



QUISPAMIS PLANNING ADVISORY COMMITTEE
MEETING MINUTES – June 26, 2018

Present: Darin Lamont Brenda Fowlie
 Darren Bishop Brent Preston
 Kendall Mason Trevor Murray
 Marc Gosselin Violet Brown

Absent: S. Dwight Colbourne Michael Wowchuk

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.

Motion Carried

3. Disclosures of Interest

No disclosures were declared.

4. Approval of Previous Minutes

Moved By Brent Preston

Seconded By Brenda Fowlie

That the minutes of the June 12, 2018 PAC meeting be received and filed.

Motion Carried

5. Business Arising from Minutes - Notice of Decisions

- Multi Residential Apartment - Millennium Drive
- Tentative Subdivision - 265 Hampton Road
- Side Yard Setback - 11 Jenkins Drive
- Accessory Building prior to Main Dwelling - 425 Gondola Point Road
- Foundation Elevation Variance - 24 Executive Avenue
- Foundation Elevation Variance – 7-11-15 Lachlan Court
- Tentative Subdivision - Fernwood Park Phase 3-B
- Parking Setback - 204 Hampton Road
- Terrace View Mini Home Park extension

Moved By Brenda Fowlie

Seconded By Brent Preston

That the Notices of Decision be received and filed.

Motion Carried

6. Unfinished Business

6.1 Fernwood Park Phase 3-B

This application was tabled at the June 12, 2018 PAC meeting until the Town met with the Developer to review the storm water management plans and is not scheduled for review at this meeting.

7. New Business

7.1 Fence Setback - 42 Shornecliff Drive

Michelle Snow attended seeking approval to erect fencing along the property lines on three sides on the property of 42 Shornecliff Drive in order to enclose the back yard. She stated that they have two small Shih Tzu / Bichon dogs that they want to keep safe within the fenced back yard. Ms. Snow noted that the dogs could not get under the fence and that the contractor will make sure the fence will be installed below ground level. It was recognized that there are four neighbors that share property lines and each property owner has signed a letter stated they were acceptable to the fence being erected on the property lines.

As per By-law 038 Section 6.(S)(7)., fences or any greenery bordering property are to be located at least sixty (60) centimetres from the property line.

No one attended to speak for or against this item.

Moved By Marc Gosselin
Seconded By Kendall Mason

That the PAC approve the variance of zero decimal six (0.6) metres from Zoning By-law 038, Section 6.(S)(7) for the shared property lines of civic 38 and 46 Shornecliff Drive and 29 and 33 Aldridge Drive for a chain link fence to be erected along the property lines at 42 Shornecliff Drive, PID 30253736, subject to the following conditions:

1. All work is to take place on the applicant's property; and
2. A fence permit is obtained prior to any construction.

Motion Carried

7.2 Accessory Building Setback - 81 Peat Drive

Glen MacLean attended seeking approval to construct a three decimal six (3.6) metre by four decimal eight (4.8) metre accessory building beyond the front line of the main dwelling at 81 Peat Drive.

As per By-law 038 Section 8.(G)(2)(b)(i), no accessory building or structure used other than as a detached garage, (such as storage shed or bathhouse), may be placed so that any part is in front of the front line of the main building on the lot.

The property fronts both Peat Drive and Cedar Ridge Boulevard and as such has two front yards. The Accessory Building location is proposed at the right side of the driveway off Peat Drive behind a line of mature trees and as such would not create any new line of sight issues. Mr. MacLean stated the cladding would be regular barnboard painted a color that matched the house.

It was recognized that the recommended conditions from town staff did not include the prohibited commercial use statement that has been a standard condition over the past few years. Mr. Murray, Building Inspector for the Town of Quispamsis, stated that the condition was removed due to the upcoming zoning changes and the possibility that the Town may approve Home Businesses to be conducted in accessory buildings.

No one attended to speak for or against this application.

Moved By Kendall Mason
Seconded By Brent Preston

That the PAC approve the variance from By-law 038 Section 8.(G)(2)(b)(i) to construct a three decimal six (3.6) metre by four decimal eight (4.8) metre accessory building beyond the front line of the main dwelling at 81 Peat Drive, PID 30063960, subject to the following conditions:

1. The exterior finish of the accessory building is to be a cladding recognized by the National Building Code of Canada, current adopted edition;

2. The building shall not be used for a dwelling unit or for the keeping of livestock; and
3. A building permit is issued prior to construction.

