

PLANNING ADVISORY COMMITTEE
MINUTES – April 26, 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 26, 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
 S. Dwight Colbourne, P.Eng, Municipal Planning Officer

Absent: Marc Gosselin

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: David Carlson

CARRIED UNANIMOUSLY

3. Disclosure of Interest on Agenda Items

None

4. Review of Previous Meeting Minutes

MOVED BY: Darin Lamont

SECONDED BY: Jean Place

That the Minutes of the April 12, 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>
Size variance - detached garage	By-law #038, Section 8.(G)(1)(c)	6 Lindwood Court
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
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

MOVED BY: Darin Lamont

SECONDED BY: Darren Bishop

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)	Height & Setback Variances	By-law #038, Section 8.(G)(1)(a); 8.(G)(1)(b)(ii) & (iii)	4 Chrysler Crescent
b)	Sign Variance - Fascia Signs Area	Sign By-law #017 Section 13.A (1) a.(i)	114 Millennium Drive
c)	Detached Garage – oversize	By-Law No. 038 Section 8.(G)(1)(c)	127 Marianne Drive
d)	Fence in front yard over 75 centimetres	By-law #038 Section 6.(S)(2)	12 Rowanoak Lane
e)	Back Yard Chickens – Similar and Compatible Use	Zoning By-law No. 38 Section 3(D)(1)	4 Long Lane
f)	Tentative Subdivision - Foxborough Ridge	By-law #035	Pettingill Road (#160 Entrance); 47 lots
g)	Tentative Subdivision - Heritage Estates	By-law #035	Pettingill Road (#140 Entrance); 25 lots
h)	Tentative Subdivision – Wildberry Park Phase I	By-law #035	Off Kelcratis Ave (4 lots)

a) Height & Setback Variances - 4 Chrysler Crescent, PID # 30087902

Mr. Don Currie attended seeking a 2.0 meters (6.5ft) Main Building to Detached Garage Setback, a 0.6 (2ft) Detached Garage to Side Line Setback and a second storey bringing the total height to 7.0 meters (23 feet) variance for the construction of 7.6 meters x 7.3 meters (25ft by 24ft) attached garage at 4 Chrysler Crescent – PID 30087902.

PAC had previously granted a variance for a side yard setback for an attached garage for this property. The owner has decided to change to a detached garage, in doing so has reduced the size slightly, but needs to come fairly close to their dwelling.

The report from the Building Inspector noted that the one (1) meter (3') setback from the adjacent neighbor has significant construction restrictions and as such, the wall must be constructed of non-combustible materials such as steel stud and exterior grade gypsum board. The cladding must be non-combustible (aluminum or masonry) and the wall must be constructed with a one (1) hour fire separation.

Notice was sent to property owners within 100 metres of the applicant's property. Concerns were received from the adjoining property owner, Mr. Mark Atcheson, who attending the meeting to speak on the concern regarding contamination of water well. The staff memo indicated that the intended use is for storage of vehicles and personal storage and since the neighboring well is 3.6 metres (12ft) from the property line, there is nothing at this stage to suggest possible contamination. Mr. Atcheson also noted that there is a significant swale between the two properties. The staff memo noted this is a rear sloping natural swale and as such drainage and impact to the adjacent property as drainage could be a significant concern.

Mr. Currie noted that the swale does not show any drainage purpose until the rear section of the properties. He noted that the trees between the properties were put in by the previous owner and at that time, there was a good deal of top soil brought in for them. Mr. Currie was asked if he could move the detached garage a few feet back but he stated that there are sheds in the way and that the sheds are partially on a retaining wall in order to compensate for the sloping of the land. He said that fill would need to be delivered, compacted, and the ground would need to sit for a year before being built on which would cost time and money. Mr. Currie also stated that he inquired on putting the garage on the opposite side of the house but this too would cost more with consideration to a new driveway and culvert, tree removal, etc.

The high cost of the fire safety requirements due to proximity of the garage to the house, as noted in the staff memo, was reviewed with Mr. Currie and it was suggested that he communicate with a professional contractor to look at all options and costs to determine the best location and size of a garage, whether detached or attached.

Mr. Currie agreed to table the decision until such time as he has investigated options with a contractor or someone who can determine best location and best size, etc. It was noted that the previous various application is in effect until June 2016.

