

NORTH WEST PLANNING ADVISORY COMMITTEE
Minutes

March 2, 2005

PRESENT: Ms. Ann Merritt, Chair
Mr. George Murphy
Mr. Walter Regan
Mr. Barb Grant
Councillor Brad Johns
Mr. Warren Hutt
Mr. John Carnaghan
Ms. Gloria Lowther
Mr. Rob Batherson (7:30 p.m.)
Deputy Mayor Len Goucher

ALSO PRESENT: Mr. Andrew Bone, Planner
Ms. Gail Harnish, Admin./PAC Coordinator
Ms. Sheilagh Edmonds, Legislative Assistant
Ms. Thea Langille, Planner II
Mr. Richard Harvey, Planner II
Councillor Robert Harvey

TABLE OF CONTENTS

1.	Call to Order	3
2.	Approval of the Agenda	3
3.	Approval of the Minutes	3
4.	Business Arising from the Minutes	3
5.	Case 00712: Bedford MPS and LUB Amendment - 196 Rocky Lake Road	3
6.	Case 00660: Discussion on possible changes to setback requirements for day care facilities, nursery schools, early learning centres, after school care	4
7.	Case 00706: Development Agreement - 116 Shore Drive, Bedford	5
8.	Status Updates:	
	8.1 Monthly Status Sheet	6
	8.2 Decisions of Community Council	6
9.	New Business:	
	9.1 Memorandum RE Sackville Service Boundary	6
	9.2 Election of Vice Chair	7
	9.3 Sackville Drive Amendments	7
10.	Next regular meeting date	7
11.	Adjourn	7

1. Call to Order

The Chair called the meeting to order at 7:00 p.m. in the Fenerty Room, Sackville Library, Sackville. The Chair advised that new members were recently appointed by North West Community Council and she asked each member to introduce themselves.

2. Approval of the Agenda

The Chair advised that Ms. Thea Langille Hanna, Planner II, would like to address the Committee with a question pertaining to Sackville Drive Amendments, and asked if the Committee were in agreement to add this item under New Business.

It was agreed this item would be **added as 9.3** to the agenda.

3. Approval of the Minutes

MOVED by Mr. Regan, seconded by Deputy Mayor Goucher the minutes of the January 5, 2005 regular meeting, and the public meetings of January 13, 2005 and February 17, 2005 be approved as circulated. MOTION PUT AND PASSED.

4. Business Arising from the Minutes

None.

5. Case 00712: Bedford MPS and LUB Amendment - 196 Rocky Lake Road

C A staff report dated January 20, 2005 prepared for the North West Planning Advisory Committee was submitted.

Mr. Andrew Bone, Planner, addressed the Committee and outlined the application by Nova Scotia Business Inc. to amend the Municipal Planning Strategy and Land Use By-law for Bedford. In his remarks he noted that the property in question is currently zoned Institutional which permits uses such as schools, public buildings and museums. He explained that Nova Scotia Business Inc. would like to consolidate the Duke Street site with its adjacent property to the south to gain safer road access from Duke Street and the land would then be sold for industrial use. He pointed out that NSBI currently has an agreement to sell the property for use as a contracting yard. Mr. Bone concluded his comments by advising that staff are recommending Regional Council approve the requested amendment.

Mr. Bone responded to questions.

MOVED by Mr. Murphy, seconded by Ms. Lowther that North West Planning Advisory Committee recommend that North West Community Council recommend Regional Council:

1. **Give First Reading to the proposed amendments to the Bedford Municipal Planning Strategy and Land Use By-law as contained in Attachment D and schedule a public hearing;**
2. **Approve the proposed amendments to the Bedford Municipal Planning Strategy and Land Use By-law as contained in Attachment D of the January 20, 2005 staff report.**

MOTION PUT AND PASSED.

6. Case 00660: Discussion on possible changes to setback requirements for day care facilities, nursery schools, early learning centres, after school care

- C A staff report dated February 17, 2005 prepared for the North West Planning Advisory Committee was submitted.

Mr. Richard Harvey, Planner II, addressed the Committee and reviewed the proposed amendments to the Bedford Land Use Bylaw respecting Home Occupations and Day Care Centres as outlined in the staff report. Mr. Harvey began his remarks by noting how this issue came about and the process which has resulted in getting to this stage of bringing it before the Committee for review.

Mr. Harvey reviewed the proposed amendments. Highlights of the amendments are as follows:

- C remove the ability for the resident occupants to hire two employees, i.e. the home occupation will be run entirely by the residents.
- C accessory buildings - home occupations will no longer be permitted in accessory buildings.
- C signage - a sign can not have backlighting.
- C any reference to 'employees' has been removed and that carries through to Section 'k'.
- C Section 'k' which includes specific uses not permitted within a residential zone, now includes a reference to any use involving the care of animals.

Mr. Harvey added that child care facilities regulations were reviewed and staff's recommendation is to maintain the distance between child care facilities at 500 feet. He noted there was some discussion of increasing this to 1000 ft. but staff believe 500 ft. is adequate. Mr. Harvey indicated that if the recommendation turns out to be 1000 ft, this can be covered off in a supplementary report.

A discussion ensued and Mr. Harvey responded to questions from the Committee members.

At 7:30 p.m. Mr. Rob Batherson entered the meeting.