Motion Carried

7.3 Development Agreement Amendment - 157 Palmer Brook Road

Brad Lockhart attended for Palmer Brook Storage requesting an amendment to the developer's agreement for the development at 157 Palmer Brook Road, PID 30301782, so as to change the fenced areas, add shipping containers for unheated storage, and to change the timelines of building construction.

As per Zoning By-law 038, Section 17.(H), any new development, construction and/or renovations to existing buildings are subject to a Development Agreement with the Town.

The original fence plan was to be a chain link fence surrounding the entire proposed storage area. The new proposal is for a fenced area of 21.3 metres by 35.8 metres with a pad key style locked gate and exterior lighting. Any boats or vehicles on the lot will be moved to the new fenced-in location. The applicant has confirmed that this is for vehicle storage only and not automobile parts nor a junk yard.

The proposed new timelines are for the construction of Phase 3 buildings and the Fenced-in Compound in the Summer to Fall of 2018, the Roadside Landscaping and Pavement of the parking area in the Fall of 2018, and the Building 200 to be in the Fall of 2019.

There is a new proposal to include shipping containers for unheated storage to be located in the front of the outdoor storage compound on the attached site plan. These containers will be used for heavy equipment or commercial equipment where a more rugged environment is required. The plan shows a potential for 9 to 10 of the 40-foot shipping containers and 2 of the 20-foot containers. All the containers will be brand new, all the same color and placed on concrete blocks over gravel pads. These are not refrigerated units, just unheated and unfinished internally. A request for screening of the containers was reviewed and Mr. Lockhart noted that the containers will be behind two buildings once both buildings are built. The site plan shown by Trevor Murray noted that the only way to see them would be from the road traveling towards Hampton. The existing trees start on the adjacent piece of property near building 200. Trevor noted that since the buildings will be done before 2019, with one by fall 2018, that PAC might consider asking for screening to be reviewed again once the buildings are constructed. Mr. Lockhart noted the access will be on both ends of each container, double hinged doors, and the driveway routes around containers and buildings, therefore not offering much of an option for screening.

It was recognized that shipping containers are not a Permitted Use in today's Zoning By-laws because they are relatively new. It was asked if they are permanent on the lot and Mr. Lockhart stated that they are unless someone asks to purchase them. He noted that they are not on a foundation, just a gravel bed which was built after eight feet of fill was brought in to level up the land.

No one attended to speak for or against this application.

Moved By Darren Bishop

Seconded By Brenda Fowlie

That the PAC approve the amendment to the Developer's Agreement for a change to the fenced areas, the addition of shipping containers for unheated storage, and a change to the timelines of building construction for the Palmer Brook Self Storage Development at 157 Palmer Brook Road, PID 30301782, subject to the following conditions:

1. A final site plan is to be provided to the Town for review and approval;
2. All exterior lighting is to be downward directed to mitigate impact to the neighboring properties;
3. Site and building constructed in accordance with plans filed with the Town; and
4. All conditions of the previously approved Development remain in effect.

Motion Carried

7.4 Mobile Car Wash - 525 Hampton Road

Joseph DeMerchant and Chris Patterson of JDCP Enterprises Inc. attending seeking approval for a mobile car wash to be located at 525 Hampton Road, PID 250266 to be considered as a Similar or Compatible Use with a variance for the location of the accessory building and an amendment to the developer's agreement.

As per Zoning By-law 038, Section 3.(D), the Planning Advisory Committee may permit a proposed use of land or a building that is otherwise not permitted under the Zoning By-law if, in its opinion, the proposed use is sufficiently similar to or compatible with a use permitted in the By-law for the zone in which the land or building is situated. With this application, a variance is required for the location of the utility trailer, used as an accessory building, as it must not be closer to the street than the rear of the main building as per Section 12.(F)(1)(b)(ii), and the property owner will require an amendment to their developer's agreement as per Section 15.(H). of the Zoning By-law 038.

Mr. DeMerchant noted that the average wash time is 5 to 10 minutes with two staff and the practice is to always have two staff working. The carwash will not be operating all winter, just on the warmer days, more sporadic than other seasons. JDCP Enterprises does snow removal as well so they have the equipment and will ensure there is no ice build up from the car wash water flow. Mr. DeMerchant noted they will use barriers to direct the water if required in winter.

No one attended to speak for or against this application.

