

**NORTH WEST PLANNING ADVISORY COMMITTEE**

**MINUTES**

**FEBRUARY 5, 2003**

THOSE PRESENT: Delphis Roy, Chair

Ann Merritt

Tony Edwards

Karen Stadnyk

Jan Gerrow

George Murphy

Gloria Lowther

Councillor Goucher

ALSO PRESENT:

Thea Langille-Hanna, Planner

Gail Harnish, Admin/PAC Coordinator

Sandra Shute, Legislative Assistant

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1. **CALL TO ORDER**

The meeting was called to order at 7:00 p.m. in the Charles Fenerty Room, Sackville Library, 636 Sackville Drive, Lower Sackville.

Prior to the start of the meeting, Councillor Goucher, as Chair of North West Community Council, acknowledged the fact that all members of North West Planning Advisory Committee had been re-appointed to the Committee for a term to end January, 2005. He expressed appreciation, on behalf of Community Council, for the Committee members' continuing involvement and participation.

2. **APPROVAL OF THE AGENDA**

The Agenda was adopted as presented.

3. **APPROVAL OF MINUTES**

**MOVED by Gloria Lowther, seconded by Karen Stadnyk to approve the Minutes of Public Meeting held on December 2, 2002 as circulated. MOTION PUT AND PASSED.**

**MOVED by Ann Merritt, seconded by Jan Gerrow to approve the Minutes of Regular Meeting held on January 6, 2003 as circulated. MOTION PUT AND PASSED.**

With regard to the Minutes of the Public Meeting held on January 15, 2003, Gloria Lowther referred to page 7 and requested that the word "maximum" in the first paragraph be replaced with "minimum".

**MOVED by Councillor Goucher, seconded by Gloria Lowther to approve the Minutes of Public Meeting held on January 15, 2003 as amended. MOTION PUT AND PASSED.**

Councillor Goucher then raised the issue of having the North West Planning Advisory Committee Minutes put on the web site. He indicated he raised this issue previously as well and expressed concern that nothing has been done to date.

Both Gail Harnish and Sandra Shute agreed to follow up on this with their respective departments.

4. **BUSINESS ARISING FROM THE MINUTES** - None

5. **CASE 00511 - VARIOUS AMENDMENTS TO THE BEDFORD MPS AND LUB**

The Staff Report dated January 27, 2003 was before the Committee. Thea Langille-Hanna, Planner advised that the report was in response to various inconsistencies in both the Bedford Municipal Planning Strategy and Land Use By-law. She suggested, and the Committee agreed, reviewing each section of the report separately.

**Approval Required by Regional Council**

1. **Extending Abutting Zoning to Water Lots Along Shore Drive**

Ms. Langille-Hanna advised that staff was recommending very similar wording in the Land Use By-law that presently exists in the Halifax Plan. It basically states that if the area is to be infilled, you extend the abutting zone. In Bedford, it mostly applied to the Residential Single Unit zone. Attachments A and A-1 of the report set out the specific wording suggested.

Jan Gerrow asked if the water lots along Shore Drive include the Marina/Boatyard. In response, Ms. Langille-Hanna advised that the wording to be used would include the marina but not the CDDD area.

Ann Merritt read the wording for Attachment A and advised she felt there should be better wording for clarification purposes. Her concern was with the wording "through such means of zoning and development standards".

After discussion, it was agreed to recommend clarification of the wording as part of an upcoming motion.

2. **Mapping Inconsistencies - Floodway Area of Sackville River**

Ms. Langille-Hanna advised that the province requires that the 1:20 and 1:100 floodway actually be placed on zoning and designation maps. For the most part, they are accurately placed on the map but a small area between the south side of the Sackville River between Union Street and Bedford Place Mall was omitted. Staff was suggesting placement of the 1:20 and 1:100 on the section as indicated by the new mapping proposed. The proposed amendments are covered in Attachments B, B-1, B-2 and B-3 of the report.

Jan Gerrow asked if there would be any effect on future development and acknowledged that most of the area was developed. In response, Ms. Langille-Hanna referred to problems encountered with the proposal for the balcony on the Riverside Pub and advised that if someone wants to do something in the area in question in future, staff wanted to ensure that the proper floodway fringe provisions would apply.

3. Exclusion of Institutional Uses from Watercourse Setback Requirements

Ms. Langille-Hanna advised that institutional uses were not referenced previously and, therefore, do not have a requirement for being 100 ft. from a watercourse. Staff feels there is no rationale as to why institutional uses should be excluded and feels that the reference to institutional uses should be placed in the policy. There would still be the ability to reduce the setback through the Development Agreement process. The proposed amendments are covered in Attachments C and C-1 in the report.

George Murphy asked the status of existing institutional uses. In response, Ms. Langille-Hanna advised that existing uses, prior to the implementation of the policy, would be grandfathered from the setback requirement. If a building was torn down and rebuilt, it would not necessarily be grandfathered.

George Murphy asked if Moirs Pond was considered a watercourse. In response, Ms. Langille-Hanna advised it was marked as an environmentally sensitive area. She indicated that Moirs Pond was referenced later in the Staff Report.

