



QUISPAMISIS PLANNING ADVISORY COMMITTEE
MEETING MINUTES January 9, 2018

Present: Darin Lamont
Darren Bishop
Brenda Fowlie
Brent Preston
Jean Place
Kendall Mason
Marc Gosselin
S. Dwight Colbourne, P.Tech, Municipal Planning Officer
Violet Brown, PAC Secretary

Absent:

1. Call to Order

Violet Brown called the meeting to order at 7:00 p.m. As this was the first meeting of 2018, the PAC was required to elect a Chair Person and Vice Chair Person as per the PAC Policy. Mrs. Brown called for nominations for Chair Person three times.

Moved By Darren Bishop
Seconded By Kendall Mason

That Darin Lamont be elected as Chair Person for the year 2018.

Motion Carried

Darin Lamont took the position of Chair Person and asked three times for nominations for the position of Vice Chair Person.

Moved By Marc Gosselin
Seconded By Jean Place

That Darren Bishop be elected as Vice Chair Person for the year 2018.

Motion Carried

2. Approval of Agenda

Moved By Marc Gosselin
Seconded By Kendall Mason

The agenda be approved as written.

Motion Carried

3. Disclosures of Interest

Mr. Gosselin declared a conflict of interest to the Unfinished Business item of a Sign Variance at 8-10 Millennium Drive.

4. Approval of Previous Minutes

With the following errors fixed:

The title of item 7.2 under New Business be changed to reflect the application of the Sign Variance on Millennium Drive.

The first line on page 6 be corrected: "Once the roadway access to the subject property is brought (*not bought*) up to required safety standards..."

Moved By Darren Bishop

Seconded By Kendall Mason

That the minutes from the previous PAC meeting be approved with those changes noted.

Motion Carried

5. Business Arising from Minutes - Notice of Decisions

Sea Can as Accessory Building - 14 Rafferty Court

Preschool as Discretionary Use - 26 Pettingill Road

Thomas Johnson Architect Inc. Subdivision - Old Neck Road

Moved By Darren Bishop

Seconded By Jean Place

That the Notices of Decision be received and filed.

Motion Carried

6. Unfinished Business

Moved By Brent Preston

Seconded By Kendall Mason

That the PAC table the application until February 27, 2018 as per the applicant's request.

Motion Carried (*Marc Gosselin abstained from vote.*)

7. New Business

7.1 Licensed Restaurant - Pico Brewery - 184 Hampton Road

Robb Corbett and Chris O'Neil attended seeking approval for the Bootstrap Brewing Co. Inc to have a licensed restaurant at 184 Hampton Road, PID 249797.

As per By-law 038 Section 12.(B)(1)(f), a licensed dining room is a Discretionary Use in a Central Commercial Zone and as such is permitted subject to terms and conditions as may be imposed by the Planning Advisory Committee pursuant to Section 53(3)(c) of the *Community Planning Act* of New Brunswick and subject to a Development Agreement with the Town.

Mr. Corbett confirmed the operation as a brew/pub that is a much smaller scale to any of the Micro or Nano Breweries in Rothesay. The operation is not for selling brew to liquor stores but simply in bringing in craft brewery plus their own brew for sale with food on location. Mr. Corbett compared the size to Momma's Brew Pub in Fredericton. He confirmed that the location is only where the Busy Bee Restaurant used to be located and while there are empty sections of the mall on each side of this section that are not being used currently, there are no plans to expand at this time. Mr. Corbett stated that the dining area is approximately 60 square metres and expected to hold between 20 and 25 dining seats. The business will be using a two (2) barrel system which is only 240 liters, where as a Micro Brew uses a 30 to 60 barrel system. Any equipment associated with the brewery will be contained inside the building and odors will be controlled so as to not be a nuisance.

Ms. Wendy Lavigne spoke to this application with several concerns, mainly for the outside patio and the potential noise created. While she stated that being outside is nice for enjoying a drink in the summer evenings, it is difficult for a neighboring property that will hear the noise that tends to get louder as alcohol is increased. Ms. Lavigne stated that parking is insufficient now and if this business is successful, and they take 4 spots for tables outside, there will be less parking spots available. Ms. Lavigne noted the increased traffic, and while she noted the entrance and exit options, her fears were for those who might be drinking and unfamiliar to the area, that could cause accidents by exited the parking lot.

Mr. Colbourne brought up the overhead view of the building showing the location of the patio at the back of the Amici Pub and Eatery (previously named the Barnwood) building and noting this application was seeking approval for a patio in the front with the building where the building itself will be a buffer for noise. He also noted that the patio will have further review from the Building Inspection Department with regards to the parking numbers, the occupancy numbers with additional tables outside, etc. Mr. Colbourne felt that the patio review should be tabled until further information and complete design is available.

