

NORTH WEST PLANNING ADVISORY COMMITTEE
MINUTES
February 4, 2004

PRESENT: Ann Merritt, Chair
Gloria Lowther
Robert Morgan
George Murphy
Delphis Roy
Jan Gerrow
Roddy MacDonald
Councillor Len Goucher

REGRETS: Tony Edwards
Karen Stadnyk

STAFF: Gail Harnish, Admin/PAC Coordinator
Julia Horncastle, Legislative Assistant

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1. CALL TO ORDER

The meeting was called to order at 7:00 p.m.

2. APPROVAL OF THE AGENDA

MOVED by Delphis Roy, seconded by Jan Gerrow, that the agenda be approved as circulated. MOTION PUT AND PASSED UNANIMOUSLY.

3. APPROVAL OF THE MINUTES - January 7, 2004

MOVED by Delphis Roy, seconded by Councillor Goucher, that the minutes of January 7, 2004 be approved. MOTION PUT AND PASSED UNANIMOUSLY.

4. BUSINESS ARISING FROM THE MINUTES - NONE

5. CASE 00615 - DEVELOPMENT AGREEMENT FOR LOT 1094 (LOT 130) BEDFORD HIGHWAY

- A report prepared for Mr. Paul Dunphy, Director of Planning and Development Services, dated January 20, 2004, on the above noted, was before the Committee.
- A copy of correspondence from Mr. Tony Edwards expressing opposition to an apartment building being included in this development was circulated to members of the committee.

Councillor Goucher stated as he was a member of the North West Community Council, he did not feel comfortable discussing this particular application at the Planning Advisory Committee level and withdrew himself from discussion and abstained from voting on the matter.

Ms. Jill Justason, Planner, with the aid of overheads, presented the staff report.

In response to a question, Ms. Justason advised there would be no access from the storage area to the apartment area, noting the only access would be from the outside.

Mr. Roddy MacDonald expressed concern with the parking spaces and the requirement under the Land Use By-Law that the driveway has to be at least nine feet long. In response, the committee was advised that there is a requirement for two parking spaces per unit.

In response to Ms. Lowther regarding fire regulations with respect to the requirement for two ways out of a building, Ms. Justason advised a window would be deemed appropriate to meet these requirements if it was of a certain size.

Ms. Lowther noted the intent of the Land Use By-Law regarding a second dwelling unit in a home was for a granny suite. Ms. Justason stated that the Land Use By-Law does not regulate what an apartment is used for, only the size.

Ms. Gerrow referenced section 2.5.2 under Parking and Access and requested the wording "The only driveway access to property and parking area" be included. Referencing section 2.7.4 under Municipal Services, Services and Infrastructure she requested a definition of "significant increase" be included.

MOVED by George Murphy, seconded by Roddy MacDonald, that North West Community Council:

- 1. Move notice of motion to consider the development agreement fro 1094 Bedford Highway, Bedford, and to schedule a public hearing for February 26, 2004.**
- 2. Approve the development agreement (Attachment #1 to the staff report) to permit an accessory dwelling unit at 1094 Bedford Highway (PID 00434357), with an amendment to the wording of Section 2.5.2 under Parking and Access to state "The only driveway access to property and parking area..." and an amendment to Section 2.7.4 under Municipal Services, Services and Infrastructure to include a definition of "significant increase".**
- 3. Require the applicant to sign the agreement within 120 days from the date of approval by the Community Council, or the date of any other approvals required by other bodies as they case may be, unless an extension thereof is granted by the Community Council at the request of the applicant, otherwise this approval will be void and obligations arising hereunder shall be at an end.**

MOTION PUT AND PASSED.

6. CASE 00568 - APPLICATION TO AMEND AN EXISTING DEVELOPMENT AGREEMENT, 5 BROOKSHIRE COURT, BEDFORD

- A report prepared for Mr. Paul Dunphy, Director of Planning and Development Services, dated January 20, 2004, on the above noted, was before the Committee.

Mr. Andrew Bone, Planner, with the aid of overheads, presented the staff report.

Councillor Goucher expressed concern with access and egress to the property during construction as there was only one driveway. Further, it was requested that some type of fencing such as snow fencing be put in place on the lower proximity to clearly mark where the cut lines are.

MOVED by Gloria Lowther, seconded by Jan Gerrow, that North West Community Council:

- 1. Give notice of motion for the proposed development agreement, attached as Attachment #12 of the staff report, to permit the addition of a gymnasium and schedule a public hearing for February 26, 2004.**
- 2. Approve the proposed amendments to the existing development agreement for 5 Brookshire Court, as attached in Attachment #12, to allow for further expansion, with an amendment to Section 3.1 j) to require temporary fencing.**
- 3. Require that the agreement shall be signed within 120 days, or any extension thereof granted by Community Council on the request of the applicant, from the date of final approval by Community Council and any other bodies as necessary, whichever approval is later, including applicable appeal periods, otherwise, this approval will be void and obligations arising hereunder shall be at an end.**

MOTION PUT AND PASSED UNANIMOUSLY.

7. HOME OCCUPATIONS, BEDFORD PLAN AREA

- A memorandum from Richard Harvey, Planner II, dated January 20, 2004, on the above noted, was before the Committee.

Discussion ensued with the following points being made:

- Don't want to discourage businesses that are internet based or do not generate any significant amount of traffic;
- List be of things that are permitted and acceptable with limitations being put in place through the development agreement process;
- List of things that are not permitted with list illustrative of values and outlining limitations while providing for enjoyment of property;
- Any list has to be clear on what is permitted and if a use is not on the list then it has to

- come by way of development agreement with supporting policy to allow the Planning Advisory Committee and the Community Council to say “no”;
- All forms of home occupation should have some form of notification to surrounding neighbours even those that are permitted as of right;
 - List should also include parking specifications;
 - Have clear guiding principles and perhaps provide examples of what the non permitted uses are.

8. STATUS UPDATES

8.1 Monthly Status Sheet

The monthly status sheet was circulated to the committee for information.

9. NEW BUSINESS

9.1 Harbour Focus Group

George Murphy agreed to represent the Committee at a Harbour Focus Group on February 12, 2004.

10. NEXT REGULAR MEETING

The next meeting is scheduled for Wednesday, March 3, 2004.

11. ADJOURNMENT

The meeting was adjourned at 8:45 p.m.

Julia Horncastle
Legislative Assistant