



QUISPAMISIS PLANNING ADVISORY COMMITTEE
MEETING MINUTES – June 23, 2020

Present: Darin Lamont Marc Gosselin
 Kendall Mason Chrissy Scott – Tech Support
 Brent Preston S. Dwight Colbourne, Municipal Planning Officer
 Darren Bishop Violet Brown, PAC Secretary

Absent: Brenda Fowlie
 John Groden

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 Kendall Mason

That the Agenda be approved as written.

Motion Carried

3. Disclosures of Interest

No disclosures were declared.

4. Approval of Previous Minutes

With a change in the 7.6 agenda item (8 Long Lane - Oversize Detached Garage with Setback) of noting Darren Bishop versus Darin Lamont.

Moved By Marc Gosselin
Seconded By Kendall Mason

That the minutes of the June 9, 2020 PAC meeting be received and filed.

Motion Carried

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

Moved By Marc Gosselin

Seconded By Brent Preston

That the Notices of Decision be received and filed.

Motion Carried

6. **Unfinished Business**

6.1 Queensbury Heights Phase 12 - tabled from May 26, 2020 PAC Meeting

Mr. Raymond Carpenter attended seeking approval for Queensbury Heights Subdivision Phase 12. Mr. Carpenter noted that the LPP plans that were previously in discussions were dropped off at the Town Hall for signing and then registering.

The water issue that was mentioned in the staff report was reviewed. Mr. Carpenter noted that some water test numbers got smaller but for those that were a little high, a reverse osmosis can be put on any individual well to clear them up. Mr. Colbourne stated that a clause will be added to the Developers Agreement regarding the hydrogeological report and insists that these reports must be in the deed transfer if there are issues so that this information is disclosed to those buying the land.

Notice of this application was previously sent to property owners in the vicinity of 100 metres. No one spoke for or against this application.

Moved By Marc Gosselin

Seconded By Kendall Mason

That the Planning Advisory Committee support the Development Officer in approving the Tentative Plan for Queensbury Heights Phase 12, subject to the following conditions:

1. Acceptance of the extension of proposed public street;
2. Submission to the Town a Professional Engineered (P.Eng) design for the street;
3. Submission to the Town a Professional Engineered (P.Eng) design drawings for the sanitary sewer system to be submitted to the Town for review and approval prior to any construction;
4. An Abbreviated Water Source and Supply Assessment (AWSSA) for Phase 12 that provides an update on water quantity in the area and specific recommendations addressing water quality issues, specifically the exceedances of Uranium in some wells. The AWSSA must be submitted prior to final subdivision plan approval and the issuing of Building Permits. No further subdividing of the remnant parcel beyond Phase 12 of the remnant parcel (PID

62687) until a Comprehensive Water Source and Supply Assessment is complete;

5. Acceptance of the LPP as submitted with the final Subdivision Plan for Queensbury Phase 13 being registered before for final subdivision plan approval for Phase 12 or the release of any building permits for the parent parcel (PID 62687);
6. The previous Storm Water Management Plan is to be reviewed by a qualified professional engineer (P.Eng) and submitted to the Town for acceptance. The plan must address all local drainage patterns and any downstream impacts, and achieve balance storm water flows pre versus post-development;
7. The Final Subdivision must include any Local Government Services Easements required for storm water management or sanitary sewerage service;
8. Standard Development Agreement, Security bonding and subdivision fees will be required;
9. Subdivision filing fees in the amount of two hundred sixty dollars (\$260.00) for a six (6) lot phase;
10. Final Plans to be properly signed by the necessary property owners and Public Utility agencies prior to submission to the Town for final approvals; and
11. The development of the lots in this phase shall be conducted in accordance with applicable Town By-laws, Regulations and Policies thereto.

Motion Carried (Voting was done verbally and individually.)

7. New Business

7.1 Arsenault Subdivision - 213 Pettingill Road

Mrs. Jennifer Arsenault attended seeking approval of a subdivision plan (Arsenault Subdivision) that will create three (3) lots not fronting on a municipal street at 193 Pettingill Road – Arsenault Subdivision PID 253187.

Mr. Colbourne reviewed the plan of one large lot divided into three lots. As per staff report, the existing parcel is 4.5 hectares (11.1 acres) and is the site of Origins Natural Learning Centre Outdoor Childcare Facility (Origins the Woods). Origins are planning the future development of the parcel that will include an additional licensed Early Learning Centre. Before moving forward, subdividing the land into three parcels will allow for ownership of the parcels to be transfer to the corporation, while retaining one parcel (Lot 20-3) for their own personal use. The intent is to see Lots 20-1 and 20-2 remain institutional for childcare and early learning centre land use, while Lot 20-3 will revert to Residential through a process of Council. As the Tentative Plan shows Lots 20-2 and 20-3 require a right-of-way over Lot 20-1 to access the properties. The Arsenaults requested and are

collaborating with the Town on a possible future access to Lot 20-3 from Vegas Drive. The Town owns the Land for Public Purposes at the end of Vegas Drive and as the land has been deemed surplus, it will not be developed. The Town will be selling the land in the future through a public process, and the Arsenaults are seeking enough land to construction a typical driveway to Lot 20-3. There will be no cost to the Town for this right-of-way.