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

MOVED BY: David Carlson

SECONDED BY: Pierre Rioux

That the application be tabled until all other options and costs are investigated to the applicant's satisfaction.

CARRIED UNANIMOUSLY

b) Sign Variance - Fascia Signs Area – 114 Millennium Drive, PID # 30232912

Mr. John DeWinter attended seeking a variance to the maximum size of fascia signs for Quality Inn and Suites at 114 Millennium Road, PID 30232912. The applicant, Montreal

Neon Signs Inc, is requesting to install a thirteen decimal seven five (13.75) square metre illuminated fascia sign. The Sign Bylaw #036 Section 13.A (1)(a)(i)(b) states the maximum size permitted for an illuminated fascia sign is four (4) square metres. Therefore the applicant requires a nine decimal seven five (9.75) square metre variance to install the proposed fascia sign.

Notice was sent to property owners within 100 metres of the property with concerns received from two property owners in the area. Property owners at 47 Concorde Crescent expressed concerns about the size and illumination of the proposed sign. The existing sign is lit by downward facing directional lighting and the proposed sign will be back lit shining out towards the residence. Property owners at 51 Concorde Crescent expressed concerns regarding the intensity of the illumination for the proposed sign. The main concern is that the illumination of the new sign will be projecting light onto their property and into the residence. Bylaw 017 states in Section 7.A.xxiv. that lighting must be selected, in both height and intensity, in order to maintain the rural character. Light levels may not exceed decimal two (0.2) foot candles measured at ground level at the lot lines. Lights shall be shielded to prevent light shining beyond the lot lines onto the neighboring properties.

Communications from the applicant in Montreal, who were unable to attend due to their out-of-province location, stated that they calculated a result of 28 lux per square foot on the surface of the sign. They believe the internal lighting will not bother residential properties around the property based on experience from other Quality Inn signs across the country. However, they also stated that if the Town has concerns, they can add a dimmer to the sign and the illumination/brightness could be controlled and dimmed down to acceptable levels.

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

MOVED BY: Mark Hatfield

SECONDED BY: Darren Bishop

That the PAC grant the approval of the size increase of nine decimal seven five (9.75) square metres in order to install a thirteen decimal seven five (13.75) square metre illuminated fascia sign at 144 Millennium Drive subject to the following terms and conditions:

- 1) The illumination of the sign cannot exceed the lighting standards set out in the Development Scheme Bylaw for Millennium Drive 017;
- 2) A dimmer switch must be installed on the sign that will be attached to the side of the building that faces Concorde Crescent; and
- 3) A Building Permit must be applied for within one (1) year of approval.

CARRIED UNANIMOUSLY

c) Oversize Detached Garage – 127 Marianne Drive, PID # 67488

Ms. Colleen Grant attended seeking approval to construct a seven decimal ninety-two by nine decimal fifteen (7.92 x 9.15 or 72.5sqm) metre detached garage on the property of 127 Marianne Drive – PID# 67488. In order to obtain a building permit, a variance of nine decimal five (9.5) square metres is required from By-Law No. 038 Section 8.(G)(1)(c) as the maximum size permitted is sixty-three (63) metres in area.

The new garage will be located at the end of the existing paved driveway and the intended use is for personal vehicles and storage. There was an existing shed at the site that was removed on the morning of this meeting.

Notice was sent to property owners within 100 metres of property; no concerns were received but one person asked of the proposed use and was only concerned if there was a business planned for the garage.

MOVED BY: Darin Lamont
SECONDED BY: Jean Place

That the PAC approve the area variance of nine decimal five (9.5) square metres from By-Law No. 038 Section 8.(G)(1)(c) in order to construct a seven decimal ninety-two by nine decimal fifteen (7.92 x 9.15 or 72.5sqm) metre detached garage on the property of 127 Marianne Drive – PID# 67488, subject to the following terms and conditions:

- 1) The variance stays with the property provided the final inspection is completed within one year from the date the building permit is issued;
- 2) The building is to be sided using a cladding recognized by the National Building Code of Canada, current adopted edition; and
- 3) The building is not to be used for commercial or business purposes, or for the keeping of livestock or as a dwelling unit.