The Chair referred to Section 'c' and 'e' under the title *Home Occupations* and suggested that, in effect, these clauses would prevent children from playing outside, and would not allow a child care facility to store any items that children use to play. The Chair recommended these clauses be defined more carefully.

In response, Mr. Harvey advised that he will cover off this aspect with text.

MOVED by Ms. Lowther, seconded by Mr. Batherson that North West Planning Advisory Committee recommend North West Community Council:

- 1. Give First Reading to the proposed amendments to the Bedford Land Use By-law as shown in Attachment A of the staff report dated February 17, 2005, with an amendment to clarify that outdoor play areas and play equipment shall be permitted under Section 9, and to schedule a public hearing; and**
- 2. Adopt the proposed amendments to the Bedford Land Use by-law as shown in Attachment A of the staff report dated February 17, 2005.**

MOTION PUT AND PASSED.

7. Case 00706: Development Agreement - 116 Shore Drive, Bedford

- C A staff report dated January 20, 2005 prepared for the North West Planning Advisory Committee was submitted.

Mr. Andrew Bone reviewed the application by Ms. Nancy Boyne for a development agreement to subdivide 116 Shore Drive, Bedford, to allow for the infill of a single family house on a new flag shaped lot adjacent to the existing house. In his remarks he noted that a previous application for a similar proposal on this property was rejected by Community Council in September 1998. The applicant, however, appealed the decision to the Nova Scotia Utility and Review Board, and the Board upheld Council's decision at that time. Mr. Bone briefly elaborated on specifics of the application, and advised that this application differs from the previous one in that staff have negotiated a moderate increase to the size of the proposed flag over what had been presented previously; the main portion of the flag lot has been increased by sixteen percent to 7000 sq. ft., and this provides improved flexibility in siting and designing a dwelling for this site and should reduce the visual impact of the new dwelling on the surrounding neighbourhood. As well, Mr. Bone pointed out that the proposed development agreement contains specific controls on the design of any new building in order to minimize neighbourhood impacts.

Mr. Bone then reviewed the applicable policies relevant to the Bedford Municipal Planning Strategy with this application and concluded his remarks by advising that staff is satisfied that this current proposal sufficiently addresses concerns that were raised in respect to the previous proposal and meets the requirements of the Municipal Planning Strategy. Therefore, staff is recommending approval.

Mr. Bone responded to questions from the Committee.

Mr. Batherson referred to Page 28, Section 2.2 (b) (i) and (ii) of the proposed development agreement and pointed out that there appears to be a discrepancy regarding the lot specifications between the Agreement and the Site Plan, attached as Schedule "B" to the agreement.

Upon review, Mr. Bone concurred with Mr. Batherson and advised that the section in the proposed agreement would be corrected to reflect what is stated in the Plan. He suggested the Committee include this aspect in its motion on this matter.

A discussion ensued with a number of concerns about flag lots being expressed. There was general agreement the policies allowing flag lots need to be reviewed as soon as possible.

MOVED by Ms. Lowther, seconded by Mr. Carnaghan that North West Planning Advisory Committee recommend:

- C the application for Development Agreement for 116 Shore Drive, Bedford be forwarded to North West Community Council to Give Notice of Motion and to schedule a public hearing, without a recommendation on the merits of the proposal.**
- C it was noted that Section 2.2 (b) (i) and (ii) of the development agreement needs to be amended to accurately reflect the square footage of the two lots shown on Schedule "B".**
- C it was further recommended that the policies allowing for flag lots need to be reviewed as soon as it is practicable.**

MOTION PUT AND PASSED.

8. Status updates

8.1 Monthly status sheet

An update on the status of planning applications was circulated for information.

8.2 Decisions of Community Council

Information regarding North West Community Council's decisions pertaining to Case #'s 00676 and 00639 was circulated for information.

9. New Business

9.1 Memorandum received from Environmental Engineering Services re: Sackville Service Boundary

Copy of a memorandum dated January 31, 2005 from David Ellis, Sr. Environmental Engineer, EMS to Ann Merritt Chair, NWPAC regarding Sackville Service Boundary was submitted.

This matter was deferred to the Committee's next regular monthly meeting.

9.2 Election of Vice-Chair

This matter was deferred.

9.3 Sackville Drive Amendments

This item was added to the agenda.

Ms. Thea Langille-Hanna, Planner II circulated copies of a staff report dated February 22, 2005 with regard to Case 00603 - Amendments to the Sackville Drive Secondary Planning Strategy and Land Use Bylaw. She indicated that she initially planned to have this report prepared for tonight's meeting, however, it was not ready in time for the mail-out of agenda packages. Ms. Langille-Hanna noted that tomorrow evening the Committee is hosting a public meeting, and she suggested that if the Committee had a quorum, then after the public meeting, the Committee could call to order and deal with this report.

A discussion ensued and, **it was agreed** that the Committee would deal with this issue at the March 3 NWPAC Public Meeting, provided there is a quorum and time permits.

The Chair advised that planning staff should ensure that members of the public who have expressed an interest in this matter and have participated in previous meetings regarding the amendments should be notified that PAC may be dealing with this on March 3.

10. Next regular meeting date - April 6, 2005

11. Adjourn

The meeting adjourned at 9:00 p.m.

Sheilagh Edmonds
Legislative Assistant