

PLANNING ADVISORY COMMITTEE
MINUTES – December 13, 2016

The regular meeting of the Planning Advisory Committee of the town of Quispamsis was held in the Town Hall Council Chambers on December 13, 2016 at 7:00 p.m.

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

Absent: Carolyn LeBlanc

1. Call to Order

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

2. Approval of the Agenda

MOVED BY: Marc Gosselin
SECONDED BY: Jean Place

CARRIED UNANIMOUSLY

3. Disclosure of Interest on Agenda Items

Marc Gosselin stated he had a conflict of interest with agenda item 7.b), the signage at 10 Millennium Drive.

4. Review of Previous Meeting Minutes

MOVED BY: Marc Gosselin
SECONDED BY: Mark Hatfield

That the Minutes of the November 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>
Sign Variance – Free standing	Sign By-law 036, Section 18.A.(2) and 18.A.(2)b	7 Kingsway Drive, PID # 30240618
Sign Variance - Fascia	Sign By-law #036 Section 13.A (1)(a)(i)(b)	10 Millennium Drive, PID 114595

MOVED BY: Darren Bishop

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)	Home Business – Hair Salon	By-law 038, Section 6.(K)	7 Jenkins Drive
b)	Home Business – Hair Salon	By-law 038, Section 6.(K)	12 Westminster Drive
c)	Home Business – River Tours & Angling Recreational	By-law 038, Section 6.(K)	131 Queensbury Drive
d)	Tentative Subdivision – Goldrush Drive Extension	By-law 035	Off Yukon Drive
e)	Subdivision Renewal – Highlands of Queensbury Phase 5-10	By-law 035	Between Queensbury Drive & Vincent Road
f)	Subdivision Review – Heritage Estates Street Profiles	By-law 035	Off Pettingill Road

a) Home Business – Hair Salon; 7 Jenkins Drive, PID 30261762

Ms. Emma Logue attended seeking approval for a Home Occupation, a Hair Salon, at 7 Jenkins Drive, PID 30261762.

The original intention that was mailed out to property owners in the area was to construct an addition onto the back of the garage so that it appears as an extension of the attached garage for the purpose of having a hair salon. Town staff had concerns with the construction of the addition to the building with access only from the garage and not the main dwelling. This addition will not be considered extra square footage that can be incorporated back into the home should the business no longer exist such is the intent of the by-law with regards to home occupations.

In communicating the concerns to the applicant, the home owner changed the application to convert the attached garage into the hair salon instead of building the addition. The footprint of the dwelling would not change but the garage door would be converted to doors and windows.

The applicant wishes to operate the hair salon on a part time basis with appointments scheduled between 9 a.m. and 5 p.m. on weekdays with possible extended hours until 8 p.m. one evening a week and with one client at a time. The applicant is the proprietor and only employee for the business. The applicant is not requesting any exterior signage at this time but there signs are permitted at a size of 0.34 sq. m. as per the Sign By-law 036 Section D.(1)(p).

Notice was sent to residents within 100 metres of the property. There were no responses received for or against the application and no one attended the meeting with concerns.

MOVED BY: Mark Hatfield

SECONDED BY: Jean Place

That the PAC grant approval to convert the attached garage into an appropriate unit in order to conduct a Home Occupation, that of a Hair Salon, at 7 Jenkins Drive, PID 30261762, subject to the following conditions:

- 1) It shall be secondary to the main residential use of the dwelling;
- 2) Not more than one person is engaged therein in addition to any permanent resident of the dwelling unit in which it is located;
- 3) It is confined to the converted portion of the dwelling unit and no part of it is located in an accessory building or structure;
- 4) The floor area of the dwelling unit, which is devoted to it, does not exceed the lesser of twenty five (25) percent of the floor area of the dwelling unit, or thirty two (32) square meters;
- 5) No change, except for a sign, pursuant to the Town's Sign By-law is made in the outside appearance of the building which would indicate that a home occupation is being conducted therein unless approved by the Building Inspector through the process of a building permit;
- 6) No goods or services other than those directly pertaining to the home occupation are supplied or sold therein or therefrom;
- 7) No equipment or material used therein is stored other than in the dwelling unit;
- 8) Not more than one (1) commercial vehicle used in connection therewith, or not more than one (1) vehicle of any kind bearing a sign in connection therewith is parked on the lot;
- 9) There is to be no parking on the street or within Town property; and
- 10) The PAC approval to operate the business is non-transferable. The approval is solely for the benefit of the property owner named herein. In the event the business is discontinued or the lands are transferred, the said approvals shall terminate.

