

**PLANNING ADVISORY COMMITTEE**  
**MINUTES – January 10, 2017**

The regular meeting of the Planning Advisory Committee of the town of Quispamsis was held in the Town Hall Council Chambers on January 10, 2017 at 7:00 p.m.

In attendance: Carolyn LeBlanc  
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: Bob McLaughlin

**1. Call to Order**

Violet Brown, PAC Secretary, called the meeting to order at 7:00 p.m. As this was the first meeting of the year, Mrs. Brown noted that the Planning Advisory Committee Procedural Policy states that the Committee:

1. Shall transact no business until the positions of Chair and Vice-Chair have been elected by the Members;
2. May review the Secretary's report of the previous year's activities; and
3. May review the Procedural Policy for amendments

It was recognized that the Secretary's report of the previous year's activities was part of the member's packages and that it was copied to the Mayor and Council for review.

As for the Procedural Policy amendments, several sections are being reviewed by the Town's legal department and will be brought to the PAC for further review at a later date. They include an update item list of the members' packages, the start time of the PAC meetings, and several questions on quorum and attendance policies.

Due to the terms of appointment for some PAC members ending at the end of January, Violet stated that the elections of the Chair Person and Vice Chair Person would be for the month of January only and that the PAC would revisit the elections again at the first meeting in February or after the Members' appointments have been reviewed.

Violet asked if there were any nominations for the position of Chair Person. Bob McLaughlin was nominated for the position of Chair Person. Mr. McLaughlin was not in attendance but had indicated, in advance, his acceptance of Chair if elected. Violet asked for other nominations three times; there were no other nominations.

MOVED BY: Mark Hatfield

*That Bob McLaughlin be elected as Chair Person for the month of January 2017 or until the Committee Members' appointments have been reviewed.*

SECONDED BY: Darin Lamont

CARRIED UNANIMOUSLY

Violet asked if there were any nominations for the position of Vice Chair Person. Mark Hatfield was nominated for the position of Vice Chair Person. Violet asked for other nominations three times; there were no other nominations.

MOVED BY: Darren Bishop

*That Mark Hatfield be elected as Vice Chair Person for the month of January 2017 or until the Committee Members' appointments have been reviewed.*

SECONDED BY: Marc Gosselin

CARRIED UNANIMOUSLY

The PAC Secretary stepped down and the Vice Chair, Mr. Hatfield, took over the meeting.

## **2. Approval of the Agenda**

MOVED BY: Marc Gosselin

SECONDED BY: Darin Lamont

CARRIED UNANIMOUSLY

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

None.

## **4. Review of Previous Meeting Minutes**

MOVED BY: Darin Lamont

SECONDED BY: Darren Bishop

*That the Minutes of the December 13, 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>
Home Business – Hair Salon	By-law 038, Section 6.(K)	7 Jenkins Drive
Home Business – Hair Salon	By-law 038, Section 6.(K)	12 Westminster Drive
Home Business – River Tours & Angling Recreational	By-law 038, Section 6.(K)	131 Queensbury Drive
Tentative Subdivision – Goldrush Drive Extension	By-law 035	Off Yukon Drive
Subdivision Renewal – Highlands of Queensbury Phase 5-10	By-law 035	Between Queensbury Drive & Vincent Road
Subdivision Review – Heritage Estates Street Profiles	By-law 035	Off Pettingill Road

MOVED BY: Darin Lamont  
 SECONDED BY: Carolyn LeBlanc

*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)	Setback variance; addition to main dwelling	By-law 038, Section 8.(E)(1)(a)	75 Neck Road
b)	Street Name Change Request	Community Planning Act, Section 52(7)	Market Street
c)	Developer's Agreement Amendment	Community Planning Act, Section 39	351 Hampton Road
d)	Tentative Subdivision Plan – Gondola Point Park Phase 10	By-law 035	Extension of Aaron Avenue

**a) Setback variance – 75 Neck Road, PID 00441576**

Mr. Shawn Kelly attended the meeting requesting permission to construct an addition that would be three decimal zero nine (3.09) meters closer than permitted to the front lot line at 75 Neck Road, PID# 00441576. As per By-law #038 Section 8.(E)(1)(a)., no main building shall be altered so that it is within 15 metres of an arterial or collector highway.

