteers.

Ms. Marlene George, West Petpeswick Road, spoke in support of the application, advising that she volunteers at the kennel with her daughters. She commented that she finds volunteering with the kennel is stress relieving and spoke of the enjoyment of volunteers and visitors of the kennel. She indicated that she loves having the kennel in her community.

Ms. Pat MacDonald, Dartmouth, spoke in support of the application. She advised that she owns a greyhound, and has been a volunteer at the kennel for four years. Ms. MacDonald commented on the compassionate group of people that have developed an organization to ensure that these dogs are well cared for, clean, healthy and happy. She spoke of the committed, passionate volunteers with the organization, which she is honoured to be a part of. Ms. MacDonald noted that the expanded kennel will provide better heating and cooling for the dogs and volunteers.

Ms. Janice Burgoine, West Petpeswick, spoke in support of the application. She advised that she is the volunteer coordinator for GPAC, and that the organization participates in various community events. Ms. Burgoine commented that she has learned a lot from the organization, met many great people, and she looks forward to seeing the kennel improved.

Ms. Trudy Schofield, West Petpeswick, spoke in support of the application. She advised that she is the Treasurer of GPAC, and commented on GPAC's participation in community events, including the Dog

Expo, which attracts 110 pet related vendors, and the Fur Ball fundraiser at Casino Nova Scotia. Ms. Schofield advised that she has been involved with GPAC for 4 years, and can see that the organization is changing and growing.

Ms. Mikeala Hallett, Porters Lake, spoke in support of the application, noting that she just graduated from high school and has been volunteering with GPAC on almost a daily basis since the eighth grade. She spoke of how the organization has impacted her life, providing her with experience in all parts of the organization. Ms. Hallett commented that she thinks the expansion will benefit the society, since the current building is small, and the yard lay-out is difficult for volunteers. She advised that GPAC gives opportunities to high school students to earn volunteer credits for school.

Mr. Rui Martinez, noted an error in the staff presentation, which stated that the dogs are not permitted outside between 6:00 am and 11:00 p.m.

Mr. Simms confirmed that this is an error in the presentation, and should read "No dogs are permitted outside between 11:00 p.m. and 6:00 a.m. He confirmed that the times are correct in the Development Agreement.

Ms. Dee Dwyer, advised that she grew up on the Eastern Shore, and questioned who are the neighbours on either side of the kennel, and how do they feel about the expansion?

Ms. Reynolds advised that the property to the left of the kennel is occupied less than part time, and the property owner spoke in support of the application earlier in the public hearing. She advised that the other owners had questions at the public information meeting about parking, which was addressed by adding nine parking spots to the property to get cars off the road.

The Chair called three times for any further speakers. Hearing none it was MOVED by Councillor Hendsbee, seconded by Councillor Karsten,

THAT the public hearing close.

MOTION PUT AND PASSED.

MOVED by Councillor Hendsbee, seconded by Councillor Karsten,

THAT Harbour East-Marine Drive Community Council:

- 1. Approve the proposed development agreement for a kennel as set out in Attachment A of the May 13, 2015 staff report to permit an expansion to an existing kennel at 343 West Petpeswick Road, West Petpeswick with the following amendments:**
 - **Amend section 3.4.4 of the development agreement as follows:**
 - **3.4.3(c) be fenced according to Section (remove 3.4.4) (replace with 3.10.1(a)) of this Agreement;**
 - **Delete section 3.4.4**
 - **3.4.4 The developer shall provide and maintain fencing, a minimum of 1.8 m (6 ft.) in height, around the entire perimeter of the outdoor dog run as shown on schedule B.**
***This change will result in renumbering of Sections 3.4.5, 3.4.6 and 3.4.7.**
 - **Delete Section 4.1 (a):**
 - **4.1 (a) Changes to the fencing requirements as detailed in Sections 3.4.3 and 3.4.4 of this Agreement.**
***This change will result in renumbering of Sections 4.1(b) and 4.1(c); and**

Members of Community Council spoke in support of the application at this time.

Responding to questions from Councillor Karsten, Ms. MacLaurin indicated that third part of the staff recommendation on page one of the May 13, 2015 should also be part of the motion.

MOVED by Councillor Hendsbee, seconded by Councillor Karsten, that the motion be amended to include:

- 2. That Harbour East-Marine Drive Community Council require the proposed development agreement be signed by the property owner within 120 days, or any extension thereof granted by Council on request of the property owner, from the date of final approval by Council and any other bodies as necessary, including applicable appeal periods, whichever is later; otherwise this approval will be void and obligations arising hereunder shall be at an end.**

AMENDMENT PUT AND PASSED.

AMENDED MOTION PUT AND PASSED.