CARRIED UNANIMOUSLY

b) Home Business – Hair Salon; 12 Westminster Drive, PID 30031991

Mr. Alex Carter, on behalf of his wife Krista, attended the meeting seeking approval for a Home Occupation, that of a Hair Salon, at 12 Westminster Drive, PID 30031991.

The main dwelling contains a total main floor space of approximately 102 sq. m. with a total of 20 sq. m to be used for the business. This approximates to 19.6% of the space being used

for business purposes and as such is within the allowable limits as per Zoning By-law 038, Section 6.(K)(2)(d).

The intention is to operate the hair salon with appointments scheduled between 10 a.m. and 5 p.m. on weekdays with possible extended hours until 8 p.m. on Monday, Tuesday and Thursday with one client at a time. The applicant is the proprietor and only employee for the business. The applicant will be looking at an exterior signage, possibly a pair of scissors, within the maximum size of 0.34 sq. m. as per the Sign By-law 036 Section D.(1)(p).

Notice was sent to residents within 100 metres of the property. There were no responses received for or against the application and no one attended the meeting with concerns.

MOVED BY: Jean Place
SECONDED BY: Mark Hatfield

That the PAC grant approval for a Home Occupation of a Hair Salon at 12 Westminster Drive, PID 30031991, subject to the following conditions:

- 1) It shall be secondary to the main residential use of the dwelling;
- 2) Not more than one person is engaged therein in addition to any permanent resident of the dwelling unit in which it is located;
- 3) It is confined to the dwelling unit and no part of it is located in an accessory building or structure;
- 4) The floor area of the dwelling unit, which is devoted to it, does not exceed the lesser of twenty five (25) percent of the floor area of the dwelling unit, or thirty two (32) square meters;
- 5) No change, except for a sign, pursuant to the Town's Sign By-law is made in the outside appearance of the building which would indicate that a home occupation is being conducted therein;
- 6) No goods or services other than those directly pertaining to the home occupation are supplied or sold therein or therefrom;
- 7) No equipment or material used therein is stored other than in the dwelling unit;
- 8) Not more than one (1) commercial vehicle used in connection therewith, or not more than one (1) vehicle of any kind bearing a sign in connection therewith is parked on the lot;
- 9) There is to be no parking on the street or within Town property; and
- 10) The PAC approval to operate the business is non-transferable. The approval is solely for the benefit of the property owner named herein. In the event the business is discontinued or the lands are transferred, the said approvals shall terminate.

CARRIED UNANIMOUSLY

c) Home Business – River Tours; 131 Queensbury Drive, PID 30250138

Mr. Bo Wang attending the meeting seeking approval for a Home Occupation, specifically for a home office only, at 131 Queensbury Drive, PID 30250138.

The main dwelling contains a total main floor space of approximately 208 square metres with a total of 18 square metres to be used for the business. This approximates to 8.5% of the space being used for business purposes and as such is within the allowable limits as per Zoning By-

law 038, Section 6.(K)(2)(d). The intention is to use the space as an office for the coordinating of river tours and angling recreational activities that will take place at the Meenans Cove Beach. Since Mr. Wang is not renting space at the Meenans Cove Beach, only using the public access, there is no liability to the Town for any activities that take place.

The applicant is the proprietor and only employee for the business. The applicant stated that he would post a small sign measuring four by ten inches which is well within the maximum size of 0.34 sq. m. as per the Sign By-law 036 Section D.(1)(p). However, Town staff stated concerns with the intention of posting signage. If there is to be no clients attending the office or property of 131 Queensbury Drive, there should be no need for a sign. Any signage could direct interest to the home and subsequently direct clients to the property. Mr. Wang stated that the sign was unnecessary.

Notice was sent to residents within 100 metres of the property. There were no responses received for or against the application other than one person stating similar concerns as the Town regarding signage.