Notice of this application was sent to property owners in the vicinity of 100 metres. No concerns were received, and no one attended to speak for or against the application.

Moved By Kendall Mason

Seconded By Brent Preston

The Planning Advisory Committee approve the access to Lots 20-2 and Lot 20-3 subject to the following:

1. A Hold Harmless Agreement to protect the Town, and to make the property and homeowners aware of the responsibilities associated with the private driveway that does not front a municipal street and highlights the concerns from fire, police and ambulance and the importance of unobstructed access;
2. A Storm Water Management plan is approved by the Town prior to construction;
3. LPP obligations are met through payment Cash-in-Lieu payment in the amount of three thousand dollars (\$3000);
4. Filing Fees in the amount of Two Hundred Ten Dollars (\$210) for a subdivision plan of more than two (2) lots; and
5. The Final Plan is to be signed by the property owners and any applicable Public Utilities.

Motion Carried (Voting was done verbally and individually.)

7.2 32 Birmingham Drive - Fence Setback & Height Beyond Front Line

Ms. Jennifer McConaghy attended requesting approval to erect fencing at 32 Birmingham Drive, PID 30278220.

Since this property is a corner lot it is considered to have two front yards. As such, a small section of the fence requires a height variance from the Town's By-law 038, Section 6.(S)(2) whereas no fence in a front yard may exceed seventy-five (75) centimetres. The privacy fencing will be located the recommended zero decimal six (0.6) metres from the property line adjacent to 102 Queensbury Drive and will run approximately thirty (30) metres, the full length of the chain link fence that is on the neighboring property line, from the back corner of the property up to the edge of the easement which is approximately 5.5 metres beyond the front of the

main dwelling. The back portions of fencing will be located just inside the property line behind the existing accessory building from the corner of the property towards Birmingham Drive and run approximately 12 to 14 metres.

Notice of this application was sent to property owners in the vicinity of 50 metres. No concerns were received, and no one attended to speak for or against the application.

Moved By Brent Preston

Seconded By Kendall Mason

That the Planning Advisory Committee approve the variance of up to zero decimal six (0.6) metres from the Town's By-law 038, Section 6.(S)(7) so that the privacy fencing may be placed just inside the rear property line, and the height variance of one decimal one (1.1) metres from the Town's By-law 038, Section 6.(S)(2) for sections of the fence in the front yard, subject to the following terms and conditions:

1. All construction work, including fence post holes, is to be done on the applicant's property with clear and accurate account of the property lines; and
2. A building permit is issued in accordance with the Town's Building By-law #055 prior to any construction.

Motion Carried (Voting was done verbally and individually.)

7.3 157 Palmer Brook Road - Amend a Developer's Agreement

Mr. Brad Lockhart attended on behalf of 669155 NB Inc. (Palmer Brook Storage) requesting approval for a Development Agreement Amendment for Parking in the Front Yard Setback at 157 Palmer Brook Road, PID 30301782.

The expansion of services will be the availability of U-Haul rentals (both trucks and boxed trailers). This proposal is a permitted use in the Light Industrial zone as the zone permits heavy equipment sales establishment, wholesale business, storage buildings (services), etc. Furthermore, the availability of U-Haul vehicle and accessory rentals at this location can be considered an extension of the existing land use. Customers could rent a U-Haul and transport items to be stored at this location. The current Development Agreement restricts the use of the land to Storage Facility only so, in order to permit the proposed use, an amendment to the Development Agreement is required.

Notice of this application was sent to property owners in the vicinity of 100 metres. No concerns were received, and no one attended to speak for or against the application.

Moved By Darren Bishop

Seconded By Brent Preston

That the Planning Advisory Committee approve the proposed amendment to the Development Agreement with 669155 NB Inc. (Palmer Brook Storage) to permit U-Haul services from 157 Palmer Brook Road, PID 30301782, subject to the following conditions:

1. Granting of a variance of permit parking and storage of the U-Haul units in the front yard setback area;
2. Granting of a variance to reduce the minimum of 50% open greenspace in the front yard area to accommodate the storage of the U-Haul units;
3. Review and approval from the provincial Department of Transportation and Infrastructure with correspondence submitted to the Town confirming the same;
4. Any changes to signage to be submitted to the Town for review and approval prior to modification of existing signage or the installation of new; and
5. Payment of fees associated with the amendment to the Development Agreement and execution and registration thereof.

Motion Carried (Voting was done verbally and individually.)

7.4 28 Hearthstone Drive - Home Occupation - Spa

Ms. Deidre Lloyd attended seeking approval for a Home Business, that of a salon for Aesthetician Services, at 28 Hearthstone Drive, PID 30257844.

