

**PLANNING ADVISORY COMMITTEE**  
**MINUTES – April 12, 2016**

The regular meeting of the Planning Advisory Committee of the town of Quispamsis was held in the Town Hall Council Chambers on Tuesday, April 12, 2016 at 7:00 p.m.

In attendance:     Bob McLaughlin  
                          David Carlson  
                          Darren Bishop  
                          Darin Lamont  
                          Jean Place  
                          Mark Hatfield  
                          Pierre Rioux, Councillor  
                          Violet Brown, Secretary

Absent:                Marc Gosselin  
                          S. Dwight Colbourne, P.Eng, Municipal Planning Officer

**1. Call to Order**

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

**2. Approval of the Agenda**

MOVED BY:        Darren Bishop  
SECONDED BY:    Mark Hatfield  
  
CARRIED UNANIMOUSLY

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

None

**4. Review of Previous Meeting Minutes**

MOVED BY:        David Carlson  
SECONDED BY:    Darin Lamont

*That the Minutes of the March 22, 2016 PAC meeting be received and filed.*

CARRIED UNANIMOUSLY

**5. Business Arising from Minutes**

<i>Notice of Decision</i>	<i>By-Law Section</i>	<i>Address</i>
Structure Size – DGRG	By-law #038 Section 25.(F)(1)	152 Elliot Road
Tentative Subdivision Plan – Fernwood Park Phase 2; 19 lots	By-law #035	Nightingale Lane
Tentative Subdivision Plan Renewal – Hillside Estates; 12 lots	By-law #035	Off Vincent Road
Tentative Subdivision Plan – Kirkwood Heights Phase 8; 10 lots	By-law #035	Off Hammond River Road
Tentative Subdivision Plan – Woodleigh Park Phase 28; 41 lots	By-law #035	Westridge Drive & Grafton Drive (off Queensbury Drive)
Tentative Subdivision Plan – Kings View Phase 20; 13 lots	By-law #035	Off Carlton Drive
Waterfront Development (renovation)	By-Law #035 Section 6.(BB)	439 Gondola Point Road

MOVED BY: Darin Lamont  
 SECONDED BY: Mark Hatfield

*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)	Size variance - detached garage	By-law #038, Section 8.(G)(1)(c)	6 Lindwood Court
b)	Size & Setback variances plus waterfront - detached garage	By-law #038, Section 25.(O)(1)(a)(i), (iii) and 6.BB(1)(b)	471 Model Farm Road
c)	LPP – Ritchie Lake Collector Sewer John & Betty Hughes Subdivision A.E. McKay Builders Ltd. Subdivision Woodleigh Development Limited Subdivision Province of NB Subdivision	By-law #035	Adjacent to the Canadian National Railway

**a) Size variance - detached garage – 6 Lindwood Court, PID**

Ms. Jennifer Lennox attended seeking approval for a 14.4 square meters (154 square foot) size variance for the construction of a 7.9 meters x 9.8 meters (26ft x 32ft) detached garage at 6 Lindwood Court – PID 452599. The height of the structure was questioned and while it was not known precisely, it was calculated as not being over the maximum allowance as per the By-law.

Notice was sent to property owners within 100 metres of property and the adjacent neighbor, Mr. Reynolds, sent in a concern regarding a small slope between the properties and the potential drainage and erosion. The Town's building inspector noted in his memo that these site conditions can be handled in one of two ways, with no, or minor changes to the site grading: this generally requires a greater exposed concrete wall, but usually provides the least negative impact on site drainage, provided the garage maintains a positive slope away from the building. The second way this can be handled is through re-landscaping adjacent to the garage. This option is generally the most popular and usually completed during the backfill stage. Erosion control is not a major concern in situations like this where there are no directed flows and there are no adjacent watercourses. Minor erosion that occurs over the construction period is rectified at the landscaping phase of the project. Ms. Lennox commented that they do not currently have water that drains into 4 Linwood Court however, around the garage will be fully landscaped following construction and the intention is to leave the current small slope and as many as possible (if not all) trees on that side of the property.

No one attended the meeting to speak for or against this application.

MOVED BY: Darren Bishop

SECONDED BY: Jean Place

To grant approval, from Zoning By-law 038, Section 8.(G)(1)(c), a 14.4 square meter (154 square foot) size variance, for the construction of a 7.9 meters x 9.8 meters (26ft x 32ft) detached garage at 6 Lindwood Court – PID 452599 with the following conditions:

- 1) The exterior finish of the garage is to be a cladding recognized by the National Building Code of Canada, current adopted edition; and
- 2) The building is not to be used for business purposes or for the keeping of livestock or as a dwelling.

