



**QUISPAMISIS PLANNING ADVISORY COMMITTEE**  
**MEETING MINUTES – June 28, 2022**

**Present:**       Darin Lamont                               Kendall Mason Chrissy Scott, GIS Technologist  
                  Brenda Fowlie                               Jennifer Jarvis, Planning Technologist  
                  Brent Preston                                Violet Brown, PAC Secretary  
                  Marc Gosselin                                S. Dwight Colbourne, Municipal Planning Officer

**Absent:**        Darren Bishop                                Mark Guest

**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** Marc Gosselin

That the Agenda be approved as written.

**Motion Carried**

**3.     Disclosures of Interest**

No disclosures were declared.

**4.     Approval of Previous Minutes**

**Moved By**     Brenda Fowlie  
**Seconded By** Marc Gosselin

That the minutes of the previous PAC meeting be received and filed.

**Motion Carried**

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

**Moved By**     Brent Preston  
**Seconded By** Kendall Mason

That the Notices of Decision be received and filed.

**Motion Carried**

**6. Unfinished Business**

**7. New Business**

**7.1 2 Diggle Dr - Oversize / Over Height Detached Garage**

Stephen Ryan attended seeking approval to construct an oversized detached garage at 2 Diggle Drive, PID 30342299.

Ms. Jarvis reviewed the application noting the property is in a Single and Two-Family Residential (R1) Zone with a lot size 6611 square metres, equal to one decimal six (1.6) acres. The application is for a forty-seven decimal six (47.6) square metre variance to Section 8.(G)(1)(c) of Zoning By-law No. 038, which permits a sixty-three (63) square metre gross floor area for a detached garage. With the proposal to add a four decimal nine (4.9) metre by seven decimal nine (7.9) metre addition to an existing detached garage, the resulting gross floor area is one hundred and ten decimal six (110.6) square metres. Ms. Jarvis added that if the property was in a Rural (RU) Zone, there would not be any restrictions on size. Furthermore, the proposed garage meets all other Zoning By-law requirements in terms of location, setbacks, and height;

Mr. Ryan added that there was a shed but it was torn down so he needs more room for storage. He also added that the garage is half way down the hill, with porous rock in the area and dry land without any water issues.

Notices sent to property owners within 100 metres; no correspondences were received, and no one attended to speak for or against this application.

**Moved By** Kendall Mason

**Seconded By** Brent Preston

That the Planning Advisory Committee approve a forty-seven decimal six (47.6) metre variance to Section 8.(G)(1)(c) to permit the construction of a detached garage at 2 Diggle Drive, PID 30342299, subject to the following terms and conditions:

1. A site drainage plan be submitted to and approved by the Development Officer, or their delegate, prior to the issuance of a Building Permit;
2. The exterior finish of the detached garage is to be a cladding recognized by the National Building Code of Canada, current adopted edition;
3. The proposed garage is not used as a dwelling unit or for the keeping of livestock or as a home business; and
4. A building permit is issued prior to construction.

**Motion Carried**

## 7.2 8 Branch Cres - Pool House and Fence Setback

Thomas Demers attended seeking approval to erect a fence such that it is zero decimal three (0.3) metres from the property line, and a variance to permit an accessory building to be located zero decimal seventy-five (0.75) metres from the side lot line on the property of 8 Branch Crescent, PID 30235899.

Ms. Jarvis reviewed the application noting the property is in an R1 Zone and has an area of 1346 square metres. She noted the previous approval by the PAC on May 27, 2022, was to allow two portions of a fence to be connected to the neighbouring fence located at 50 Grafton Drive. This application is requesting to locate the portion of a fence abutting 46 Grafton Drive and 12 Branch Drive, within zero decimal three (0.3) metres from the property lines. Ms. Jarvis also noted that the May application for the pool shed indicated a 1.5 metre side and rear setback, however they are now requesting to locate the pool shed to be zero decimal seventy-five (0.75) metres of the side lot line at the nearest point due to the side lot line being on an angle.

Mr. Demers explained that the fence installer suggested he move portions of the fence back from the pool to offer a safer path around the pool. He added that the maintenance of the pool shed can be done from his property as there is still room to access the back. The fence will be pressure treated wood, and the property pins are all visible so all the work will be surely done within the property.

