

**PLANNING ADVISORY COMMITTEE**  
**MINUTES–March 22, 2016**

The regular meeting of the Planning Advisory Committee of the town of Quispamsis was held in the Town Hall Council Chambers on Tuesday, March 22, 2016 at 7:00 p.m.

In attendance: David Carlson  
Darin Lamont  
Jean Place  
Marc Gosselin  
Mark Hatfield  
Violet Brown, Secretary  
S. Dwight Colbourne, P.Eng, Municipal Planning Officer

Absent: Bob McLaughlin  
Darren Bishop  
Pierre Rioux, Councillor

**1. Call to Order**

Mark Hatfield called the meeting to order at 7:00 p.m.

**2. Approval of the Agenda**

Mark Hatfield noted the first item under New Business, item 7.a), was pulled from the agenda.

MOVED BY: Darin Lamont

SECONDED BY: Marc Gosselin

CARRIED UNANIMOUSLY

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

Mark Hatfield stated he would have to step down from the PAC during the review of item 7.h) due to a conflict of interest.

**4. Review of Previous Meeting Minutes**

MOVED BY: David Carlson

SECONDED BY: Marc Gosselin

*That the Minutes of the January 26, 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>
Sign Variance	By-law #036, Section 18.(A)(2)	30 Vincent Road
Commercial Development	Millennium Drive Development Scheme By-Law	80 Millennium Drive
Temporary Use – Youth Centre in Commercial Zone	Zoning By-law # 038 Section 3.(B)(1)	26 Pettingill Road

MOVED BY: David Carlson

SECONDED BY: Darin Lamont

*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 to Main Dwelling	By-law #038 Section 8.(G)(1)(b)(iii)	4 Chrysler Crescent
b)	Structure Size – DGRG	By-law #038 Section 25.(F)(1)	152 Elliot Road
c)	Tentative Subdivision Plan – Fernwood Park Phase 2; 19 lots	By-law #035	Nightingale Lane
d)	Tentative Subdivision Plan Renewal – Hillside Estates; 12 lots	By-law #035	Off Vincent Road
e)	Tentative Subdivision Plan – Kirkwood Heights Phase 8; 10 lots	By-law #035	Off Hammond River Road
f)	Tentative Subdivision Plan – Woodleigh Park Phase 28; 41 lots	By-law #035	Westridge Drive & Grafton Drive (off Queensbury Drive)
g)	Tentative Subdivision Plan – Kings View Phase 20; 13 lots	By-law #035	Off Carlton Drive
h)	Waterfront Development (renovation)	By-Law #035 Section 6.(BB)	439 Gondola Point Road

**a) The Applicant pulled his application temporarily.**

**b) Structure Size – Detached Garage – 152 Elliot Road, PID 30226963**

Mr. Bruce Golding attended seeking a variance to construct a one and a half storey, nine decimal fourteen by eight decimal fifty-four (9.14 x 8.54) metre detached garage on the property of 152 Elliot Road, PID 30226963. Whereas the building lot is less than five thousand (5000) square metres, in order to obtain a building permit, a variance of three decimal two (3.2) metres is required from By-Law No. 038 Section 8.(G)(1)(a) as the maximum height permitted is five (5) metres.

There is also a variance of fifteen decimal zero five (15.05) square metres required from By-Law No. 038 Section 8.(G)(1)(c) as the maximum size permitted is sixty-three (63) metres in

this area. The staff memo noted that the lot is located in a Rural (RU) Zone and is 4735 square metres in area, and that accessory structure-size restrictions are primarily for aesthetics purposes. Sixty-three (63) square metres is generally the size of a reasonable detached garage for single-family dwelling; however, it has become relatively common for people who have single or double attached garages to also have detached garages.

It was asked if the distance between the proposed location of the detached garage and the partially developed road behind this area was at least seven decimal five (7.5) metres as is required for setback to any street, in the event that this does become a municipal street. Mr. Golding noted there was at least forty feet (about 13 metres) between the road and where the back of the garage would sit. All other setbacks for this detached garage are in compliance to the zoning by-law.

It was recognized that larger garages have a tendency to be attractive as a home based business and that PAC may want to reiterate approval is required to use this structure as a home based business. Notice was sent to property owners within 100 metres of property; no concerns received. No one attended the meeting to speak for or against this application.

MOVED BY: Darin Lamont

SECONDED BY: Jean Place

That the PAC grant approval for a height variance of three decimal two (3.2) metres from By-Law No. 038 Section 8.(G)(1)(a) and an area variance of fifteen decimal zero five (15.05) square metres from By-Law No. 038 Section 8.(G)(1)(c) in order to construct a one and a half storey, nine decimal fourteen by eight decimal fifty-four (9.14 x 8.54) metre detached garage on the property of 152 Elliot Road, PID 30226963 subject to the following terms and conditions:

1. The variance stays with the property provided the final inspection is completed within one year from the date the building permit is issued;
2. The building is to be sided using a cladding recognized by the National Building Code of Canada, current adopted edition; and
3. The building is not to be used for commercial or business purposes, or for the keeping of livestock or as a dwelling unit.

CARRIED UNANIMOUSLY

### **c) Tentative Subdivision Plan – Fernwood Park Phase 2; 19 lots**

Mr. Gerald Roberts attended, on behalf of the developer Mr. Bill Brooks, seeking a tentative subdivision plan proposing the creation of nineteen (19) new single family building lots, the extension of Nightingale Lane – a public street, the extension of Meadowlark Drive, the creation of two (2) Municipal Services Easements (MSE), and the establishment of 24,000 sq. metres (2.4 hectares) of Land for Public Purposes (LPP-2).