CARRIED UNANIMOUSLY

#### **b) Structure Size – Detached Garage – 152 Elliot Road, PID 30226963**

Mr. Lance Betts attended seeking a 3.0 meters (10ft) side yard setback variance, a front yard construction variance, and a variance for development on a waterfront piece of property for the construction of 13.4 meters x 10.4 meters by 9.8 meters high (44ft x 34ft by 32) detached garage at 471 Model Farm Road – PID 30229512. It was recognized that the 44 foot width is actually 34 feet plus a 10 foot lean-to. It was noted that the initial request was for 4 variances but the Town's Building Inspector reviewed the application and found that one of the variances did not apply to this construction. A variance for 25.(O)(1)(a)(ii) was requested and refers to minimum setback from the street line, which is typically in the front of someone's property. In this case, there is no street line in front of this property as it is accessed by a private right of way only for this property. The planning department concluded that it would be unlikely that this right of way be vested in the town in the future based on the width and ready availability of adjacent right of ways. Based on this information, a variance for construction within 7.5 meters of the street line is not required for the current construction.

The construction is located approximately 175 meters (575 feet) from the Kennebecasis River. It is highly unlikely that sedimentation would impact the waterway, or for construction to expand to an area where this could be the case.

Mr. Betts was asked what the intended use was for and he stated that it was for personal storage of his boat, snow removal equipment that is used for the private lane and residents on the lane, etc., and that the upstairs is for seasonal storage. He noted that he has lived there ten years and has not brought any business equipment to the property and does not plan on doing so now.

Notice was sent to property owners within 50 metres of property; no concerns received. No one attended the meeting to speak for or against this application.

MOVED BY: Mark Hatfield

SECONDED BY: Pierre Rioux

That the PAC grant the approval from Zoning By-law 038, Section 25.(O)(1)(a)(i), for construction of an accessory building in the front yard of a main building or structure, from Zoning By-law 038, Section 25.(O)(1)(a)(iii), for a 3.0m (10ft) side yard setback variance, and from Zoning By-law 038, Section 6.(BB), for development on a waterfront lot, for the construction of a 13.4 meters x 10.4 meters (44ft by 34ft) detached garage at 471 Model Farm Road – PID 30229512 with the following conditions:

- 1) The construction must comply with the spatial separation requirements of the National Building Code, current adopted edition;
- 2) The exterior finish of the garage is to be a cladding recognized by the National Building Code of Canada, current adopted edition; and
- 3) The building is not to be used for business purposes or for the keeping of livestock or as a dwelling.

CARRIED UNANIMOUSLY

**c) Review of Land for Public Purposes (LPP) – A.E. McKay Builders Ltd, Woodleigh Developments Limited and Province of New Brunswick. – Ritchie Lake Collector**

In accordance with Section 6A of Subdivision By-law 035, the PAC is to review any land proposed for LPP so they can advise Council on the suitability of the land for public purposes and recommend terms and conditions on its use and development. is acquiring the land from the property owners for two purposes:

For the installation of the Ritchie Lake Collector Sewerage Trunk line as part of the municipal wastewater upgrades to support continued and sustainable development. While an easement would provide the necessary legal right-of-way to install the line across the subject properties, the acquiring of the land as LPP will allow for its use in Active Transportation Pedestrian Corridor as per an objective of the Town's Active Transportation Plan.

The Town's Active Transportation Plan proposed the construction of a multi-use pedestrian corridor from the Hampton Road at Blair's Bridge through to the Rothesay municipal boundary along the CN Railway – the "QR Line" as it was identified in the plan. Acquiring of the lands as delineated in the subject plans would provide the necessary land to continue with construction of corridor in a manner similar to that portion currently constructed on the southwest side of the Pettingill Road. This land would extend that trail from the Pettingill Road to the Old Coach Road.

AE McKay Builders Ltd. and Woodleigh Development Limited will receive a LPP land credit toward fulfillment of the LPP obligations that would result from the future development of their land.

MOVED BY: David Carlson  
SECONDED BY: Darin Lamont

That the PAC grant tentative approval to the A.E. McKay Builders Ltd, Woodleigh Developments Limited and Province of New Brunswick tentative subdivision plan for the purposes of providing access to the municipal sewerage infrastructure as well as the construction of a pedestrian corridor. Final plans to be signed by the necessary property owners prior to submission to the Town for Final Approval

**9. Information Items**

None

**10. Adjournment**

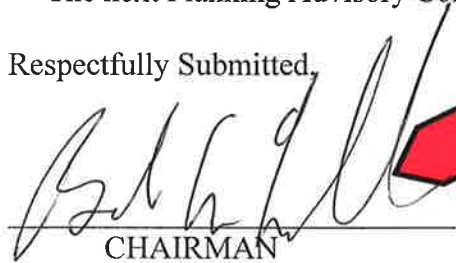
MOVED BY: David Carlson

*That the meeting be adjourned.*

The Planning Advisory Committee meeting was adjourned at 7:10 p.m.

The next Planning Advisory Committee meeting is scheduled for April 26, 2016.

Respectfully Submitted,

  
CHAIRMAN



  
SECRETARY