



**QUISPAMIS PLANNING ADVISORY COMMITTEE**  
**MEETING MINUTES – February 12, 2019**

Present:	Brenda Fowlie	Brent Preston
	Darin Lamont	Kendall Mason
	Marc Gosselin	S. Dwight Colbourne
	Violet Brown	
Absent:	Darren Bishop	Michael Wowchuk

**1. Call to Order**

Darin Lamont called the meeting to order at 7:00 p.m.

**2. Approval of Agenda**

**Moved By** Brent Preston

**Seconded By** Marc Gosselin

That the Agenda be approved as written.

**Motion Carried**

**3. Disclosures of Interest**

No disclosures were declared.

**4. Approval of Previous Minutes**

January 29, 2019 (postponed from January 22, 2019)

**Moved By** Brenda Fowlie

**Seconded By** Kendall Mason

That the minutes of the previous PAC meeting be received and filed.

**Motion Carried**

**5. Business Arising from Minutes - Notice of Decisions**

929 Hampton Road - Similar Use  
Tentative Subdivision Plan - Wayne & Noreen Betts Phase 3  
Micro-Cultivation - 19 McMahon Lane  
Zoning By-law Amendment - Schedule of Fees

**Moved By** Brent Preston

**Seconded By** Marc Gosselin

That the Notices of Decision be received and filed.

**Motion Carried**

**6. Unfinished Business**

None

**7. New Business**

**7.1 Fence Height - Front Yard - 8 Alderbrook Drive**

Mr. Roland Doiron attending seeking approval for a privacy fence height variance in the front yard on the property of 8 Alderbrook Drive, PID 30233100. Mr. Doiron stated that he and his father constructed the fence because it was felt that cars driving along the Vincent Road could look right into the garage and the fence sections help hide the garage doors somewhat and as such give the affect of some privacy. He stated that he did not realize he should have obtained a building permit which would have alluded him to the proximity to the property line and to the Municipal easement, and the permitted height. Mr. Doiron stated that he understood there was an easement on the property and that if the Town needed to get through the property the fence could be destroyed.

Mr. Doiron felt that the fence was on the side of his property, not the front. Mr. Colbourne noted that corner properties have two front line properties as per the Zoning By-law. He stated that the Town has not defined the second front yard as a Flank Yard as some Municipalities have done so both yards facing a road are front yards. Mr. Colbourne noted that during applications for a new house construction, the application must present the setbacks at fifteen (15) meters from each 'front' yard line.

The question of the driveway location was reviewed and Mr. Colbourne stated that the driveway could have been designed to access either Alderbrook Drive or Vincent Road, with respect to the distance to the intersection and line of sight and noted that the garage actually fronts the Vincent Road and therefore the driveway

could easily be off Vincent Road. Mr. Colbourne surmised that the driveway was likely accessed off Alderbrook Drive because up until five years ago, the area was open ditch along Vincent Road and may have been an expense to put the driveway and culverts there at that time. The Town has since piped along the road for ditching and local improvement.

The fact that the applicant sent in pictures of other properties on or around the Vincent Road was reviewed. One fence was noted as being a chain link privacy fence that is tucked into the trees and back off the road enough not to be noticed. Another was noted as being a wooden fence surrounding a garden area; this was not as high as the applicants fence but in disrepair. The other two fences mentioned by the applicant were not within the Quispamsis Town limit.

Mr. Doiron noted that the road is higher than the property so the fence appears to be less than the full height and measures approximate 116cm from the elevation of the road. However, as indicated in the staff report, "height" means the vertical distance as measured from the mean grade (ground level) to the highest point on the structure.

No one attended to speak for or against.