Notice was sent to property owners within 50 metres of the property, no concerns were received, and no one attended to speak for or against.

**Moved By** Marc Gosselin

**Seconded By** Kendall Mason

That the Planning Advisory Committee approve the zero decimal three (0.3) metre variance to Section 6.(S)(7) of Zoning By-law No. 038 for the fence setback and a zero decimal seventy-five (0.75) metre variance to Section 8.(G)(2)(b)(iii) for the accessory building setback at 8 Branch Crescent, PID 30235899, subject to the following terms and conditions:

1. Lot lines are clearly delineated prior to the installation of the fence and accessory building. If the survey monuments are not discoverable, a location survey will be required to ensure accuracy, and is to be completed by licensed New Brunswick Land Surveyor;
2. All fence installation work is to be done within the confines of the lot at 8 Branch Crescent;
3. The exterior finish of the accessory building is to be a cladding recognized by the National Building Code of Canada, current adopted edition;
4. A Fence Permit and Accessory Building Permit are issued prior to construction.

**Motion Carried**

### 7.3 60 Jenkins Dr - Pool Setback and Lot Occupancy

John Wright attended seeking approval to erect a pool such that it is two decimal seventy-five (2.75) metres from the rear lot line; and approval for an eight decimal eight (8.8%) percent lot occupancy variance at 60 Jenkins Drive, PID 30253397.

Ms. Jarvis reviewed the application noted the property is in a Residential (R1) Zone with an area of 1174 square metres. The applicant is seeking approval to erect a swimming pool such that it is located two decimal seventy-five (2.75) metres from their rear lot line. This request requires a zero decimal twenty-five (0.25) metre variance to Section 6.(T)(6)(a) to allow the project to proceed. They also requested a variance of eight decimal eight (8.8%) percent to Section 8(H)(1) to allow them to have a Lot occupancy of thirty-eight decimal eight (38.8%) percent, inclusive of the main dwelling, detached garage, pool and deck.

Notice was sent to property owners within 50 metres; no correspondence was received, and no one attended to speak for or against the application.

**Moved By** Kendall Mason

**Seconded By** Brent Preston

That the Planning Advisory Committee approve a zero decimal twenty-five (0.25) metre variance to Section 6.(T)(6)(a) of Zoning By-law 038 to permit a two decimal seventy-five (2.75) metre rear yard setback and approve an eight decimal eight (8.8%) percent variance to Section 8.(H)(1) to permit a Lot Occupancy of thirty-eight decimal eight (38.8%) at 60 Jenkins Drive, PID 30253397, subject to the following terms and conditions:

1. The rear lot line abutting 60 Jenkins Drive is to be clearly delineated prior to the installation of the pool and fence. If the survey monuments are not discoverable, a location survey will be required to ensure accuracy, and is to be completed by a licensed New Brunswick Land Surveyor;
2. There will be no further consideration for any future structures or buildings, and no expansion to any existing structures or buildings for this property;
3. A building permit is issued prior to construction.

**Motion Carried**

### 7.4 Highlands of Queensbury Phase 7 - Tentative Plan

Rick Turner attended on behalf of the Developer, seeking approval for Highlands of Queensbury Subdivision Phase 7, a Tentative Plan for 613086 NB Ltd. (Dale and Judith Steeves) on PID 248534.

Mr. Colbourne reviewed the application, previously approved on September 14, 2021, by the PAC, noting that the tentative approval is still in place but changes to the Land for Public Purposes (LPP) requires further review and approval. The

previous approval of Phases 6 -10, including the lot depth variances granted for Lots 73-76 and 79, as well as street right-of-way width and cul-de-sac street length variances for Abbeywood Close remain valid as the 1-year has not lapsed and these are applicable to the revised plan that is before the PAC. The revised Phase 7 plan that is before the PAC proposes the reduction in the number of lots from twelve (12) to eleven (11) due to altering the property lines of Lots 80-82 to increase the area of Lot 80 and merge Lots 81 – 82, and the change in the amount and location of the proposed LPP. The changing of LPP is proposed as the slope of the land in the area presents a challenge for optimal building location on narrower lots and the grade would be steep for a trail connection. The alternate trail location is more suitable and the alternate access requirements for the longer cul-de-sac as the pathway would run with the contours providing for a much gentler grade for the trail.