No plans have been submitted, but the intention is a 5.48 metre (18’) by 3.35 metre (11’) entry and basement addition to the existing dwelling with the front steps located on the road side of that, cutting further into the setback of the municipal right of way. It should be noted that unenclosed steps are permitted to encroach into a required yard up to 1.2 metres under section 6(E)(1)(e)(i).

The existing setback is 15.26 meters with a required setback of 15 metres. The main concern raised by staff during the review was related to the slope of the land which supports the adjacent municipal street. Excavation and trenching for a full foundation will likely require the applicant to cut into the bank that supports the road. If the bank is not stabilized under the direction of a qualified professional, the bank could collapse taking a portion of our road with it. Additionally, staff noted a concern for proper site drainage based on the new addition's proximity to the steep slope.

Mr. Kelly reviewed his plans for the addition, taking into account the concerns from staff. He stated that he met with three different excavators to seek input on the measurements of space required for the digging of the foundation. He was informed that there should be an additional four to five feet beyond the foundation wall location to allow for appropriate space to maneuver equipment and install drainage pipes. Mr. Kelly took measurements from the existing dwelling to the outside of the proposed addition and outlined this with lumber on the ground to show the PAC Members the site plan pictures. He then outlined an additional five feet of space required to dig to show the proximity to the slope. He noted that each of the excavating operators that he spoke with recognized the slope and noted ways to work around the area so as not to create any concern for the integrity of the hill. He estimated that the dugout area would be approximately zero decimal two seven (0.27) metres from the toe of the bank. Mr. Kelly also mentioned the steps leading into the dwelling in that the location of them will be similar to the existing but will have the lead in steps directed to the driveway versus towards the Neck Road. This will eliminate the need for an addition several feet of walkway space being taken from the slope. Alternatively, if the entrance was moved to a new location, the internal space would be lost and the purpose for the addition would be defeated.

Mr. Colbourne noted that this property, and the slope in particular, is an established property and has some vegetation therefore it is unlikely the bank will fall away as a newly created embankment could. He also stated that there are ways that a contractor can ensure the foundation digging is safe from collapsing, such as plywood enforced walls.

The Google Image of the property showed a gravel section all along the driveway which indicated that the previous owners were cautious of drainage. Mr. Kelly stated that they will continue this or improve this to ensure proper drainage as well.

Notice was sent to residents within 50 metres of the property. There were no responses received for or against the application and no one attended the meeting with concerns.

MOVED BY: Darren Bishop  
SECONDED BY: Carolyn LeBlanc

That the PAC grant the variance from Zoning By-law 038, Section 8.(E)(1)(a) for a three decimal zero nine (3.09) metre front line setback at 75 Neck Road, PID 00441576, subject to the following terms and conditions:

1. A site drainage plan, is presented with the building permit, meeting the requirements of the Town's Building By-Law 044, Section 7.B.viii.A. to 7.B.viii.L.; and
2. Prior to any excavation, the property owner along with Town Staff and the excavator meet to review the plans to ensure there are no further concerns.

CARRIED UNANIMOUSLY

**b) Street Name Change Request – Market Street to Lions Way**

The Quispamsis Town Council has been asked to consider allowing a street name change, that of Market Street to Lions Way and as such is seeking PAC input as per the Community Planning Act, Section 52(7). The year 2017 marks the 100th anniversary of Lionism and as part of their Centennial Celebration, and in recognition of this anniversary, they were asking for the street to be renamed.

Notification of this street name change request was not sent to the affected property owners prior to this PAC meeting but it was recognized that the Town Clerk will be sending these notifications out shortly.

MOVED BY: Darin Lamont

SECONDED BY: Jean Place

That the PAC support the street name change, that of Market Street to Lions Way, subject to there being no objections received from property owners affected.