MOVED BY: Mark Hatfield

SECONDED BY: Darin Lamont

That the PAC grant approval for a Home Office at 131 Queensbury Drive, PID 30250138, to be used for coordinating river tours and angling recreational activities that will take place at the Meenans Cove Beach, subject to the following conditions:

- 1) It shall be secondary to the main residential use of the dwelling;
- 2) Not more than one person is engaged therein in addition to any permanent resident of the dwelling unit in which it is located;
- 3) It is confined to the dwelling unit and no part of it is located in an accessory building or structure;
- 4) The floor area of the dwelling unit, which is devoted to it, does not exceed the lesser of twenty five (25) percent of the floor area of the dwelling unit, or thirty two (32) square meters;
- 5) No goods or services other than those directly pertaining to the home occupation are supplied or sold therein or therefrom;
- 6) No equipment or material used therein is stored other than in the dwelling unit;
- 7) Not more than one (1) commercial vehicle used in connection therewith, or not more than one (1) vehicle of any kind bearing a sign in connection therewith is parked on the lot;
- 8) There is to be no parking on the street for the purpose of meeting potential clients at 131 Queensbury Drive; and
- 9) The PAC approval to operate the business is non-transferable. The approval is solely for the benefit of the property owner named herein. In the event the business is discontinued or the lands are transferred, the said approvals shall terminate.

CARRIED UNANIMOUSLY

Mr. Colbourne asked for the agenda items of 7.d) and 7.e) to be switched.

MOVED BY: Mark Hatfield

SECONDED BY: Darren Bishop

d) Tentative Subdivision Renewal – Highlands of Queensbury Phase 5-10***Switched from 7.e)***

Mr. Dale Steeves attended seeking approval for a renewal of a previously approved tentative plan for the Highlands of Queensbury Subdivision development phases 5 – 10 that was approved by the PAC on October 22, 2013 and again on September 8, 2015.

It was recognized at the meeting that the three developers, Mr. & Mrs. Steeves, Mr. Richard (Ric) Turner of Hughes Surveys and Queen Construction Ltd. (George Queen) have been working together to create a retention pond that will assist with the storm water management in this and other subdivisions in the area.

No concerns from staff members at this time as this is a renewal.

MOVED BY: Darin Lamont

SECONDED BY: Mark Hatfield

That the PAC grant re-approval of the Highlands of Queensbury Phases 5 -10 tentative plan subject to the following conditions as previously stated in the 2015 Notice of Decision:

- 1) The Developer to maintain the proposed phasing for phases 5 -7 with each phase to be filed and registered as a separate final plan;
- 2) Lot depth variances from Zoning By-law 038 Section 8(C)(1) be granted for:
 - a. Lots 44 and 45 under Phase 6;
 - b. Lots 57, 58 and 59 under Phase 7;
 - c. Lots 67 under Phase 8;
 - d. Lots 70 and 71 under Phase 9; and
 - e. Lots 77, 79, 80, 83, 85, 86, 87 and 88 under Phase 10.
- 3) The development of Phase 8 is not to commence until such time as the street and municipal infrastructure services (sanitary, storm sewer system, etc.) are constructed to the satisfaction of the Town;
- 4) Proper engineered design drawings for the sanitary sewer system to be submitted to the Town for review and approval prior to any construction for all Phases;
- 5) Comprehensive Water Source and Supply Assessment (CWSSA) report to be submitted and reviewed by the Town prior to final plan approvals and any construction. The report is to be inclusive of Phase 8 as shown on the Tentative plan;
- 6) The Developer to submit to the Town detailed street centreline grade profiles and complete street design details to determine if street design modifications or grade variances are required. If so, they are to be resubmitted to PAC for consideration;
- 7) Line-of-sight analysis to be conducted along the Vincent Road at the intersection with Galmorgan Drive to determine the level of compliance with TAC requirements, and if further Traffic Engineering review is required prior to final approvals;
- 8) The street design to incorporate acceptable traffic calming and streetscape features in accordance with the traffic calming policy where deemed necessary by the Town;
- 9) Comprehensive stormwater management plan to be submitted for Phases 5-10. All local drainage patterns to be determined by the Developer's consultant, and the necessary 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 plan will need to look at how surface drainage along the rear of lots 65 - 67 will be handled as to not directly discharge onto lots 57, 78 & 79. If easements are required they are to be identified in the final stormwater management plan and incorporated into the final subdivision plan for phase 8.