Moved By Brenda Fowlie

Seconded By Kendall Mason

That the PAC grant approval for a Similar or Compatible Use for the operation of a Mobile Car Wash at 525 Hampton Road, PID 250266, subject to the following conditions:

1. Water used for the washing of cars must be brought in and stored on site;
2. The private well on the property is not to be used for the car wash;
3. No commercial trailers will be permitted to be washed at this location;
4. The car wash must be located and operated such that adjacent property owners and groundwater users are not impacted;
5. Only mild detergents or cleaning agents which are biodegradable shall be used in the car wash operation;
6. No petroleum solvents shall be used or permitted on the lands;
7. No washing of engines, undercarriages, or other articles, which are, or are likely to be, contaminated with oil or grease is permitted on the lands;
8. Drainage shall not impact the wetland area behind the property;
9. Parking is not permitted on any Municipal Property;
10. Vehicles waiting for the mobile car wash are not permitted to line up on Hampton Road so as to impede traffic;
11. Any substantiated concerns received by the Town that would deem the operation to be a nuisance and the concerns cannot be reasonable addressed, the operation shall cease;
12. A building permit is issued for the temporary shed that will house the equipment;
13. Any signage must comply with the Town's Sign By-law; and
14. An amendment to the existing Developer's Agreement is required to be registered to the property.

Motion Carried

7.5 Tentative Subdivision - Queensbury Heights Phase 12

No one attended the meeting to represent the tentative plan for Queensbury Heights Subdivision, Phase 12, which would create six (6) new building lots as an extension of Olbie Glen.

Moved By Brent Preston

Seconded By Marc Gosselin

That the PAC table the decision until the Developer or his designate are available.

7.6 Lot Size and Frontage - 10-12 Diggle Drive

Sam Moore attended seeking approval for line adjustments on two properties of the Marie L. Diggle Subdivision Plan. This plan proposes the realignment of the adjoining side property line between 10 Diggle Drive (PID 251405) and 12 Diggle Drive (PID 140079) to bring the existing dwelling located at 12 Diggle Drive into compliance with the Zoning By-law Section 8.(E)(1)(b) which states the requirement for a main dwelling is to be located on a lot in a R1 Zone such that it is a minimum of three (3) metres from the side property line.

As the lots are not serviced with municipal sewer, the proposed realignment will require variances from Zoning By-law 038, Section 8.(C)(1) as follows:

- the vacant lot at 10 Diggle Drive (Lot 18-1) requires a lot area variance of one hundred and thirty-six (136) square metres and a lot frontage (width) variance of seven decimal sixty-three (7.63) metres; and
- the existing lot (Lot 18-2) with the dwelling and existing services requires a lot area variance of two thousand three hundred (2300) square metres and a lot frontage (width) variance of thirty-one decimal thirty-nine (31.39) metres.

It was recognized that the Town has files for a Dangerous & Unsightly premise and a concern for the existing septic system. Mr. Moore stated that he bought the property at the time of the unsightly, demolished the old building and redid the septic system. He said that the property was cleared and graded at the time of demolition and didn't find any potable water well.

No one attended to speak for or against this application.

Moved By Kendall Mason

Seconded By Brent Preston

That the PAC grant approval to the proposed realignment of the common side property line between 10 and 12 Diggle Drive subject to the following terms and conditions:

1. A lot width variance of seven decimal sixty-three (7.63) metres and lot area variance of one hundred and thirty-six (136) square metres for the vacant lot at 10 Diggle Drive (Lot 18-1);
2. A lot frontage (width) variance of thirty-one decimal thirty-nine (31.39) metres and a lot area variance of two thousand three hundred (2300) square metres for the existing lot at 12 Diggle Drive;
3. An onsite septic report completed by a qualified professional in accordance with the Provincial Health Act and submitted to the Town prior to the issuing of a Building Permit;
4. The previous septic system and field, if still in existence, must be removed, the site restored and a new septic system and field installed for the new dwelling;

5. In the absence of water analysis to confirm the condition and acceptability of any existing drilled well on the property, a new well is to be drilled to service the proposed dwelling;
6. Development of the vacant lot must be conducted in accordance with applicable Town By-laws, Regulations and Policies thereto; and
7. The Final Subdivision Plan to be signed by the property owner and necessary Public Utility agencies.

Motion Carried

8. Information Items and/or Discussion

There were no Information Items to be received or filed.

9. Adjournment

Moved By Marc Gosselin

Meeting adjourned at 8:15 p.m.

Respectfully Submitted,



CHAIRMAN



SECRETARY