**Moved By** Marc Gosselin

**Seconded By** Kendall Mason

That the PAC approve the nine decimal seven (9.7) metres fence across the Vincent Road side of the property of 8 Alderbrook Drive, PID 30233100, subject to the following terms and conditions:

1. A height variance of one hundred and eight (108) centimetres from Section 6.(S)(2) of the Zoning By-law 038 is approved;
2. A setback variance of approximately zero decimal six (0.6) metres from Section 6.(S)(7) of the Zoning By-law 038 for the proximity of the property line is approved;
3. A building permit is issued in accordance with the Town's Building By-law #055;
4. A Hold Harmless Agreement is registered with the property or a note is put on the Building Permit to say that the Town is not responsible for any damage caused from snow plowing operations or damage caused if the fence needs to be removed for work within the easement;
5. The approval is only good for the life of this fence; should replacement be required, it must accompany a building permit and approval from PAC if it does not meet all setbacks;
6. The fence is not be extended; and

7. If there is any indication that this structure, or part thereof, is within twenty-four (24) meters from each intersection direction, as per the *Town's Zoning By-law 038, Section 6.(O)*, or if there is any indication that the structure will cause snow plowing piles to obstruct the view, it will have to be moved or removed.

### **Motion Carried**

#### 7.2 Discretionary Use - 41-47 Enterprise Drive

Mr. Ken Bruce attended seeking approval for a manufacturing and fabricating sign company, Atlantic Signs, to operate as a Discretionary Use on the property of 41 and 47 Enterprise Drive, PID 30257638 and 30257620 respectively. Mr. Bruce confirmed that this is a business already operating in Saint John, New Brunswick and is moving to Quispamsis, inclusive of all staff.

Mr. Colbourne reviewed the definition of Discretionary Use as per the *Town's Zoning By-law 038*, explaining that the PAC can permit discretion (options) of different land or building uses other than the normal Permitted Uses, with consideration to all factors and subject to terms and conditions.

Mr. Colbourne further noted that there were no concerns from the Town Staff perspective and that the applicant and team have laid out the design to address all issues and setbacks, etc. The Storm Water Management Plan was just delivered to staff that day and the parcel consolidation is in process. The overall development meets all terms and conditions of the Town's By-laws.

Mr. Bruce noted that they will be looking at outside storage across the street where he bought an additional parcel of land. Mr. Colbourne reviewed the by-law regulations for the Light Industrial (LI) Zone for outside storage and suggested a meeting take place to discuss all options.

No one attended to speak for or against.

**Moved By** Kendall Mason

**Seconded By** Brenda Fowlie

The PAC permit Atlantic Signs to operate a manufacturing and fabricating sign company as a Discretionary Use on the property of 41 and 47 Enterprise Drive, PID 30257638 and 30257620 respectively, subject to the following terms and conditions:

1. The two parcels of land (30257638 and 30257620) are consolidated into one lot and registered as such with Service New Brunswick;
2. A building permit is issued in accordance with the Town's Building By-law #055;

3. The development is compliant with the Town's By-laws;
4. A Stormwater Management Plan designed by a Qualified Professional Engineer is submitted to the Town; and
5. The property owner(s) and company owner(s) enter into a Development Agreement with the Town.

**Motion Carried**

**7.3 Zoning By-law Amendment – Land for Public Purposes (LPP)**

Mr. Colbourne reviewed the Zoning By-law Amendment that Council is proposing for Land for Public Purposes (LPP) and the reasoning behind the proposed amendment. Mr. Colbourne noted that as a condition of approval of a subdivision plan, land in the amount of ten percent (10%) of the area of the proposed subdivision, exclusive of streets intended to be publicly owned, is to be set aside as land for public purposes. It is being proposed that the LPP can be used for the Parks and Recreational Use and as any use permitted in the zone in which the land is located.

**Moved By** Brenda Fowlie

**Seconded By** Brent Preston

To support Council in the Zoning By-law Amendment for Land designated as Land for Public Purposes (LPP) to be used for the recreational or other use or enjoyment of the public, notwithstanding the zone the land is located in.

**Motion Carried**

**8. Information Items and/or Discussion**

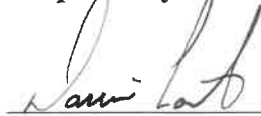
None.

**9. Adjournment**

**Moved By** Marc Gosselin

Meeting adjourned at 7:35 p.m.

**Respectfully Submitted,**



CHAIRMAN



SECRETARY