

**PLANNING ADVISORY COMMITTEE**  
**MINUTES – September 9, 2014**

The regular meeting of the Planning Advisory Committee of the town of Quispamsis was held in the Town Hall Council Chambers on Tuesday, September 9, 2014 at 7:00 p.m.

In attendance:     Bob McLaughlin  
                          Councillor Pierre Rioux  
                          David Carlson  
                          Darin Lamont  
                          Darren Bishop  
                          Jean Place  
                          Marc Gosselin  
                          Mark Hatfield  
                          S. Dwight Colbourne, P.Tech, Municipal Planning Officer  
                          Violet Brown, Secretary

Absent:

**1. Call to Order**

Bob McLaughlin called the meeting to order at 7:00 p.m.

**2. Approval of the Agenda**

MOVED BY:             Mark Hatfield  
SECONDED BY:         Darin Lamont

*That the agenda be approved.*

CARRIED UNANIMOUSLY

**3. Disclosure of Interest on Agenda Items**

Mark Hatfield – Item 7B. Mark is representing the applicant.

**4. Review of Previous Meeting Minutes**

MOVED BY:             Darren Bishop  
SECONDED BY:         Mark Hatfield

*That the Minutes of the August 12, 2014 PAC meeting be approved.*

CARRIED UNANIMOUSLY

**5. Business Arising from Minutes**

<i>Notice of Decision</i>	<i>By-Law Section</i>	<i>Address</i>
Wilson, James G. Tentative Subdivision Plan – lot width frontage	By-law #038 Section 25(K)(1)(a)	2 Neck Road
Detached garage in front of dwelling & front yard setback	By-law #038 Section 8.(G)(1)(b)(i) and 8.(G)(1)(b)(ii)	109 Pettingill Road
Detached garage size & height	By-law #038 Section 8.(1)(c) and (a)	18 Pacer Avenue
Removal of Previous PAC Conditions	By-law #038 Section 25(M)(1), Section 3	59 Old Neck Road

MOVED BY: David Carlson

SECONDED BY: Darin Lamont

*That the Notices of Decision be received and filed.*

CARRIED UNANIMOUSLY

**6. Unfinished Business**

None

**7. New Business**

#	<i>Variance Requested</i>	<i>By-Law Section</i>	<i>Address</i>
a)	Country View Estates Phase 7B – Tentative Subdivision Plan Renewal	By-law #035	Flagstone Drive & Waverly Lane
b)	Side Yard Setback	By-law #038 Section 8.(G)(1)(b)	112 Doncaster Drive
c)	Height Variance – Dwelling	By-law #038 Section 8.(F)	155 Queensbury
d)	Rezoning Application R1 to R2 – PAC Written Views	Section 66 of the Community Planning Act	351 Hampton Road

**a) Tentative Subdivision Plan – Country View Estates Phase 7B—**

Mr. Gerald Roberts of Keirstead Quigley and Roberts attended on behalf of the developer to review the tentative subdivision plan. This phase will see three lots that front a new lower section of Flagstone Drive and eleven (11) lots along a new street – Waverly Drive. All of the lots will meet or exceed the Zoning By-law requirements for lot width, depth and area in the Single or Two – Family Dwelling Residential (R1) zone. The lots will be serviced by municipal sewerage and onsite private well for water. Mr. Roberts noted that the economy had held up this phase twice before and this is a only renewal of the approval previously given by the PAC in 2012 and 2013. There were no changes to the plan.

There were no questions from the PAC Members and no one speaking against this application. No concerns were received prior to the meeting.

MOVED BY: David Carlson

SECONDED BY: Mark Hatfield

*That the PAC approve the Tentative Subdivision Plan Renewal of Country View Estates Phase 7B with the following conditions as previously set:*

- 1. Proper design drawings for the sanitary sewer system to be submitted to the Town for review and approval prior to any construction;*
- 2. Proper Provincial approvals for sanitary sewer system expansion to be obtained by the Developer and submitted to the Town;*
- 3. Comprehensive Water Supply Source Assessment report to be submitted and reviewed by the Town prior to approvals and any construction;*
- 4. Road grade variances from Subdivision By-law No. 035, Section 8(B)(1) as follows:  
(i) a two percent (2.0%) variance for the lower portion of Flagstone Drive,  
(ii) a two decimal six six percent (2.66%) variance for Waverly Drive.*
- 5. Stormwater management plan to be submitted for this phase. Local drainage patterns, lot drainage plans and storm sewer design to be completed by Developer's consultants and submitted to the Town for review and approvals prior to any construction. The Developer's consultant must address any downstream impacts;*
- 6. Land for Public Purposes for this phase can be met through the land bank credit 3 established through the creation of the LPP parcel off the Chamberlain Road (PID 30292684);*
- 7. It is recommended the street type change from Waverly "Drive" to "Lane" so it is more reflective of the short connection it provides between Flagstone Drive and Pioneer Avenue;*
- 8. Proper notification to emergency service providers regarding disconnection of Flagstone Drive and appropriate access points, depending on civic address range; and the changing of Waverly Drive to Waverly Lane;*
- 9. Standard Developer's agreements, bonding and subdivision fees will be required;*
- 10. Subdivision filing fees of \$340.00 for a fourteen-lot phase; and*
- 11. Plans to be properly signed by the necessary utilities and owners.*