CARRIED UNANIMOUSLY

d) Fence in front yard over 75 centimeters – 12 Rowanoak Lane, PID # 30163588

Mr. Andrew Girvan attended seeking approval to construct a fence, with a height of two decimal four (2.4) metres, to be located in the front yard for the purpose of protecting a vegetable garden, on the property of 12 Rowanoak Lane, PID # 30163588. In order to obtain a fence permit, a variance of one decimal seven (1.7) metres is required from Section 6.(S)(2) of the Town's By-law #038 whereas it states that except for a security fence of chain link construction, no fence in a front yard may exceed seventy-five (75) centimeters in height. The applicant is looking to provide security for their vegetable garden and has determined this is the best location for a garden due to the exposure to sunlight. The design of wood and steel mesh combined with the setback from the road will not create any line-of-sight concerns. Mr. Girvan stated he wanted the extra height since the deer will be more enticed to jump the fence with the vegetables growing in the garden.

Notice was sent to property owners within 100 metres of property; no concerns were received but one neighbor did respond to say that he had discussion with the applicant and stated that he would not have a concern so long as the fence was maintained properly.

MOVED BY: Darin Lamont
SECONDED BY: Mark Hatfield

That the PAC approve the fence height variance of one decimal seven (1.7) metres from Section 6.(S)(2) of the Town's By-law #038 in order to construct a fence in the front yard for the purpose of protecting a vegetable garden on the property of 12 Rowanoak Lane, PID # 30163588 subject to the following conditions:

- 1) The property owner reviews the subdivision covenants to ensure the fence is permitted with the proposed height and style.

CARRIED UNANIMOUSLY

e) Back Yard Chickens – Similar and Compatible Use – 4 Long Lane, PID # 30216212

Dave Girdwood attended seeking a variance of similar and compatible use from the Planning Advisory Committee for the keeping of chickens in an R1 zoned lot at 4 Long Lane – PID 30216212. The staff memo compared the cities of Saint John, Moncton and Fredericton and their regulations surrounding the keeping of hens in a back yard. It was suggested that PAC consider placing a minimum 30 meter setback to existing wells, unless permission is granted for a lesser setback from the minister of the Department of Environment and Local Government or a duly appointed officer operating on their behalf. It was noted that the PAC does not have the authority to reduce any well setbacks.

It was recognized that the Animal Control Bylaw must be considered when reviewing this request as the By-law would require the owners of animals to keep them from running at large. Additionally, if the adjacent property owners were disturbed by the noise of animals this would be a violation of this bylaw. The Animal Control Officer or member of the Kennebecasis Police Force may impose a fine and/or impound any animal that is in violation with the bylaw.

PAC has approved this use on larger lots. This would be the first use on a lot that would be subdivision sized or under 2 acres; this lot is only 3450 square meters (just over $\frac{3}{4}$ acre). PAC was asked to consider whether neighbors would find this use acceptable and if not, setbacks and screening from adjacent properties must be appropriate in order to mitigate the nuisance to adjacent property owners.

The staff memo stated that at this stage, PAC does not have the information necessary to properly consider this application. The location of the surrounding wells are unknown and the owner needs to provide the setback to the Kennebecasis River. It was noted that policing of these animals could result in a significant increase to the current animal control contract in addition to staff time. The PAC was reminded that approval of backyard chickens on this lot sets a precedent that should not be taken lightly and that the PAC does not have to approve every application that is presented to them.

The applicant has indicated that he has some experience with ornamental birds from his youth.

It was recognized that the town of Quispamsis currently has 1482 active lots of this size. PAC may wish to consider a minimum lot size of 4046 square meters (1 acre) as this reduces the list of lots by approximately 400, decreases the chances of negative impact on adjacent property owners and increasing the likelihood that property owners have considered the possibility of more rural uses adjacent to their property.

Notice was sent to property owners within 100 metres of property; concerns were received from residents in the surrounding area. One respondent agrees in general with urban chicken farms, but is concerned due to their desire to build their dream home on a property in close proximity to this property. The location of the chicken coop was addressed in several concerns received. One respondent is concerned over the potential impact on their property values and indicated they would have no objection to this practice on larger, rural lots.

It was noted that Urban farming provisions have been included in the municipal plan that will be presented before Council later this year. Provided these items are approved, PAC would be better equipped to hear any variances that may be required at that time.

