



QUISPAMISIS PLANNING ADVISORY COMMITTEE
MEETING MINUTES February 13, 2018, 7:00 pm

Present: Darin Lamont
Darren Bishop
Brenda Fowlie
Brent Preston
Kendall Mason
Marc Gosselin
Michael Wowchuk
Trevor Murray, Building Inspector
Violet Brown, PAC Secretary

Absent S. Dwight Colbourne, PTech, Municipal Planning Officer

1. Call to Order

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

2. Approval of Agenda

Moved By Marc Gosselin
Seconded By Brent Preston

That the agenda be approved as written and posted.

Motion Carried

3. Disclosures of Interest

No disclosures were declared.

4. Approval of Previous Minutes

Moved By Brenda Fowlie
Seconded By Darren Bishop

That the previous meeting minutes be approved and filed.

Motion Carried

5. Business Arising from Minutes - Notice of Decisions

Moved By Darren Bishop

Seconded By Brent Preston

That the Notice of Decisions be received and filed.

Motion Carried

6. Unfinished Business

6.1 8-10 Millennium Drive - Free Standing Sign

The PAC tabled the decision and rescheduled for February 27, 2018 as per the applicant's request.

7. New Business

7.1 24 Maple Grove Court, PID 252320 - Attached Garage – Front Yard Setback & Waterfront Review

Dale and Cheryl Kennedy attended seeking a variance of two decimal nine (2.9) metres from By-Law No. 038 Section 8.(E)(1)(a) whereas no building may be placed or altered so that it is within seven decimal five (7.5) metres of any street. A review is also required by Section 6.(BB)(1)(a) whereas no alteration of existing buildings shall occur on any property bordering a watercourse without approval by the PAC. As part of the approval, PAC requests a permit from the Department of Environment. This permit has been received and filed with the Town.

Mr. Kennedy confirmed the plans changed from a second storey addition with the attached garage to just the attached garage. The well location was noted as between the house and water line and it was confirmed that the property is connected to the Municipal Sewer. No one attended to speak for or against this application.

Moved By Darren Bishop

Seconded By Marc Gosselin

To approve the front yard setback variance of two decimal nine (2.9) metres from By-law 038 Section 8.(E)(1)(a) for construction on the waterfront lot of 24 Maple Grove Court, PID 252320 subject to following terms and conditions:

1. A site drainage plan is submitted and approved by Building Inspection Department prior to issuance of building permit; and
2. The exterior finish of the garage is to be a cladding recognized by the National Building Code of Canada, current adopted edition.

Motion Carried

7.2 19 Gorham Road, PID 30015531 - Detached Garage Setback and Size

Brian and Michelle Eisan attended seeking approval to construct a seven decimal three (7.3) metre by eleven decimal zero (11.0) metre detached garage requiring a size variance of sixteen decimal twenty-seven (16.27) square metres from By-law 038 Section 8.(G)(1)(c) and a setback variance from Section 8.(G)(1)(b)(ii) whereas the garage is proposed at one (1) metre from the side yard property line.

Mr. Eisan confirmed the existing shed is moving and the garage is going to sit in that location close to the property line. Trevor Murray, Building Inspector for the Town, noted the cost of interior and exterior materials required if the construction is built less than four (4) feet from the property line. Brian calculated he could build the garage five (5) feet from the line and not require a setback variance from the zoning by-law. However, if the setback was approved by the PAC, and he decides to set the garage at three (3) feet from the line, he would then proceed with the fire-resistant materials as required by the National Building Code. The height of the garage is unknown but it is only one level so there would not be any variances required. No one attended to speak for or against this application.

Moved By Brent Preston
Seconded By Brenda Fowlie

That the PAC approve the size variance of sixteen decimal twenty-seven (16.27) square metres from By-law 038 Section 8.(G)(1)(c) and the setback variance from Section 8.(G)(1)(b)(ii) should the garage be constructed at one (1) metre from the side yard property at 19 Gorham Road, PID#30015531, subject to the following terms and conditions:

1. The building shall not be used as a dwelling unit, the keeping of livestock, or the operation of a business; and
2. The building must be finished in a cladding recognized by the National Building code of Canada.

Motion Carried

7.3 174 Vincent Road - Daycare Facility

Tammy Daigle attended seeking approval for a Day Care facility at 174 Vincent Road. A Daycare (Childcare) facility is permitted as a Discretionary Use in a Residential (R1) Zone as per Sections 8.(B)(1)(a) and 6.(L) of the Town's Zoning By-law 038. It was noted that approval to operator the facility is at the discretion of the province and that the PAC considers the application with respect to potential land use or zoning uses. It was also noted that in 2006, the PAC granted approval to the previous property owner for the operation of a similar Daycare facility from this property with services for up to fifteen (15) children. While the request that is before the PAC is to provide childcare for up to fifteen (15) children, as Section

6.(L)(2) permits, Ms. Daigle noted that she has provincial licensing for nine (9) children as a maximum due to the kitchen being upstairs. Ms. Daigle is currently looking at hiring one (1) person other than herself in order to care for the potential three (3) children under two years of age and five (5) children above two years of age at this time. The local school (Chris Saunders District) has an afterschool program and there is a bus stop close to her driveway so her numbers may increase; both children and staff.

