

HALIFAX REGIONAL MUNICIPALITY

**NORTH WEST PLANNING ADVISORY COMMITTEE
Public Information Meeting**

January 13, 2005

PRESENT: Ms. Ann Merritt, Chair
Mr. George Murphy
Ms. Karen Stadnyk
Ms. Jan Gerrow (7:24 pm)

ABSENT: Councillor Len Goucher
Councillor Brad Johns
Mr. Robert Morgan
Mr. Tony Edwards
Mr. Roddy Macdonald
Ms. Gloria Lowther

STAFF AND OTHERS: Mr. Andrew Bone, Planner
Mr. Richard Harvey, Planner
Ms. Chris Newson, Legislative Assistant

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1. CALL TO ORDER

The Chair called the meeting to order at 7:05 p.m. in the Cafeteria, Basinview Drive Community School, Basinview Drive, Bedford. Three members of the public were in attendance.

2. PUBLIC PARTICIPATION: Case 00712 - Application by Nova Scotia Business Inc., to amend the Bedford Municipal Planning Strategy and Land Use By-Law to designate a portion of 196 Rocky Lake Road, PID #40293052, Industrial and rezone it to ILI (Light Industrial) Zone from Institutional Zone

! A report dated October 13, 2004 was before the Committee in attendance.

Mr. Andrew Bone, Planner, presented the report.

Ms. Karen Stadnyk confirmed with Mr. Bone that no water courses would be affected by this redesignation.

There were no further comments from the Committee or the public.

3. PUBLIC PARTICIPATION: Case 00660 - Application by HRM to amend the Bedford Municipal Planning Strategy and Land Use By-Law to further define permitted home occupations

! A report dated October 20, 2004 was before the Committee.

Mr. Richard Harvey presented the report.

Mr. Harvey clarified for the Committee the process required to move forward with the By-Law amendments. He advised a staff report would come to the North West Planning Advisory Committee (NWPAC) and if approved by the NWPAC, the report would be forwarded to the North West Community Council for approval.

Mr. Murphy added he would prefer to see the Bedford area problem solved first and then if other areas of HRM want to take advantage of staff's information, they may do so as his neighbourhood in particular has become a "home occupation virus".

Ms. Ann Merrit requested clarification on two points:

- ! Would existing home businesses, who currently have employees, be "grandfathered" if the amendments to the By-Law are approved?

Mr. Harvey replied that the businesses would have to become conforming.

- ! What is the definition of "daycare"? Would a grandmother taking care of her grandchild(ren) two days per week be considered a "daycare"? Or someone taking care of one or two children in their home, would that be considered a

“daycare”?

Mr. Harvey replied that the range of day care scenarios is phenomenal but a grandmother watching her grandchildren would not be considered a “daycare”.

Ms. Merritt requested any members of the public in attendance who would like to comment on the issue to come forward at this time. The following public speakers made the following comments:

PUBLIC SPEAKERS:

Ms. Judy Tooke

- ! Very happy to see the by-law changes especially in regards to “NO animals”.
- ! Does the homeowner actually have to live in the home or can they rent the home to someone else and continue a business from it?
- ! What is the time frame until final approval of these amendments?
- ! It is too bad HRM’s By-Law Enforcement could not have informed the person in our case that the area was *residential* not *commercial*. It is unfortunate that we had to file a complaint against our neighbour in order to have the issue addressed. We have lived in that area for 29 years and we were told there was nothing we could do about it except possibly take our neighbour to court. That was not acceptable.
- ! Thank you for addressing this issue. Thank you to Councillor Len Goucher for his assistance as well.

Mr. Harvey responded that even under existing regulations the person(s) have to be a resident (live in the home) but could have an employee. He added the current regulation asks “Are you the resident or principal operator?”. He added the process for final approval of the proposed amendments will probably take a few months. Mr. Harvey added that in the interim he doubted if a permit would be issued for a situation that would be in possible violation of the proposed amended by-law.

Ms. Merritt explained that By-Law Enforcement is complaint driven and a complaint had to be filed in order for action to be taken. Mr. Harvey added a tremendous amount of resources are now being put into By-Law Enforcement.

4. CLOSING COMMENTS

Ms. Merritt advised the staff reports, including the recommendations for the By-Law amendments, will be coming forward at the next NWPAC meeting.

5. ADJOURNMENT

The meeting adjourned at 7:35 pm.

Chris Newson
Legislative Assistant