MOVED BY: Mark Hatfield

SECONDED BY: Darin Lamont

That the PAC grant the variance of a similar or compatible use for the keeping of backyard hens at 4 Long Lane – PID 30216212, subject to the following conditions:

- 1) No male chickens, commonly called roosters, shall be permitted;
- 2) The coop and run must be no closer than 30 meters to any existing well;
- 3) The coop and run must be no closer than 30 meters to any watercourse;
- 4) The coop and run must be located behind the front line of the dwelling;
- 5) The coop and run must be no closer than 3 meters from the side or rear lot line and if closer than 7.5 meters must be screened from view;
- 6) A maximum of four (4) hens are permitted at any time;
- 7) The sale of eggs, meat, or any other byproduct is not permitted;
- 8) The hens must be in an enclosure at all times;
- 9) Chicken feed must be stored in an impervious container that cannot be opened by other animals; and
- 10) Manure must be stored in an impervious, enclosed container

CARRIED WITH FIVE YAYS AND ONE NAY

f) Tentative Subdivision - Foxborough Ridge – Pettingill Road (#160 Entrance); 47 lots

Mr. Gerald Roberts, and the Developer Mr. George Queen, attended seeking approval for Foxborough Ridge Subdivision, a Tentative Plan for Woodleigh Development Limited (PID 251412) on Pettingill Road.

Foxborough Ridge Subdivision is proposing to create:

- Three (3) new public streets – Briarwood Court, Foxborough Court and Windsor Boulevard;
- Forty-Seven (47) Single-Family Residential lots with all lots fronting the public streets;
- Municipal Services Easement (MSE) between Lots 7 and 8 for the purposes of providing municipal sewerage service to Lots 46 and 47; and
- 8860 sq. m of Land for Public Purposes to provide overall greenspace for the enjoyment of the residents in the area, a connection to the future pedestrian corridor and connection of the sewerage system to the Ritchie Lake Collector trunk line.

The staff memo reviewed the subdivision and noted several items. An engineered design street centerline profile will be required prior to final plan approval to determine its compliance with the Subdivision By-law where the street grade cannot exceed eight percent (8%) unless a variance is granted by the PAC. A street length variance will be required for Foxborough Court as it exceeds the maximum length of 183m as the Subdivisions By-law. This distance may be increased to two hundred twenty-five (225) metres upon approval by the Planning Advisory Committee where there is an emergency vehicular access or pedestrian

walkway with a clear travel path of at least three (3) metres in width from or near the head of the turnabout, giving access to an adjacent street. Mr. Roberts stated that the development will require a street length variance for Foxborough Court to three hundred thirty-five (335) metres. In this case there will be future access to the end of the court via the Land for Public Purposes that will connect to pedestrian trail corridor adjacent to the CN Railway line. This trail will be driveable as it will be access to the municipal sewerage system trunk line and is part of the Active Transportation network. The pathway will be of the same construction as located on the Westside of the Pettingill Road.

The staff memo reminded both the PAC and the Developer that should portions of the stormwater management plan provide for open ditches and culverts, the piping of front yard ditches subsequent to final approvals and without the proper design by the consulting engineer is not an acceptable practice. When the stormwater management plan for the development is based on ditches and culverts and ditches are subsequently piped without proper consideration given to the overall stormwater management plan it can negatively impact the development and create drainage problems rather than address them. If the developer desires to sell the lots as piped ditches then it must be incorporated into the engineered stormwater management plan and the overall engineered design - not in a haphazard manner after Town approvals. Where these practices are found to be occurring, the Town may not accept the infrastructure or the overall development, and building permits may be withheld.

Notification was sent to all property owners within 100 metres of the subject property and no concerns have been expressed.