CARRIED UNANIMOUSLY

*Mark Hatfield stepped down from the Committee at 7:08 p.m.*

#### **b) Side Yard Setback – 112 Doncaster Drive**

Mr. Mark Hatfield attended seeking approval for the construction of a 20 foot x 16 foot detached garage at 112 Doncaster Drive which requires a side yard setback variance of six feet (1.83 metres) as per Section 8(E)(1)(b) of Zoning By-law No. 038 so that the proposed garage can be built four feet (1.22 metres) from the property line.

It was noted that the application setbacks are inaccurate and the ownership of the hedge, planted 20 years ago, was unknown. It appears that it will be tight to fit a 16ft x 20ft garage in the space between the hedge, which is presumed to be the property line, and the dwelling. Based on scale measures the side yard setback from the property line to front corner of house is 6.5m (21ft) and to the rear corner is 5.5m (18ft). This would leave setbacks to the proposed garage at 1.5m (5ft) to the front corner and 0.6m (2ft) to the rear corner, which doesn't take

into consideration the eave overhang. The setbacks would not allow for proper ground shaping on the property to address drainage issues.

The intended use was noted as storage for of a motor vehicle. The owner is using a temporary car shelter during the winter months to protect his vehicle. Notice was sent to residents within 50 metres of property; no concerns received prior to the drafting of the memo.

MOVED BY: Darin Lamont  
SECONDED BY: Jean Place

*That the Planning Advisory Committee table the request until such time as the property lines are clearly identified including the ownership of the hedge, accurate setback measurements are submitted and adjustments are made to the overall design of the garage or location on the property are made to bring the variance request to a more reasonable level.*

CARRIED UNANIMOUSLY

*Mark Hatfield stepped back up to the Committee at 7:13 p.m.*

**c) Height Variance – Dwelling – 155 Queensbury**

Mr. George Queen attended seeking approval for the construction of a new main dwelling requiring a height variance of 1.82 meters (6.5 feet) as per Section 8(F) of Zoning By-law No. 038. The need for the variance is a result of the roof pitch and the walkout basement onto a rear sloping lot. The building height along the front and right side of the house are 0.6m (approx. 21 inches) higher than the by-law provision, which is not excessive. The height along the rear is 12.0m (39.5ft), which results in the higher average building height at 10.5m (35.5ft). A PAC member asked Mr. Queen if there was any concern with elevation and he said the dwelling would be in compliance with the current By-law. The civic address was questioned with the recognition that the adjoining properties appear to have #147 and #163. It was noted that the Town of Quispamsis will number the homes in a sequential order with a new number given for approximately every fifteen metres (15m) of road frontage to accommodate duplex or two-family homes. The Queensbury Road in this section is numbered as such and has vacant lots on either side of # 155 which is also known as Windfield Hills Ph 10 Blk 4 Lot J.

The PAC Secretary was asked if any other letters of concern were received; none were received.

MOVED BY: Mark Hatfield  
SECONDED BY: Marc Gosselin

*That the PAC grant the variance of to Queen Construction Ltd. for the height variance of 1.82 m (6.5 ft) from Section 8F of Zoning By-law No. 038 in order to construct a two-storey single family house with a height of 10.82 metres on the property of 155 Queensbury Drive*

CARRIED UNANIMOUSLY

**d) PAC Views on Rezoning Application R1 to R2 – 351 Hampton Road**

Mr. Gerald Roberts, on behalf of Mr. Dino Cipolla (Cipolla Developments – 606366 N.B. Ltd.) attended seeking the rezoning of approximately five (5) acres of vacant property at 351 Hampton Road, across from the Quispamsis Memorial Arena. The application is requesting a

rezoning from Single and Two Family Dwellings (R1) to Multiple Residential (R2) to permit a forty-nine (49) unit Condominium development utilizing multi-storey townhouse and terrace style building styles. The Zoning By-law Amendment, in accordance with Section 39 of the Community Planning Act, requires a review and response from the PAC to Council detailing their consideration of the application with a decision supporting or opposing the application. The PAC Secretary did not mail this application notice to residents in the area as it was already processed through Council.