- 10) The Developer is responsible to obtain any necessary provincial approvals from the Department of Environment for any watercourse alterations or work within sensitive areas;
- 11) The proposed LPP for Phases 5 – 9 and 10 is acceptable; however, the level of trail development required by the Developer is to be established prior to final plan approvals. Upon final execution of a Developer's Agreement, a credit note is to be established for any future development in the Town by 613086 NB Ltd;
- 12) The LLP requirements for Phase 8 can be fulfilled through an existing land credit for Queen Construction in the amount of 4401 sq. m. The credit was established as a result of the Land for Public Purposes parcel adjacent to Phase 8 on the plan;
- 13) Street name as submitted are acceptable; no changes are permitted without staff approval;
- 14) Clearing of the area for construction purposes is to be conducted in accordance with Zoning By-law 038 Section 6(U)(4);
- 15) Standard Developer's Agreements, bonding and subdivision and filing fees will be required; and
- 16) Plans to be properly signed by the necessary utilities and owners.

CARRIED UNANIMOUSLY

e) Tentative Subdivision – Goldrush Drive Extension, off Yukon Drive

Switched from 7.d)

Mr. Dale Steeves, on behalf of 613086 NB Ltd, attended seeking approval of the tentative subdivision plan for Goldrush Drive Extension proposing the following:

- the creation eleven (11) residential building lots,
- the extension of Goldrush Drive - an existing public street,
- creation of Parcel "A" to be consolidated with PID 00248518,
- creation of Public Utility and Municipal Services Easements; and
- Creation of 10235 sq. metres of Land for Public Purposes

The staff review noted the following:

Lot width variances will be required for Lot 11 as the lot width is less than the minimum 30.0 metres at the 7.5 metre line of setback. Lot 11 will be subject to Zoning By-law provision 8.(E)(2) where a building lot is four thousand (4000) square metres or larger, 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. This will be applicable at the time of the Building Permit process but should be noted as part of this process. The street construction is seeking a reduced right-of-way width from 20.0m to 18.0m. This will have to

be supported by the Planning Advisory Committee (PAC) with final approval for the reduced width being granted by Council through the assent process.

This parcel of land was before the PAC on previous occasions in varying configurations. The previous tentative plans were supported and approved by the PAC, and acceptable to the Department of Environment & Local Government (DOE&LG) although conditions imposed by the department regarding the designated wetlands at that time made the project not feasible. 613086 NB Ltd purchased the land from the previous owner and submitted a revised plan to DOE&LG for review and approval. The submitted revised plan incorporates substantial changes to address concerns expressed by the Town of Quispamsis and DOE&LG. As noted, the DOE&LG continues to review the project under the previous owners' Environmental Impact Assessment File and Conditions of Determination. This means the application is still being treated as the wetland exist and there are specific conditions has established by the DOE&LG that must be adhered to during the development of the subdivision.

Notice was sent to residents within 100 metres of the property and several concerns were received. The first correspondence asked about the land identification of the area as 'designated wetlands'. Mr. Colbourne explained that in 2010, the government designated wetlands all over the province and the feedback from property owners encouraged them to revise the reports in 2011. The wetlands on this map are no longer showing up as such due to the revision. However, as noted above, the DOE&LG and the Town will continue to monitor this area as if it were designated wetlands in order to ensure conditions are met. The Developers, Mr. Steeves and Mr. Turner, have agreed to comply and have already made changes which include 60% more Land for Public Purposes than required to be used for natural drainage. There will be a one hundred year storm water report required to assist with existing and future drainage plans.

Mr. Marc Daigle, a resident of Goldrush Drive, sent in correspondence and attended the meeting with concerns for existing lots, those of his and his neighbor Stacy Blois, and the flooding that has occurred over the last 15 years. Mr. Colbourne stated that all the drainage will be reviewed as part of this development. Culverts may have to be replaced if problems continue; the retention pond will be reviewed for results, other ponds may be required as well as possible berms, etc. It was noted that Mr. Turner has a good understanding of wetlands.