Mr. Turner noted that the Department of Environment required work not to start until June, which would put the development into September and over the time frame of the previously approved plan. Mr. Colbourne said the PAC could recommend that the Development Officer renew the tentative approval as of today's approval and any applicable variances would carry further.

Notice was sent to property owners within 100 metres; no correspondence was received, and no one attended to speak for or against the application.

**Moved By** Kendall Mason  
**Seconded By** Marc Gosselin

That the Planning Advisory Committee support the Development Officer in considering approval of the Highlands of Queensbury Phase 7 tentative plan subject to the following conditions:

1. Foundation Elevation Variances from Zoning By-law 038 Section 6.(F)(1) for Lots 80 to 83 inclusive, subject to the submission of detailed site plans to the satisfaction of the Development Officer prior to the issuing of a Building Permit and the execution of Hold Harmless Agreements for Lots 80 – 83;
2. The proposed LPP for Phase 7 and the LPP Land amendment is acceptable as shown on the plan with the level of trail development required by the Developer to be established prior to final plan approvals and included in the Subdivision Development Agreement; and
3. The tentative approval for this subdivision will be dated June 29, 2022.

The Municipal Planning Officer conditions of approval will include:

4. The Developer to submit to the Town detailed street centreline grade profiles and complete street design details to determine if street design modifications or grade variances are required. If so, they are to be resubmitted to PAC for consideration;

5. Proper engineered design drawings for the sanitary sewer system to be submitted to the Town for review and approval prior to any construction for all Phases;
6. Comprehensive Water Source and Supply Assessment (CWSSA) report to be submitted beyond and reviewed by the Town prior to final plan approvals for subsequent phases;
7. Comprehensive Stormwater Management Plan to be submitted to the Town for Phase 7. All local drainage patterns to be determined by the Developer's consultant, and the necessary lot drainage plans and storm sewer design to be completed by Developer's consultants and submitted to the Town for review and approvals prior to any construction. If easements are required, they need to be identified in the final stormwater management plan and incorporated into the final subdivision plan;
8. Submission of confirmation that the Comprehensive Water Source and Supply Assessment (CWSSA) submit covers Phase 7 as there has been a phasing change from the map supplied with the CWSSA;
9. The Developer is responsible to obtain any necessary provincial approvals from the Department of Environment for any watercourse alterations or work within sensitive areas;
10. Street name as submitted are acceptable; no changes are permitted without the approval of the PAC;
11. Clearing of the area for construction purposes is to be conducted in accordance with Zoning By-law 038 Section 6(U)(4);
12. Standard Developer's Agreements, bonding, subdivision and filing fees will be required for each phase;
13. Plans to be properly signed by the necessary public utilities and owners; and
14. The development must be completed as per all applicable Town By-law and Policies, save only for variances from such by-laws as granted by the PAC or the Development Officer.

**Motion Carried**

7.5 J.K.E. Quality Homes Inc. - Tentative Subdivision Plan

Stephen Camick attended seeking approval for a tentative subdivision plan proposing ten (10) new building lots zoned Rural (RU) at 450 Bradley Lake, PIDs 00231944 and 30118871.

Ms. Jarvis reviewed the application for the tentative plan noting the ten proposed building lots meet the minimum lot areas of at least 4000 square metres or greater, and all lots also have the required lot depth of 38 metres required as per Section

25.(K)(1)(b). Two of the proposed lots are considered flag lots, each having a fifteen (15) meter lot width abutting Bradley Lake Road. Lot widths in a Rural Zone are required to be fifty-four (54) metres wide as per Section 25.K(1)(a), therefore, Lot 22-5 and 22-7 will require a thirty-nine (39) metre lot width variance to allow the subdivision to proceed as presented.