A review of the project noted the total number of buildings proposed is eleven (11), with the largest being a nine (9) unit 3 storey building on the Old Coach Road portion of the property. Access to this nine-unit building will be by way of the Old Coach Road only as the development is not proposing any street connection through the property between the Hampton Road and the Old Coach Road. The remaining ten (10) buildings will only be accessible off the Hampton Road via a private lane that will allow for an individual driveway or built-in garage for the units; the exception being the two lower buildings where a common four (4) space and five (5) space parking area will be constructed.

The forty-nine (49) units will be distributed across the development site as follows:

- One (1) – Two (2) Unit Building
- Two (2) – Three (3) Unit Buildings
- Four (4) – Four (4) Unit Buildings
- Two (2) – Five (5) Unit Buildings
- One (1) – Six (6) Unit Building
- One (1) – Nine (9) Unit Building

The units will be sold, not rented, at an approximate price of \$190,000 to \$250,000 depending on market demands and will be developed over a four to five year period. There is no requirement for LPP dedication as this is not a subdivision of property but the need for some common green-space was reviewed. The development was designed to retain 4 to 5 metres of the existing forest as a landscape buffer between the residential properties with infill planting proposed where gaps occur in the buffer. It was also suggested that a walking trail be developed to connect to the existing trails in the area.

The property will be serviceable by municipal water and sewerage with expansion of the municipal water system along the Hampton Road. This development will see that water service extended to the property to service the building fronting the Old Coach Road and provide the municipality with an option to service the lower portion of the Old Coach Road. The wells in the vicinity will be reviewed as part of the overall Hydrogeological study to demonstrate the development can be supported and that there will be sufficient water source for emergency services.

The setback from the first 2 unit building on the left entering the property to the adjacent residential property is 8.5m. If the rear yard setback is applied to this situation, a 0.5m setback variance would be required. Mr. Roberts commented that he will review the plan again and revise the layout so as not to require any variances. Further reviews were done on the traffic and the line of sight, the parking which including disabled parking, the storm water management and style of housing. It was an observation that many of the decks were built on the back of the buildings where the sun would not be captured in the evenings.

MOVED BY:                    Darren Bishop  
SECONDED BY:                Mark Hatfield

*That the PAC approve the application to rezone approximately 5 acres of land at 351 Hampton Road from Single or Two Family Dwellings (R1) to Multiple Residential (R2) for the purpose of a Forty-Nine (49) unit Condominium Development with the following conditions:*

- 1. The green-space is to include maintaining the four to five metre wide buffer between the adjoining residential properties and the multi-residential units plus a trail from Hampton Road that connects to existing trails at Old Coach Road as a private trail for the condominium residents;*
- 2. A traffic and line-of-sight analysis is done for the intersection of the development and 351 Hampton Road;*
- 3. A comprehensive storm water management report is completed prior to the final Developer's Agreement;*
- 4. The developer work with the Town with the Solid Waste Management to bring access for municipal sewerage and water connection to the Old Coach Road area;*
- 5. There is no access to the development, other than to the nine-unit building, from Old Coach Road;*
- 6. All exterior lighting is to be downward facing; and*
- 7. The five (5) elements review by Council are to be met as follows:*
  - i. The development is located on a major roadway so as to not direct traffic through residential streets;*
  - ii. The proposal has the ability to meet the Zoning Bylaw requirements for lot dimensions, building heights, number of units, etc;*
  - iii. The development will not overload municipal services;*
  - iv. There is a Hydrogeological study completed to demonstrate the development can be supported by a local well without affecting neighboring wells;*
  - v. There are sufficient buffers, landscaping, parking to mitigate the impact to the lower density residences adjacent to the property.*

CARRIED UNANIMOUSLY

**8. Information Items**

Council meeting minutes – July 15 and August 19, 2014

**9. Adjournment**

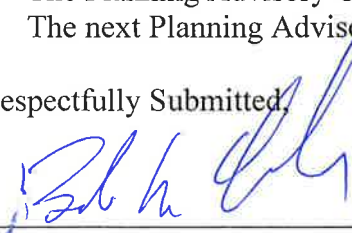
MOVED BY: David Carlson

*That the meeting be adjourned.*

The Planning Advisory Committee meeting was adjourned at 7:40 p.m.

The next Planning Advisory Committee meeting is scheduled for September 23, 2014.

Respectfully Submitted,

  
 \_\_\_\_\_  
 CHAIRMAN

  
 \_\_\_\_\_  
 SECRETARY