MOVED BY: Jean Place
SECONDED BY: Mark Hatfield

That the PAC grant tentative subdivision approval to Foxborough Ridge Subdivision and the Forty-Seven (47) Single-Family Residential lots, the three (3) new public streets – Briarwood Court, Foxborough Court and Windsor Boulevard, the Municipal Services Easement (MSE) between Lots 7 and 8, and the creation of 8860 square metres of Land for Public Purposes subject to the following conditions:

- 1) Submission of engineered street design so as to confirm the street centreline grades and profile for compliance with the Subdivision By-law;
- 2) Street length variance for Foxborough Court to three hundred thirty-five (335) metres is approved but any changes need to be reviewed by the Planning Advisory Committee;
- 3) Submission of engineered design drawings for the sanitary sewerage system to the Town for review and approval, with any alternate Municipal Service Easements to be clearly identified prior to final plan approval;
- 4) Submission of a Comprehensive Water Supply Source Assessment (Hydrogeological Assessment) report will be required to demonstrate there is sufficient quality and quantity groundwater;
- 5) Submission of a comprehensive Stormwater Management Plan inclusive of engineered design drawings of the proposed stormwater management system and a lot grading plan. The Stormwater Management Plan must identify any areas where easements are required and these are to be incorporated into the final subdivision plan prior to final approval. The stormwater management plan is to be submitted to CN for review and comment prior to final plan approvals;

- 6) Stormwater Management Plan to look at downstream impacts on the CN railway infrastructure and capacity of existing culverts to handle the projected flows;
- 7) LPP requirements in the amount of 6549 sq. m are to be satisfied through land dedication as proposed on the plan;
- 8) Driveway access to Lots 1 and 45 are to be off of Foxborough Court;
- 9) Sight-distance study to be conducted for Lots 46 and 47 prior to final plan approvals;
- 10) Land Transfer between Woodleigh Development Ltd., the Town of Quispamsis and A.E. McKay Builders Ltd. to be completed prior to final plan approvals;
- 11) Standard Development Agreement, bonding and subdivision fees will be required;
- 12) Subdivision filing fees totalling Six Hundred Seventy dollars (\$670.00) for a Forty-Seven (47) lot development; and
- 13) Plans to be properly signed by the necessary utilities and owners.

CARRIED UNANIMOUSLY

g) Tentative Subdivision - Heritage Estates – Pettingill Road (#140 Entrance); 25 lots

Mr. Gerald Roberts, on behalf of the Developer Mr. Andrew McKay, attended seeking approval for Heritage Estates Subdivision, a Tentative Plan for A.E. McKay Builders Ltd. (PID 30295703 for twenty-five (25) new residential building lots with two (2) new public streets and Land for Public Purposes off the Pettingill Road.

Heritage Estates Subdivision is proposing to create:

- Two (2) new public streets – Heritage Way and Windsor Boulevard (in conjunction with Woodleigh Development Limited's subdivision)
- Twenty-five (25) Single-Family Residential lots with all lots fronting public streets; and
- 6130 sq. m of Land for Public Purposes to provide overall greenspace for the enjoyment of the residents in the area, a connection to the future pedestrian corridor and connection of the sewerage system to the Ritchie Lake Collector trunk line

The staff memo reviewed the subdivision and noted several items. The preliminary profiles indicate the grades will not exceed the maximum 8% as such street grade variances may not be required. Final grades will not be available on engineering design work is completed by both A.E. McKay's consultants and the Woodleigh Development Ltd.'s consultant. Based on the preliminary grades, a storm sewer system will be required. A street right-of-way width variance of 3.0m is required for Heritage Way as the right-of-way width is 17.0m versus the by-law requirement of 20.0m. Lot 1 should have the driveway access off Heritage Way as its only option due to the steep grade of Pettingill Road at this section.

Final plan approvals are contingent on the completion of the new municipal sewerage upgrade and expansion being undertaken with the Ritchie Lake Collector line. This line will run along the bottom of the development adjacent to the LPP area. The infrastructure servicing the Heritage Estates Subdivision will be connected to the collector line through the LPP area.

Notification was sent to all property owners within 100 metres of the subject property and several concerns have been expressed. The biggest concern is for additional traffic on Pettingill Road and the entrance/exit of this subdivision in relationship to the grade of Pettingill Road. As noted above, a traffic study was been undertaken by the Town, Queen Construction and A.E. McKay Builders to look at alignment of the intersection between Heritage Way and the future street into the Queen Construction Ltd and Woodleigh Development Limited properties to the west. The report recommended a north shift in Heritage Way to align better with the Woodleigh Development Ltd. and Queen Construction Ltd. properties. This shifted created the LPP-2 area on the plan.