Ms. Jarvis noted that while the Provincial hydrographic network mapping does not identify watercourses or wetlands in this area, the staff are aware that there are significant drainage channels as well as potential for delineated watercourses and wetlands in this area. Therefore, staff have sent the Tentative Plan to the Department of Environment and Local Government for their review and comments concerning the water and natural drainage courses that are found in this area. The Developer will be required to submit a Stormwater Management Plan (STWMP) completed by a professional engineer. The STWMP must illustrate that it is designed to manage a one in one-hundred-year (1/100 year) plus twenty (20) percent stormwater flows events, and will be required to demonstrate the use of acceptable engineering best practices to ensure a Net Zero balance between pre and post development.

Ms. Jarvis stated that notice was sent to property owners within 100 metres and several letters of concern were received mentioning the water flows in the area, and several of the concerned residents sent in videos that were made available to the PAC Members.

Mr. Camick stated that he was unaware of this drainage until the letters went out, so he is in the initial stage of trying to figure it all out. He said he talked to one of the neighbors whose concerns were more focused on his property taxes going up as well as not wanting any more development on Bradley Lake Road as he would lose his privacy. Mr. Camick further stated that he didn't think it was his job to fix an existing problem but that he cannot add to it. He understood that the Town only added a 12" culvert when they redid the road but that was not enough to handle the two channels coming down the road, and that the ditch does not seem sufficient to hold the water. Mr. Colbourne noted that this application was brought to the PAC for review of the LPP which is essentially wetlands. Otherwise, this plan would be approved by the Development Officer on his own. He added that Mr. Camick was right, that he needs to control the water flow so it doesn't increase what is there, but he is not responsible for existing drainage patterns. Furthermore, Mr. Colbourne noted that any development in this area would require Wetland and Watercourse Alteration (WAWA) permits from the DOE. He added that there are no roads being developed, just driveways and houses, so there should be minimal contribution to the flow compared to a subdivision with street constructions. Mr. Camick asked if the plan would be more suitable if the last lot (Lot 22-12) was removed since this one appears to have the worst of the flows from the hill. Mr. Colbourne stated that this could be reviewed during the Development Officer's final review.

While concerns were received, no one attended to speak for or against the plan.

**Moved By** Marc Gosselin  
**Seconded By** Brenda Fowlie

That the Planning Advisory Committee support the Planning (Development) Officer in considering approval of the J.K.E. Quality Homes Inc. Tentative Plan, subject to the following:

1. Approval of a thirty-nine (39) metre frontage variance to Section 25.(K)(1)(a) of Zoning By-law No. 038 for lots 22-5 and 22-7, to permit a reduction in lot width to fifteen (15) metres.
2. Approval for the proposed LPP as per Section 6.J of the Town of Quispamsis Subdivision By-law 035.

The Municipal Planning Officer conditions of approval will include:

3. Submission of an Abbreviated Water Source and Supply Assessment (Hydrogeological Report) as prepared by a qualified registered professional engineer demonstrating that there is water of sufficient quantity and quality to support the proposed level of development;
4. Submission of a Stormwater Management Plan and a Lot Grading Plan as designed by a qualified professional engineer licensed to practice in the Province of New Brunswick. The plan must demonstrate balanced pre-development and post-development flows.
5. The final Stormwater Management Plan is to be reviewed and approved by the Town before construction;
6. The Tentative Plan is to be sent to Public Utilities providing electrical power and telecommunication services for review and comments on the requirement of Public Utility Easements for incorporation into the final subdivision plan;
7. Subdivision filing fees of Three Hundred Dollars (\$300.00) for a ten (10) lot phase; and
8. The development of the J.K.E. Quality Home Inc. Subdivision is completed per the requirements and conditions of applicable Town By-laws, policies, and regulations thereto.

**Motion Carried** – One Nay (Kendall Mason)



**8. Information Items and/or Discussion**

Council Meeting Minutes for April 19, May 3 and May 17, 2022

**Moved By** Brenda Fowle

**Seconded By** Brent Preston

That the Information Items be received and filed.

**Motion Carried**

**9. Adjournment**

**Moved By** Marc Gosselin

**Seconded By** Brenda Fowle

Meeting adjourned at 8:00 p.m.

**Motion Carried**

Respectfully Submitted,



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CHAIRMAN



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SECRETARY