The size of her driveway and the potential parking area was reviewed. There is almost three hundred square metres of space available and Ms. Daigle noted that her car is kept off to the side of the yard and that there were twenty-five cars in the driveway space for a birthday party recently. She has no concern for the drop off time and pick up times and how they can be worked in with the driveway space and confirmed no more than nine children at this time. It was noted by staff that a search of the Town records related to the previous facility did not find any concerns regarding the compatibility of a facility of this size with the surrounding residential area or pose any traffic problems. Ms Daigle commented on her garbage and compost disposal and noted that her household has never gone over the limit, even when she previously cared for six children in her home. She stated that garbage will be kept in the back of the property and that the compost will be used for gardening as well as regular disposal.

No one attended to speak for or against this application.

Moved By Kendall Mason

Seconded By Brenda Fowlie

To permit the Daycare facility as a Discretionary Use in accordance with Zoning By-law 038 at the property at 174 Vincent Road, PID 248526 subject to following terms and conditions:

1. The Daycare Operator must enter into an Agreement with Town;
2. The Daycare facility and operation shall comply with all provisions of Zoning By-law 038 Section 6.(L)(2) and all other applicable Zoning By-law provisions;
3. The Daycare facility and operation must comply with all Provincial regulations and conditions as may be set by the authority having jurisdiction;
4. A copy of Provincial approval(s) to operate shall be submitted to the Town for its records and reference;
5. Any alterations to the building are subject to a Building Permit;
6. There shall be no on-street parking; and
7. Solid Waste is to be kept in secure receptacles at the rear of the building or property and placed at roadside only on the day of scheduled garbage collection.

Motion Carried

7.4 124 Neck Road - Lot Size and Width

Kemal Ilkay and his daughter Kelsey Ilkay attended seeking approval for the construction of a 17 metre by 14 metre dwelling on 4 Hedley Lane (previously 124 Neck Road) and a one decimal four (1.4) metre setback variance from the rear property line in accordance with Zoning By-law 038 Section 25.(M). It was noted that the property is in the Rural (RU) Zone with a lot size of 1553 square metres and that the current Zoning By-law requires a lot to be a minimum of four thousand (4000) square metres in areas not serviced by municipal sanitary sewerage or water. It was recognized that Hedley Lane was originally a cottage lot location and many of the lots, including the lots adjacent to this lot are under half an acre. While the requirements for a septic system may have been different when Hedley Lane property lots were approved, Mr. Murray stated that the Town understands a compliant septic system is attainable at this time due to the technology available. Mr. Murray noted that new homes constructed would be subject to on-site sewage disposal system approvals from the New Brunswick Department of Public Safety. Ms. Kelsey Ilkay has a tentative, conditional offer on the property, pending approval of the town and New Brunswick Department of Public Safety.

Notice was sent to property owners within 100 metres of this property and the Town received one letter of objection for an adjacent property owner whose concern was for the lot size and its ability to support the proposed house, well and septic system without impacting adjacent wells. The potential buyer has applied for a septic system permit, to be placed on the side of the Neck Road, away from neighboring wells. As there are regulations in place through the province for sewage disposal systems, a building permit cannot be issued until the required Provincial approval is obtained.

Moved By Darren Bishop
Seconded By Marc Gosselin

To approve the one decimal four (1.4) metre rear setback variance for the construction of a seventeen (17) metre by fourteen (14) metre dwelling on the property of 4 Hedley Lane (previously 124 Neck Road), PID 73395, subject to the following conditions:

1. A Building Permit is not issued until an on-site septic system approval is obtained from the Department of Public Safety and a copy submitted to the Town; and
2. A detailed site plan, showing the proposed location of the house, the well, and septic system with setbacks from wells on adjacent properties, and with the type of wells noted on the plan, is obtained by the Town.

Motion Carried

8. Information Items and/or Discussion

Moved By Marc Gosselin

Seconded By Brent Preston

To receive and file the information items of Council meetings for November 25, 2017 (Special Budget meeting), December 19 and January 16 regular Council minutes.

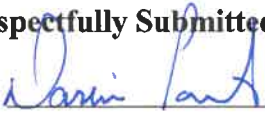
Motion Carried

9. Adjournment

Moved By Michael Wowchuk

That the meeting adjourn at 7:35 p.m.

Respectfully Submitted,



CHAIRMAN



SECRETARY