Notification was sent to property owners within 100 metres of the location. While there was one further correspondence received with questions and concerns, similar to those noted above, no one else attended to speak for or against.

Moved By Marc Gosselin

Seconded By Brenda Fowlie

That the PAC approve the Bootstrap Brewing Co. Inc. to operate a Licensed Restaurant and Pico-Brewery at 184 Hampton Road, PID 249797, subject to the following terms and conditions:

1. An amendment to the 1988 Developer's Agreement to include a Licensed Restaurant and Pico-Brewery as a permitted use;
2. Building permits are issued for any construction that requires changes to the egress or ingress of the building;
3. The occupancy is approved by the Fire Marshall; and
4. All permits are obtained from the Province for Liquor Licenses and a copy is filed with the Town.

Furthermore, the outside patio is to be reviewed under a separate application.

Motion Carried

7.2 After School Program - 221 Hampton Road

Ms. Amelia Bernard attended seeking approval for Go-Go Gym to operate as an occasional After School Program at 221 Hampton Road, PID 251736 and 62430.

An After School Program, or Daycare, is permitted as a Discretionary Use in a Central Commercial (CC) or Special Commercial (SC) Zone as per Section 12.(B)(i) of the Town's Zoning By-law 038 and subject to terms and conditions as may be imposed by the Planning Advisory Committee.

Ms. Amelia Bernard confirmed that the program is a full-time operation located at the Fairvale Elementary School but in January 2018, the School District created a new rule that any programs that operate at the school must terminate during storm days when the school is forced to close for business. Prior to this rule, the After School Program was permitted to stay open for operation and be open for the full day service at the school during inclement weather. This is the reason for seeking out a new location for storm day school closures. It was recognized that the operation of the After School Program offers the children and parents the uninterrupted services of childcare after school while using a facility that would normally be empty at those times. This will not exceed the occupancy of the building due to the fact that both uses are at different times since the intent is to use the space when it is unoccupied.

Notification was sent to property owners within 100 metres of the location. No one attended to speak for or against the application.

Moved By Jean Place

Seconded By Kendall Mason

That the PAC proceed with approving the Go-Go After School Program to operate an occasional After School Program at 221 Hampton Road, PID 251736 and 62430.

Motion Carried

7.3 A.Malcolm Properties Ltd - Rezoning Application Review - Merritt Hill and Matthews Drive

In accordance with Section 4.(J) of Zoning By-law 038 and Section 110 of the Community Planning Act, Council is seeking the written views on the proposed Multi-Residential development. The PAC is asked to provide guidance with respect to the establishment of terms and conditions to be incorporated into a Development Agreement if the proposed development is set out.

Adam Hoar, Owner/Operator of A.Malcolm Properties, attended to answer any questions for the River View Estates Multi-Residential Development and the Rezoning of PID 30325906 from a Single or Two Family Dwelling (R1) to Multi-Residential (R2) Zone.

The proposed multi-residential development was reviewed by the Planning Department for compliance with applicable provision of Sections 6 and 9 of Zoning By-law 038 and to identify variance considerations. The review found variances are not required as the proposed development meets or exceeds the minimum requirements with respect to building setback, building height, dwelling unit size for two bedroom units, parking, landscaping, buffering, lot occupancy, and access to a public street. The proposal is for the construction of two (2) multi-residential buildings containing thirty-six (36) two (2) bedroom units, along with a common area and a gym facility for the residents, an underground parkade and rooftop terrace area on the twenty-three (23) acre property. The Development will be a gated community with access by a private driveway at the end of Matthews Drive and be completed in two (2) phases. With respect to servicing, the buildings will be serviced by municipal sanitary sewerage and drilled wells for potable water.

Mr. Hoar noted that this will be the first in the Town of Quispamsis due to the added value of the underground parking, the roof top patio that offers a view of the Kennebecasis River, and the large floor to ceiling windows to show the view. He also noted that the developer gave two (2) acres of land to the Town to be used for the connection to the TransCanada Trail system.

Notification was sent to property owners within 100 metres of the location. No one attended to speak for or against the application.

Moved By Marc Gosselin
Seconded By Darren Bishop

That the PAC support the setting out of the proposed development of River View Estates, a Multi-Residential Development, and the Rezoning of PID 30325906 from a Single or Two Family Dwelling (R1) to Multi-Residential (R2) Zone, subject to the following terms and conditions:

1. Compliance with Section 6.(Y) of Zoning By-law 038 – submission of a Hydrogeological Report;
2. Submission of a Comprehensive Storm Water Management Plan as designed by a registered professional engineer; and
3. Compliance with Section 6.(R) of Zoning By-law 038 regarding Lighting Facilities and Illuminating Devices – lighting to not cause a nuisance or a safety hazard (i.e. downward directed).