Mr. Steeves noted that the Developers are willing to work with residents on their concerns, will look at ditches for water runoff, will ensure the lower lots on the plan are raised, etc.

Traffic was noted as being increased but since there are only 11 residential building lots, not multi-family units, the impact should be minimal.

MOVED BY: Darin Lamont

SECONDED BY: Mark Hatfield

That the PAC grant approval to the Goldrush Drive Tentative Subdivision Plan proposing the creation eleven (11) residential building lots, the extension of Goldrush Drive - an existing public street, the creation of Parcel "A" to be consolidated with PID 00248518, the creation of Public Utility and Municipal Services Easements; and the creation of 10235 sq. metres of Land for Public Purposes subject to the following conditions:

- 1) A lot width variance for Lot 11 in the amount of 12.92 metres;

- 2) PAC support the reduction in the street right-of-way width to 18.0 metres and asphalt driving surface width of 6.0 metres as per the proposed street cross-section shown on the plan;
- 3) Compliance with the conditions of the Technical Review Committee of the Department of Environment and Local Government – correspondence dated July 25, 2016;
- 4) Confirmation of the Watercourse Alteration Permit requirement for Saunders Brook;
- 5) Confirmation of the proposed secondary access with the regional fire department;
- 6) Amendment to the Timberlea Estate Phase 3 subdivision plan to designate the Future Street to LPP;
- 7) Submission of the street centerline profile to determine if street grade variances are required; if variances are required, the Developer must return to PAC for approval;
- 8) Submission of a one hundred (100) year comprehensive stormwater management plan demonstrating pre and post development balanced flows with no negative downstream impacts;
- 9) Submission of an engineered design sanitary sewerage system;
- 10) Acceptance of the proposed LPP with a credit established for the Developer for any future subdivisions;
- 11) Enter into a Standard Development Agreement with the Town;
- 12) Payment of filing fees in the amount of Three Hundred and Thirty dollars (\$330.00); and
- 13) Final plans signed by property owners and necessary utilities.

CARRIED UNANIMOUSLY

f) Subdivision Review – Heritage Estates Street Profiles

Mr. Colbourne reviewed the Heritage Estates Subdivision Street Profile Review and noted that the PAC approved the tentative plan for twenty-five (25) new residential building lots with two (2) new public streets and Land for Public Purposes off the Pettingill Road on April 26, 2016. The Street centerline profile information based on municipal lidar data was reviewed in April 2016. The preliminary profiles indicated the grades would not exceed the maximum 8% and as such street grade variances were not reviewed at the time of the approval. Since Andrew McKay is in the process of servicing the 1st phase of Heritage Estates, a review of the engineering plans was done by Mr. Gerald Roberts, of Kierstead Quigley & Roberts Ltd., indicating the profiles of Heritage Way extend to nine decimal four percent (9.4%) and Windsor Boulevard extends to the maximum of ten percent (10%) in one section and up to twelve percent (12%) in another. Therefore, variances are required at one decimal four percent (1.4%) for Heritage Way and a variance of two percent (2%) for one portion of the Windsor Boulevard. As the twelve percent (12%) exceeds the maximum of ten percent (10%) the PAC cannot grant a variance but need to state whether they support the construction of this portion of street at this grade or not. It will be a decision of Council in granting assent and through the Development Agreement to permit the construction of the street. The Council will take into consideration any concerns of the PAC.

MOVED BY: Mark Hatfield
SECONDED BY: Darin Lamont

That the PAC grant approval to the street variance of one decimal four percent (1.4%) for Heritage Way and the variance of two percent (2%) for a portion of Windsor Boulevard. The PAC also supports the twelve percent (12%) for portions of Heritage Way.

CARRIED UNANIMOUSLY

9. Information Items

Council Meeting Minutes – October 18 and November 1, 2016
2017 PAC Calendar

10. Adjournment

MOVED BY: Darin Lamont

That the meeting be adjourned.

The Planning Advisory Committee meeting was adjourned at 7:58 p.m.

The next Planning Advisory Committee meeting is scheduled for January 10, 2017.

Respectfully Submitted,



CHAIRMAN



SECRETARY