CARRIED UNANIMOUSLY

**c) Developer's Agreement Amendment – 351 Hampton Road**

Council is seeking input from the Planning Advisory Committee, as per Section 68 of the Community Planning Act, in the request to amend the Developer's Agreement for 606366 N.B. Ltd on the Multi-Residential Condominium Development at 351 Hampton Road (PID 00253641). Mr. Colbourne reviewed the development and noted that there were financial reasons for delaying the project and that the project is not being cancelled.

MOVED BY: Darin Lamont

SECONDED BY: Darren Bishop

That the PAC support Council in the amendment to the Developer's Agreement for 606366 N.B. Ltd, for the Multi-Residential Condominium Development at 351 Hampton Road (PID 00253641) that would see the deadline for submission of the Building Permit Application extended by two (2) years, to December 2018.

CARRIED UNANIMOUSLY

**d) Tentative Subdivision Plan – Gondola Point Park Phase 10; Aaron Avenue**

Mr. Colbourne reviewed the subdivision of two (2) lots at the end of Aaron Avenue named Gondola Point Park Phase 10. The proposed lots have been review for compliance with Section 8.(C) of the Zoning By-law and variances are not required with respect to lot width, depth or area. The creation of Lot 5G will result in the remnant of PID 00248138 being landlocked – that is it does not front a public right-of-way owned by the municipality or the crown. A. Malcolm Properties own the two parcels adjacent to 00248138 being PIDs 00248104 and 00247973. Mr. Colbourne stated that this issue can be addressed through an Administrative PID Consolidation of the remnant (PID 00248138) with PIDS 00248104 and 00247973. The result will be the consolidated parcel will have access of Matthews Drive and Merritt Hill Road. Consolidation of the PIDs will be required prior to final subdivision plan approvals.

Mr. Colbourne reviewed the Land for Public Purpose requirements for these two (2) lots in that A. Malcolm Properties has agreed in principle to convey to the Town 7710 sq. metres of land along the edge of Matthew's Cove for the purpose of construction of the Trans Canada Trail. Upon registration of the pending LPP Subdivision Plan the developer will have a LPP land bank credit of 7403.9 sq. metres as the LPP requirement for two lots proposed is 306.1 sq. metres. Upon failure of the said LPP lands being created A. Malcolm Properties will be required to pay the Town \$1500.00 in LPP fees

No concerns from staff members at this time.

MOVED BY: Jean Place  
SECONDED BY: Darren Bishop

That the PAC grant approval for the Gondola Point Park Phase 10 Tentative Plan subject to the following terms and conditions,

1. The completion of an Administrative PID Consolidation of the remnant of PID 00248138 with PIDS 00248104 and 00247973;
2. Submission of a revised engineered design for the street, sanitary sewerage and stormwater management system for review and approval by the Town's Engineering Department;
3. In accordance with Subdivision By-law 035, the extension of Aaron Avenue and the municipal sewerage system is to be completed to the boundary of the R.J. Scott Homes Ltd. property;
4. Land for Public Purposes requirements in the amount of 306.1 sq. metres is to be met through the dedication of land as agreed to in principle and depicted on the attached Land for Public Purposes Tentative Plan. In the absence of the land dedication A. Malcolm Properties will be required to pay the Town One Thousand Five Hundred Dollars (\$1500) in LPP fees;
5. Payment of Subdivision Filing fees in the amount of One Hundred Dollars (\$100) for a two (2) lot subdivision;
6. Standard Development Agreement and bonding as determined by the Engineering Department will be required; and
7. Final Plans to be properly signed by the necessary Public Utilities and Owner(s).

CARRIED UNANIMOUSLY

## 8. Information Items

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

## 9. Adjournment

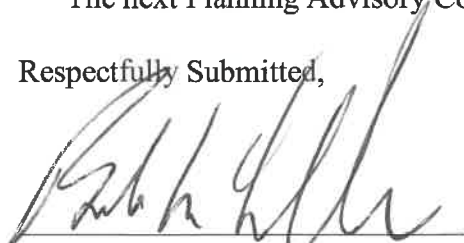
MOVED BY: Darin Lamont

*That the meeting be adjourned.*

The Planning Advisory Committee meeting was adjourned at 7:55 p.m.

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

Respectfully Submitted,



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CHAIRMAN



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SECRETARY