Motion Carried

7.4 Dr. Sheppard - Developers Agreement Amendment - Car Wash - Pettingill Road

A Section 39 Community Planning Act agreement was signed between Wash 66 Ltd. and the Town of Quispamsis, dated February 27, 2017, and had outlined specific timelines that were not met. Mr. Colbourne noted that the previous business partner named on the developer's agreement had passed away leaving Dr. Sheppard to start the process, financing, etc. all over again with his name only and this was the reason for the new timelines.

As per the Community Planning Act, Section 39, a Developer's Agreement amendment through Council requires the written views of the Planning Advisory Committee.

Moved By Kendall Mason
Seconded By Brent Preston

That the PAC support Council with the approval of the Developer's Agreement Amendment for the Car Wash 66 on Pettingill Road, part of PID 30256226, in order to extend the timelines of the previous proposal subject to the following:

1. The developer makes the necessary building permit application to the Town for construction by the end of 2018.

Motion Carried

7.5 Master Enterprises Ltd - Developer's Agreement Amendment - Integrated Development in the triangle of Swanton Drive, Gondola Point Arterial, Millican Drive and Susan Street.

Council, at its December 5, 2017 Regular Meeting, received an application from Master Enterprises Ltd. to amend their Section 39 CPA Developer's Agreement with the town of Quispamsis. Mr. Murray Carpenter, the original applicant, is in the process of selling the property to new shareholders, Andrew Harrigan, Brad Lockhart and Sean Hall who are arranging to carry out the development. As per the 2017 Community Planning Act, Section 39, a Developer's Agreement amendment through Council requires the written views of the Planning Advisory Committee.

Rick Turner of Hughes Surveys, attended with Shareholders Andrew Harrigan, and Brad Lockhart to offer further information on the development and the amendments required to the agreement for the economic realities of today. A summary of the new shareholders' requested amendments are as follows:

- Additional apartment units in both buildings. The previous 20-unit building will increase by 5 units and the previous 30-unit building will increase by 8 units with the total number of units for the overall development remaining at 96 units;
- Increasing the number of phases to complete the development – five (5) phases from the previous four (4);
- Slight changes to the architectural design of the building but still retaining the overall general concept as previously approved;
- Setback variances requested for the design of the some of the garden homes;
- Development of the full street in accordance with the phasing of the development versus completion of the street without the construction of dwellings along the street as required in the previous agreement;
- The shareholders have agreed to repay the Town \$78,000.00 to cover outstanding municipal sewerage levy on the property;
- New timetables proposed for the development;
- The area designated for LPP to be transferred to the Town upon filing of the Subdivision Plan for Phase 1 by August 1, 2018; and the Developer be entitled to use a portion of this LPP as a storm water control area for purposes of the development recognizing the amount being vested is substantially more than by-law requirements, i.e. 40% vs 10%.

Mr. Turner noted that the phase previously was starting at the end of Millican Drive with a long cul-de-sac and is now proposing to start at opposite end. He proposed a temporary emergency road with no housing on that road until phase 2 is ready. Phase 1 is proposed at one apartment build with 2-3 family homes and noted that this section and each section would be paved as the phase is completed. If the

economic realities change, the pace will pick up but at this time, the plan is being conservative.

Mr. Turner stated that he would like to have all the variances approved as part of the sale and noted that the design is compliant with the setbacks for family dwellings as per the National Building Code (NBC). The intention is not having to use non-combustible materials for the five (5) foot proposed setback since that is the requirement of the NBC while ten (10) feet is the Zoning By-law setback.

Mr. Colbourne noted that if things change, building requirements may be addressed through the Building Inspection Department, ie: fire separation materials for eaves, at the time of permit applications. He also noted that the setbacks may change through the process of the New Municipal Plan and Zoning By-law for the medium density but the Town will ensure there is compliance with the NBC. At this stage, it is tough to consider the variances as building permits are yet ready for review. As far as the Planning Department is aware, there is no concern with the existing proposal as it plans to be compliant to NBC. Sewer and water shows sufficiency and quoted as below standard reasonable density.

Notification was sent to property owners within 100 metres of the location. No one attended to speak for or against the application.