The report also looked at sight-distance and grade concerns along the Pettingill Road. Concerns were identified in the report with two options. A grade reduction along Pettingill Road or in the interim a reduced speed limit until such time as the street changes are undertaken. The Town will continue to examine the ongoing traffic patterns with this development and plan any necessary upgrades and changes to the Pettingill Road accordingly.

Mr. Roberts noted a street length variance of forty-five (45) metres is required for Heritage Way as the distance is now measured at two hundred seventy (270) metres.

MOVED BY: Mark Hatfield
SECONDED BY: Darren Bishop

That the PAC grant tentative subdivision approval for the Heritage Estates Subdivision and the Twenty-five (25) Single-Family Residential lots, the Two (2) new public streets – Heritage Way and Windsor Boulevard and the 6130 sq. m of Land for Public Purposes, subject to the following conditions:

- 1) Submission of engineered street design so as to confirm the street centreline grades and profile for compliance with the Subdivision By-law;
- 2) Street right-of-way width variance of 3.0m for Heritage Way to assist with the reduction the street grades;
- 3) A street length variance of forty-five (45) metres is approved for Heritage Way; any length beyond two hundred seventy (270) metres will require further approval from PAC;
- 4) Submission of engineered design drawings for the sanitary sewerage system to the Town for review and approval, with any alternate Municipal Service Easements to be clearly identified prior to final plan approval;
- 5) Submission of a Comprehensive Water Supply Source Assessment (Hydrogeological Assessment) report will be required to demonstrate there is sufficient quality and quantity groundwater;
- 6) Submission of a comprehensive Stormwater Management Plan inclusive of engineered design drawings of the proposed stormwater management system and a lot grading plan. The Stormwater Management Plan must identify any areas where easements are required and these are to be incorporated into the final subdivision plan prior to final approval. The stormwater management plan is to be submitted to CN for review and comment prior to final plan approvals;
- 7) Stormwater Management Plan to look at downstream impacts on the CN railway infrastructure and capacity of existing culverts to handle the projected flows;
- 8) LPP requirements in the amount of 6130 sq. m as proposed on the plan are acceptable;

- 9) Driveway access to Lot 1 is off Heritage Way;
- 10) Land Transfer arrangements between A. E. McKay Builders Ltd. and Woodleigh Development Ltd. regarding the Lots 5 and 6 be completed prior to final plan approvals;
- 11) Standard Development Agreement, bonding and subdivision fees will be required;
- 12) Subdivision filing fees totalling Four Hundred Fifty dollars (\$450.00) for a Twenty-Five (25) lot development; and
- 13) Plans to be properly signed by the necessary utilities and owners.

CARRIED UNANIMOUSLY

h) Tentative Subdivision – Wildberry Park Phase 1 – Off Kelcratis Ave (4 lots)

Mr. Gerald Roberts, on behalf of the Developer, attended seeking approval for Wildberry Park Subdivision Phase 1, a tentative subdivision plan off Kelcratis Avenue proposing the creation of four (4) new single family building lots, the extension of Kelcratis Avenue, a public municipal street, and the creation of a new municipal public street named Cranberry Avenue.

The staff memo reviewed the subdivision and noted several items. It was recognized that as per Section 25.(F) of the Zoning By-law 038, if a lot contains less than five thousand (5,000) square meters in area, then the provisions of Sections 8.(G) to 8.(I) shall apply with respect to the dimensions of accessory structures. All lots would fall under this section. Section 25.(F) of the Zoning By-law 038 also states that the main dwelling unit must be located on the lot such that a minimum side lot line setback of thirty (30) metres from at least one (1) side lot line is maintained. While this is reviewed as part of the Building Permit application approval process the planning staff is strongly recommending that this provision be upheld for lots in this subdivision as there is high potential for municipal sewerage in this area with the recent construction of the engineered wetland.

Mr. Rod Crowther of Remax spoke with Mr. Roberts on this requirement of thirty (30) metres setback and Mr. Colbourne stated that this area could be looked at for higher density in the near future and therefore must be prepared for individual one acre lots to be subdivided if the property owner chooses. The Planning Department received at least six to seven calls on this per year.

It was noted that lot 16-4 would require a variance of four (4) meters in width if the property owner should wish to include an accessory dwelling unit (ie: in-law suite) as the required width for a Single Detached Dwelling with Accessory Dwelling Unit is fifty-nine (59) metres. This would be addressed at the building permit stage. The Planning Department is not recommending allowing for right-of-way access beyond Kelcratis Avenue to Lot 16-3 until such time as the public street is in place.

