

TOWN OF MAHONE BAY
Planning Advisory Committee
MINUTES
7 November 2006

The Town of Mahone Bay Planning Advisory Committee met in the Town Council Chamber on Tuesday, 7 November 2006, beginning at 7:00 p.m.

Attendance:

Chair	Councillor Lila O'Connor
Members	Mr. John Biebesheimer Ms. Lynn Hennigar Councillor David Hennigar Ms. Heather Gordon Councillor Cathie Slaughenwhite-Nowe Deputy Mayor John Bain
Staff	Geoff MacDonald, Planner Jim Wentzell, C.A.O.
Public Gallery	None

1. Minutes of the Previous Meeting

The minutes of the previous meeting on 3 October 2006 were corrected on Page 2 to read 'garages and similar'. The corrected minutes were approved on a motion by the Deputy Mayor, seconded by Ms. Hennigar.

2. Referrals and Presentations

None.

3. Business Arising from the Minutes

(A) Sandwich Board Sign

The planner did not have a report ready on this file. The Chair noted that this must be dealt with before the next tourist season, and requested a report for the December meeting.

4. New Business

The Chair raised the issue of strip clubs. The newspaper reported on the possibility of one in Lunenburg. The Committee discussed the options and reviewed extracts from the Bedford and Dartmouth by-laws. It was **moved by Ms Hennigar, seconded by Deputy Mayor Bain :**

"PAC recommends to Council that the general provisions of the Land Use By-law be amended to prohibit adult entertainment uses in all zones with adult entertainment defined as follows:

Adult Entertainment providing services appealing to or designed to appeal to erotic or sexual appetites or inclinations and for greater certainty in this context:

"Providing" includes furnishing, performing, soliciting, or giving;

"Services" include activities, facilities, performances, exhibitions, viewing and encounters;

"Services appealing to or designed to appeal to erotic or sexual appetites or inclinations" includes:

(i) services of which a principal feature or characteristic is the nudity or partial nudity of any person, where 'partial nudity' means less than completely and opaquely covered: human genitals; human pubic region; human buttocks; and female breast below a point immediately above the top of the areola and

(ii) services in respect of which the word "nude", "naked", "topless", "bottomless", "sexy" or any other word or any picture, symbol or representation having a like meaning or implications is used in any advertisement. "

Motion carried

Mr. MacDonald was instructed to have this reviewed by the solicitor and prepared for the 14 November Council meeting.

5. MPS Review

a) The Committee continued the review of Mr. MacDonald's memo of 31 August and the 29 June draft of the Planning Strategy, giving staff the following direction:

4.10.14 existing non-conforming uses are to be listed among the permitted uses in the various zones. Expansion of the use or change of the use to another non-conforming use is to be only be development agreement.

6.2.6 (ii) leave the threshold at two dwelling units to mirror the subdivision by-law

6.4.2(m) use the density of the Quinlan building as a guide for the density maximum.

6. Other

The next meeting date is set for Tuesday, 5 December 2006

7. Adjournment

The meeting adjourned at 8:25 p.m. by agreement.

Chairman

Recording Secretary

MOTION OF P.A.C.

7 November 2006

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STAFF RECOMMENDATION

9 November 2006

1) Amend the Land Use By-law at Part 4 by adding, immediately following Section 4.28 a new Section 4.29 as follows:

“4.29 Adult Entertainment

Adult entertainment (as defined in Part 22) is not a permitted use in any zone.”

2) Amend the Land Use By-law at Part 22 by inserting, immediately following the definition of ‘Accessory use’ and immediately preceding the words ‘agricultural use’, a new definition of ‘adult entertainment’ as follows:

“Adult Entertainment providing services appealing to or designed to appeal to erotic or sexual appetites or inclinations and for greater certainty in this context:
“Providing” includes furnishing, performing, soliciting, or giving;
“Services” include activities, facilities, performances, exhibitions, viewing and encounters;
“Services appealing to or designed to appeal to erotic or sexual appetites or inclinations” includes:
(i) services of which a principal feature or characteristic is the nudity or partial nudity of any person, where ‘partial nudity’ means less than completely and opaquely covered: human genitals; human pubic region; human buttocks; and female breast below a point immediately above the top of the areola and
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