4.1.2 Case 19399 – Lake Echo/Porters Lake Land Use By-law Amendments – reduced off-street parking standards for full service restaurants

The following was before Community Council:

- A staff recommendation report dated May 21, 2015
- A petition submitted by the Applicant, signed by 37 patrons of Cicero's on the Water restaurant, in support of the application.

Mr. Darrell Joudrey, Planner, Planning and Development, presented Case 19399, an application to amend the Lake Echo/Porters Lake Planning Districts 8 & 9 Land Use By-law to enable reduced off-street parking standards for full service restaurants.

Councillor Hendsbee noted, for the benefit of those in attendance, that planning districts are different from polling districts.

Ms. Sharon Whalen, Applicant, Owner/Operator of Cicero's on the Water restaurant, and resident of Porters Lake, advised that they started this application 3.5 years ago. Ms. Whelan advised that the restaurant employs 12 local residents, and they want to expand the restaurant to continue offering service to community.

Responding to questions from Community Council, Ms. Whelan advised that the restaurant is next to the marina, and has no conflict with the parking of marina patrons.

The Chair opened the floor for those wishing to speak.

Ms. Trudy Schofield, West Petpeswick, commented that she enjoys having the restaurant in the local community.

The Chair called three times for any further speakers. Hearing none it was MOVED by Councillor Hendsbee, seconded by Councillor Karsten,

THAT the public hearing close.

MOTION PUT AND PASSED.

Ms. Whelan submitted petition signed by 37 patrons of Cicero's on the Water restaurant, in support of the application.

MOVED by Councillor Hendsbee, seconded by Councillor Karsten,

THAT Harbour East-Marine Drive Community Council approve the proposed amendments to the Planning Districts 8 & 9 (Lake Echo/Porters Lake) Land Use By-law as shown in Attachment A of the May 21, 2015 report.

Community Council spoke in support of the application.

MOTION PUT AND PASSED.

5. **REPORTS** - None
6. **ADDED ITEMS** - None
7. **PUBLIC PARTICIPATION**

Ms. Margo Hudson, resident of the Musquodoboit Harbour Area and President of the Musquodoboit Harbour Chamber of Commerce and Civic Affairs indicated that she is in attendance to introduce the organization to Community Council. Ms. Hudson read a letter to Community Council, which she also circulated to members and for the record, which provided information about the Chamber. She reviewed three key areas of concern that the Chamber would like to discuss with Community Council, being the approval of the Musquodoboit Harbour secondary planning strategy; amending the Halifax Building Canada Fund Infrastructure Project list to include central water distribution and sewage treatment collection for the village core; and approving a three tier cost-sharing funding formula for the build of this sewer and water infrastructure. Ms. Hudson requested a meeting with Community Council to further discuss these issues.

At the request of the Chair, the Legislative Assistant indicated she would look into whether a meeting can be arranged.

Ms. Dee Dwyer, spoke in support of Ms. Hudson's comments, indicating that she was part of a Musquodoboit Harbour community association which previously presented to Community Council on the need for a secondary planning strategy for the Musquodoboit Harbour area. Ms. Dwyer spoke in support of the Chamber's efforts, noting that members of the Chamber have been a part of the community association, and they hope to continue to work together to achieve the goals of the community. Ms. Dwyer noted that businesses in the Musquodoboit Harbour area are growing and new businesses are opening, and she was pleased to see the community supporting each other here at this meeting.

Mr. Lawrence Bellefontaine, President, Capital Demolition, indicated that he has been involved in demolition services in HRM and the Atlantic provinces for 30 years.

Councillor Hendsbee indicated to Mr. Bellefontaine that his comments today are not part of the record for the public information meeting or the public hearing associated with Case 19800, and will not be carried forward to those meetings. Mr. Bellefontaine acknowledged this and wished to continue speaking.

Mr. Bellefontaine continued that his company tries to recycle as much commercial demolition material as possible. He noted that they tore down the Keddy Hotel at the airport and processed the entire building on site. He also noted that they recycled a five acre wharf on the waterfront. Mr. Bellefontaine noted frustration with some demolition projects, indicating for example that his company demolished portions of Penhorn Mall and source separated materials, although they were then instructed to haul the materials to a site where they were buried. Mr. Bellefontaine commented that not enough attention is paid to the demolition side of construction and demolition debris operations, noting that they sometimes can't dispose of materials at a depo because the depo can't handle that type of volume. He indicated that customers are paying a premium in Halifax with the understanding that materials are being recycled, when they are being dumped.

**Harbour East-Marine Drive Community Council Minutes
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8. DATE OF NEXT MEETING – July 30, 2015, 6:00 p.m., Nantucket Room, Dartmouth Sportsplex, 110 Wyse Road, Dartmouth

9. ADJOURNMENT

The meeting was adjourned at 8:27 p.m.

Jennifer Weagle
Legislative Assistant