Public notification was sent to property owners within a 100-metre radius. Concerns received were from one resident on Kelcratis Avenue who resides on a lot prior to the proposed intersection of Cranberry Avenue and Kelcratis Avenue. The first concern was with stagnant water build up and storm water runoff. This can be covered through the Storm Water Management plan. The second concern of this resident was regarding existing wells and any affect from this future development. The Comprehensive Source and Supply Water Assessment that is required prior to final approval will demonstrate calculate the required

potable water supply. The resident asked about covenants for this new development. It should be noted that it is the Developer's decision on whether covenants are presented with deeds to property owners as the Town does not create or regulate covenants. The final question of this resident was with regards to another exit/entry point other than the existing one. ~~The parcel of land that is being developed is part of a larger parcel that is more than 32~~ hectares in area with several similar size lots adjacent. Further development in this area will determine future streets but there is nothing on file at this time showing alternate exit/entry points.

Mr. Jason Crowdis attended and spoke on behalf of several residents in the area. Most of the concerns were addressed during the discussions above. However, the condition of the existing road and subsequent concern for heavy traffic was introduced. Mr. Colbourne noted that this is a public street and at this time, there is no other option for traffic to the area. The street rehabilitation will be looked at as the development moves forward. The stagnate water in the ditch at the end of Kelcratis was mentioned and although it was noted that there was some blockage put in the ditch by residents (some riprap, built up rocks), the problem would be addresses are part of this phase of the development.

MOVED BY: Darin Lamont

SECONDED BY: Darren Bishop

That the PAC grant tentative approval to the Wildberry Park Subdivision Phase 1, subject to the following conditions:

- 1) Recognition of the strong recommendation from Planning to hold to the 30.0m sideline setback for these lots with respect to future main dwelling placement on the lot;
- 2) Driveway access to Lot 16-3 is off of Cranberry Avenue;
- 3) Driveway placement to Lot 16-1 must be 11.0m away from the intersection of Kelcratis and Cranberry;
- 4) The submission of an Abbreviated Source and Supply Water Assessment from a qualified professional with a Comprehensive Source and Supply Water Assessment to be completed by a qualified professional before development of the next phase;
- 5) The submission of a Storm Water Management Plan for this area showing engineered design system for the control and conveyance of storm water, with no negative downstream impacts and a conceptual lot grading plan. The plan shall be completed by a registered professional engineer license to practice in New Brunswick;
- 6) The submission of an engineered street design to the satisfaction of the Town as designed by a registered professional engineer license to practice in New Brunswick;
- 7) The Temporary Turnaround at the end of Cranberry Avenue is required to be constructed to crushed gravel base by the Developer as part of this development;
- 8) Land for Public Purposes to be established prior to final plan approval based on the recommendations of the Planning Department, in conjunction with the Community Service Department;
- 9) The submission of a on-site septic system report has completed by a qualified professional demonstrating the area is capable of supporting the proposed level of development;
- 10) Standard Development Agreements, bonding and subdivision fees will be required;

- 11) Subdivision filing fees in the amount of Two Hundred and Forty Dollars (\$240.00) for a four (4) lot subdivision; and
- 12) Plans to be properly signed by the necessary utilities and owners.

CARRIED UNANIMOUSLY

9. Information Items

None

10. Adjournment

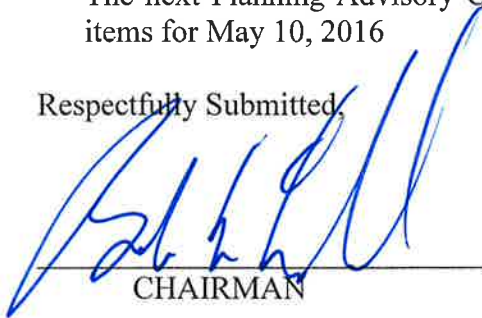
MOVED BY: David Carlson

That the meeting be adjourned.

The Planning Advisory Committee meeting was adjourned at 9:05 p.m.

The next Planning Advisory Committee meeting is scheduled for May 24, 2016; no agenda items for May 10, 2016

Respectfully Submitted,



CHAIRMAN



SECRETARY