**MOVED by George Murphy, seconded by Ann Merritt to recommend that North West Community Council:**

- (a) **Recommend that Regional Council give First Reading to consider amendments to the Bedford Municipal Planning Strategy and Land Use By-law and to schedule a joint Public Hearing with Regional Council;**
- (b) **Recommend that Regional Council adopt the amendments to the Bedford Municipal Planning Strategy and Land Use By-law as provided in Attachments A and A-1, Attachments B, B-1, B-2 and B-3, and Attachments C and C-1, with an amendment to Attachments A and A-1 to better clarify the wording.**

**MOTION PUT AND PASSED.**

**Approval Required by North West Community Council**

1. Recognize Sandy Lake Academy as an Institutional Use

Mr. Andy Pervo, representing Sandy Lake Academy was in attendance for this item.

Ms. Langille-Hanna explained that at this time Sandy Lake Academy would be a non-conforming use. They recently applied for a permit for a storage shed and staff was not able to issue a permit because it would be considered an expansion of a non-conforming use. Staff feels that the intent of the Plan is that the area should have been zoned Institutional and,

therefore, is recommending that the parcel of land that includes the Academy be zoned Institutional. Staff feels, however, that the entire landholdings should not be placed under the Institutional zone. Consideration could be given to rezoning the balance of the lands to Institutional in response to a specific planning application which would involve a public process.

Karen Stadnyk asked what was the rationale for not allowing all the land to be zoned Institutional. In response, Ms. Langille-Hanna advised it was attached to the Property Identification Number. There are two separate properties.

George Murphy asked with the Institutional designation, could the property be used for a recycling depot. In response, Ms. Langille-Hanna advised that if the Institutional zone were placed on the area in question and the property was sold, there would be an ability to have any uses listed in the Institutional zone and a recycling depot could go there. The recycling depot definition in the Bedford Plan is restrictive to size, however.

Councillor Goucher asked if there was a right of way through the property to Smiths Road. In response, Mr. Pervo advised that the Academy allowed a right of way to get to the beach.

Mr. Pervo then pointed out that the reason the Seventh Day Adventist Church wants all its property zoned Institutional was because in 20 years they might want a camp or cabins. There are no plans for the 10 acres at this time. Since the process is underway, they wanted to see the whole property changed at the same time.

Ms. Langille-Hanna advised that staff felt the additional 10 acres was outside the scope of what is being considered at this time because those 10 acres do not have an Institutional use and it is a separate policy. In the future, consideration could be given to an Institutional zoning on the property once development plans have been determined. It was felt to be premature at this time without any development plans. The proposed amendments are covered in Attachments D and D-1 of the report.

## **2. Portions of the WFCDD Lands which are Partially Infilled**

Ms. Langille-Hanna advised that staff felt that the WFCDD zone should be applied to infill lands of Phase Two in accordance with Policy WF-19 of the Bedford Plan.

Delphis Roy advised that he had been invited to join the Bedford Waterfront Focus Group representing NWPAC. He has attended one meeting already.

Jan Gerrow asked what precedent would be set for Moirs Pond. In response, Ms. Langille-Hanna advised that Moirs Pond would be dealt with as a separate entity. She hoped to have a Workshop format in the next month or so on this. The only precedent that might be set is that

the document should refer to areas that may be infilled and set up policy direction. The proposed amendments are covered in Attachments E and E-1 of the report.

Councillor Goucher pointed out that the Waterfront has the right to go ahead and infill because the approvals are already there.

Gloria Lowther referred to the map for this section and asked that Moirs Pond be labeled.

3. Housekeeping Matters

Ms. Langille-Hanna reviewed the seven items under Housekeeping Matters. During the review, she indicated that the sixth item on the summary of amendments on page 5 of the Staff Report re reduced lot frontage should be deleted and special requirements for setbacks from watercourses should be added. She reviewed the setback requirements from watercourses as well. The proposed amendments are covered in Attachment F of the report.

Councillor Goucher raised a concern regarding allowing large satellite dishes in Eaglewood. In response, Ms. Langille-Hanna advised they are permitted in Bedford except when a portion exceeds the height of 35'. It was noted that it is difficult to buy the large satellite dishes anymore.

Gloria Lowther referred to Attachment F (4) and questioned if Section 34 (c) should be Section 34 (a). Subsequently, it was agreed to change (c) to (a).

**MOVED by Jan Gerrow, seconded by George Murphy to recommend that North West Community Council:**

- (a) Give First Reading to consider amendments to the Bedford Land Use By-law and schedule a joint Public Hearing with Regional Council;**
- (b) Approve the amendments to the Bedford Land Use By-law as provided in Attachments D and D-1, Attachment E and E-1 and Attachment F, with the following amendments:**
  - Moirs Mill Pond be identified on Attachment E-1;**
  - Clause (4) in Attachment F to be amended to reference Section 34 (a);**
  - The summary of amendments under Item #3 on Page 5 of the report be amended to delete the sentence re “reduced lot frontage and area” and add the sentence “special requirements: setbacks from watercourses”.**

**MOTION PUT AND PASSED.**

6. STATUS UPDATES

6.1 **Monthly Status Sheet**

Provided for information purposes. On a question from Ann Merritt, a correction was made re Case 00535 re the District number.

6.2 **Decisions of Community Council** - Provided for information purposes.

7. **NEW BUSINESS** - None

8. **NEXT REGULAR MEETING DATE** - Wednesday, March 5, 2003.

9. **ADJOURNMENT**

The meeting adjourned at 8:25 p.m.

Sandra M. Shute  
Legislative Assistant