Moved By Darren Bishop

Seconded By Kendall Mason

That the PAC support Council with the approval of the Developer's Agreement Amendment for the development of the Master Enterprises Ltd., Integrated Development at the bottom of Swanton Drive and Millican Drive. Furthermore, a variance of one decimal five (1.5) metres of property line setback is approved so long as the design meets with the current adopted edition of the National Building Code of Canada. Other building location setbacks be considered under a separate application as the final designs are yet to be submitted to the Town.

Motion Carried

7.6 Municipal Plan Review

As per the Community Planning Act, Section 66, Council requires the written views of the Planning Advisory Committee prior to final approval of this By-law.

Mr. Colbourne reviewed the need for a Plan and the requirement for a Planning Committee in order to keep the Plan a living document. The Plan is a nine (9) Part Document that is now more user-friendly and comprised of over 100 Pages in three Schedule Format:

Schedule A – The Plan

Schedule B – The Future Land Use Map

Schedule C – The 5 Year Capital Plan

The Plan Duration will be ten years (2018 – 2028) with mid-term review proposed for 2022-2023. The Plan includes the Council and Committees for decision-making process, Municipal Staff guiding principles in day-to-day operation plus residents informed of the Town's direction through openness and accountability.

The Plan review consisted of an Opinion Poll of more than 300 residents and included group sessions, reports from emergency services, PAC approval reports, the building counts of residential versus non-residential growth, demographics projections, aging population, land uses, services areas and more. Residents are looking for a level of service and quality of life and they want to understand what they get for their tax rate. Each development proposal to PAC or Council for instance, needs to be looked at for all aspects of the design with regards to the infrastructure such as sidewalks sewer, water, etc. in order to determine if it is required and if it is feasible for the Town to maintain.

Mr. Colbourne reviewed several key points of the new Plan such as Medium Density properties and Garden Suites/Coach Houses. The medium density has not been pre-zoned land prior to this, only R1 or R2 and changes must be made through Council. The new Plan wants to pre-zone larger parcels for high density where the design could reduce the amount of infrastructure (narrower roads for instance) and reduce maintenance costs. The Garden Suites or Coach houses are secondary dwellings on a lot as a potential spot for parents to live nearby the adult children. These dwellings would share services such as driveway, wells, etc. and be looked at as in-family living. Where there is already lots of commercial property, the new Plan is introducing a mixed land use as a multi-residential in Central Commercial Zone such as Hampton Road or Millennium Road. This creates a walkable community which is currently missing.

Mr. Colbourne talked about the Sports Tourism aspect of the new Plan and how the Town of Quispamsis can provide this. Examples of success and upcoming plans included the Telus Cup, Canada Games, Under 17 Worlds, etc. These events bring business revenue to the Town which in turn requires more businesses to be developed. He reviewed Millennium Drive as a Gateway to the Community and how it should be less highway appearance, more walkable for residents, etc. The Transportation Master Plan was reviewed for street design, sidewalks, etc. Further research and reports in progress include an Asset Management Plan, a Land for Public Purposes Plan, a Municipal Water Study and a Municipal Storm Water Management Report that goes beyond what the province reports for watercourses and includes mapping drainage concerns, water, foliage, etc. All of these parts of the Plan are used to prepare for future development, not just current development, so as to not have to go back and do rework.

Town fees will be reviewed as it was determined that we are significantly undercharging for some fees in comparison to other municipalities. For example, the \$50 application fee for the Planning Advisory Committee doesn't cover the postage costs which is why the other towns charge \$200 or more. Other new fees

such as a subdivision review are being considered. There were sections of the new Plan discussed between the PAC Members and Mr. Colbourne and they will be reviewed prior to the public session and final readings.

Moved By Darren Bishop
Seconded By Marc Gosselin

That the PAC support Council with the approval of the Municipal Plan and the noted questions be directed to the Municipal Planning Officer for consideration and incorporation into the Plan.

Motion Carried

7.7 PAC Procedural Policy Review

A review of the PAC Policy with minor changes in quorum numbers and the Community Planning Act new numbers referenced. The last official review of the PAC Policy was in 2014. It was noted that litigation procedures were not mentioned in this PAC policy. Mr. Colbourne noted that the Community Planning Act provides information on this and has jurisdiction on appeals policy.

Moved By Brenda Fowlie
Seconded By Kendall Mason

To approve the PAC Procedural Policy as written and forward a copy to the Town Clerk for review and comment.

Motion Carried

8. Information Items and/or Discussion

Council Minutes - November 21, 2017 and the 2017 PAC Report

Moved By Brent Preston
Seconded By Darren Bishop

That the information items be received and filed.

Motion Carried

9. Adjournment

Moved By Jean Place

That the meeting adjourn at 8:55 p.m. Jean Place was thanked for her service.

Respectfully Submitted,



CHAIRMAN



SECRETARY