There is only employee proposed and the business will operate out of a portion of the basement of the existing dwelling. The area for the Salon calculates to 20 % usage of this home. The business will be run by appointment only with hours of operation proposed at 8:30 a.m. until 6:00 p.m. one Monday to Friday and 9:00 a.m. until 1:00 p.m. on Saturdays. This application was noted as being in keeping intent with the Town's Zoning By-law definition of a home occupation.

Notice of this application was sent to property owners in the vicinity of 100 metres. No concerns were received, and no one attended to speak for or against the application.

Moved By Brent Preston
Seconded By Marc Gosselin

That the Planning Advisory Committee approve the Home Business, that of a Salon for Aesthetics Services, at 28 Hearthstone Drive, PID 30257844, subject to the following terms and 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 Planning Advisory Committee approval to operate the business is non-transferable. The approval is solely for the benefit of the owner and the property named herein. In the event the business is discontinued, or the lands are transferred, the said approvals shall terminate.

Motion Carried (Voting was done verbally and individually.)

7.5 32 Aldridge Drive - Fence Setback

Mr. Michael Teed of 32 Aldridge Drive, PID 30219935 attended seeking approval to connect fencing to an existing fence on the adjoining property at 36 Aldridge Drive, PID 30226849 as well as erecting fencing to be located just inside the property line on the opposite side, adjacent to 28 Aldridge Drive, PID 30219927.

Mr. Teed noted that all the property pins were visible and strings were run to show the proposed location of the fencing. He added that he spoke with both neighbors who have sent correspondences to the Town with their approval of the fence location.

Mr. Gosselin asked how potentially new property owners would be made aware of the location with consideration to the fact that the fence on one side is two feet inside the neighbor's property. Mr. Colbourne stated that the Planning Advisory Committee review and decision are of public record and the Notice of Decisions are kept on file. If land transactions happen, the purchasers' lawyers usually ask for any records on file with the Town. The Town does not have any responsibility otherwise and the ownership is on the property purchaser.

Notice of this application was sent to property owners in the vicinity of 50 metres. No concerns were received, and no one attended to speak for or against the application.

Moved By Marc Gosselin

Seconded By Kendall Mason

That the Planning Advisory Committee approve the variance of zero decimal six (0.6) metres from Section 6.(S)(7) of the Town's By-law 038 for the property owners of 32 Aldridge Drive, PID 30219935 to connect fencing to an existing fence on the adjoining property at 36 Aldridge Drive, and to install fencing on the property line on the side of 28 Aldridge Drive, and approves the variance of zero decimal six (0.6) metres from Section 6.(S)(7) of the Town's By-law 038 for the property owners of 36 Aldridge Drive, PID 30226849 to allow fencing to be connected to their existing fence, subject to the following terms and conditions:

1. The sections of fence to be erected within the setbacks must be constructed so that these sections can be removed without difficulty should either property change ownership and property lines are disputed;
2. The fence posts and holes are to be fully on the property 32 Aldridge Drive, PID 30219935 on the side of 28 Aldridge Drive; and
3. A building permit is issued prior to the fence being erected.

Motion Carried (Voting was done verbally and individually.)

7.6 33 Lionel Drive - Front Yard Setback for Front Porch

Mr. Ron Ferris of 33 Lionel Drive, PID 30018485, attended seeking approval for a one decimal five (1.5) metre Front Yard Setback Variance from Section 8.(E)(1)(a) of the Town's Zoning By-law 038 whereas no main building or structure may be placed so that it is within seven decimal five (7.5) metres of any street.

The intent is to add a two decimal one (2.1) metre wide addition to the front of the main dwelling to add space when entering the home. The new entrance will be on the side of the addition, not the front, so the steps will not be further encroaching into the front yard setback.

Notice of this application was sent to property owners in the vicinity of 50 metres. No concerns were received, and no one attended to speak for or against the application. It was noted that Lionel Drive is a local street, and there is ample room for any street work within the right-of-way

Moved By Kendall Mason

Seconded By Darren Bishop

That the PAC approve the variance for a one decimal five (1.5) metre Front Yard Setback Variance from Section 8.(E)(1)(a) of the Town's Zoning By-law 038 in

order to construct a two decimal four by two decimal one metre (2.4 x 2.1) addition on the existing dwelling at 33 Lionel Drive, PID 30018485, subject to the following terms and conditions:

1. The new entrance shall not be changed from the proposed location of the side of the new addition so as to not encroach any further into the setback;
2. The addition shall be finished with a cladding recognized by the National Building Code of Canada; and
3. A building permit is obtained prior to any construction.

Motion Carried (Voting was done verbally and individually.)

8. Information Items and/or Discussion

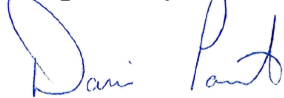
None

9. Adjournment

Moved By Darren Bishop

Meeting adjourned at 7:45 p.m.

Respectfully Submitted,



CHAIRMAN



SECRETARY