A review of the tentative plan was conducted by Town staff in accordance with the applicable provisions of Zoning By-law 038 and Subdivision By-law 035 in its entirety. As the development is located in the Single or Two Family Residential (R1) Zone, the provisions of Section 8 of Zoning By-law 038 are applicable with respect to lot configuration. The review

found that the proposed lot configuration would not require any variances with respect to lot width, depth or area. Lot 31 is twenty-three (23) metres at the street line but complies with the required 30.0m lot width at the 7.5m line of setback.

As a street centerline profile did not accompany the tentative subdivision plan, staff could not confirm whether a street grade variance will be required. As well, a possible variance may be required from Section 6.E.ii of Subdivision By-law 035 with respect to storm system design. This provision states a storm sewer system shall be provided in accordance with the provisions of the Subdivision Specifications and Guidelines in a subdivision located in a zone other than the rural zone, unless the Developer can confirm the following conditions will be met through sound engineering design and construction methods approved by the Town:

- a) streets, or a portion thereof, have a gradient of or less than six percent (6%); or
- b) the depth of ditches is not in excess of zero decimal seven five (0.75) metres; or
- c) driveway pipe culverts require inside diameter not larger than 300mm

A street centerline profile will be required prior to final plan approval to determine its compliance with the Subdivision By-law where the street grade cannot exceed eight percent (8%) unless a variance is granted by the PAC.

It was noted that the Fernwood Subdivision development had been before the PAC on a couple of prior occasions. In October 2011, the PAC granted tentative approval to an initial Phase 2 of this development. That approval expired and the previous developer decided not to seek renewal. Despite the previous submission of engineering design drawings and the existence of this infrastructure in the ground, this application was reviewed as raw land.

Public Notice was issued to all property owners within one hundred (100) metres of the subject property with the only concern received at this time commenting on access to PID 174441 which is not within the parameters of the subdivision in question. Previous concerns have been noted on file. The main concerns that had been expressed were with respect to the necessary upgrading of Nightingale Lane and respecting the existing streetscape along the lane way. Work has been done to the existing portion of Nightingale Lane to the satisfaction of the Town and the residents on the lane. The concern with the continuing development of Fernwood will be the heavy use of Nightingale Lane for truck traffic with consideration of the fact that Nightingale Lane is narrow and only recently been covered with seal asphalt. Mr. Roberts stated that they have permission from Bonney Construction to use the dirt road, shown on the tentative plan as a future street called Meadowlark Drive, for the heavy equipment movement. It was recognized that this road is currently unusable due to the winter thaw and subsequent deep mud ruts along the road. The developer will need to look at the timeline for when the road is usable before the development begins.

#### Lot Layout and Zoning By-law Compliance

The overall area is zoned Residential (R1) - Single or Two Family Dwellings. The proposed use meets zoning parameters as all lots meet or exceed the minimum lot dimensions as outlined in Section 8C(1) of Zoning By-law No. 038. The proposed plan includes an overall layout for future streets and possible connections throughout the development. It is important to understand that the layout identified as "Future Development" has not been reviewed for compliance with the current Zoning By-law and will be not considered under this application.

### Sanitary Sewer Servicing

The Developer is proposing to extend Municipal sewer to all the lots. Submission of engineered design drawings will be required prior to final approvals. It will be the Developer's responsibility to engage the services of a qualified engineering consultant to provide design information for the sanitary sewer layout. Engineered design drawings were submitted for a portion of this area under a previous application; however the whole design will require a new review by both the engineering consultant and the Town prior to approval by the Town.

### Potable Water Servicing

The Developer has requested the lots be serviced via individual on-site wells. The proposed phase for this subdivision development will see the creation of nineteen (19) lots, with potential for significantly more as identified on the plan as Future Development. In accordance with Section 8C of Subdivision By-law 035, the services of a qualified Hydrogeological Consultant must be engaged to prepare the required Comprehensive Water Supply Source Assessment (CWSSA) (Hydrogeological Assessment) report for the Town. The report should indicate if there is sufficient quality and quantity of groundwater to support the proposed development.

A previous report was completed Fundy Engineering in 2009 and subsequently reviewed by the same engineering firm in 2015 for Schooner Point Development Limited who are developing Phase 1 of Fernwood. The updated report stated the 2015 revised layout of Phase 1 was covered by the initial analysis in 2009; however as the report shows, Phase 2 as proposed under this application, is outside of the test area. As such a new CWSSA must be completed and submitted to the Town prior to the release of any building permits.

### Land for Public Purposes (LPP)

This phase of the subdivision development is proposing land bound by the rear of the lots fronting Nightingale Lane and the adjacent to the CNR right-of-way to fulfil Land for Public Purpose obligations. The land encompasses a brook and an extensive wetland area. This area is the same as proposed with the previous phases. When we examine potential uses for the proposed LPP, the Developer has suggested a walking or interpretive trail that could extend over to the Mud Lake area once the additional lands are vested to the Town through future phases.

Mr. Roberts noted that the staff memo requested a condition that the Developer shall develop the access to the LPP area to an acceptable Pedestrian Trail standard as part of the development work. Mr. Roberts asked if the access to this section of land could be moved to the north side of lot # 35 as opposed to the tentative plan showing the access between lots 29 & 30. This decision will be directed to Community Services with approval required before final plans are prepared. It was recognized that the provision of this land also benefits the overall area because it preserves the area for stormwater management which becomes a source for groundwater recharge that is vital to the overall area given the source of potable water is drilled wells. It also provides a buffer area between the residents and the CN Railway line, which is in keeping with recent guidelines from CN and respect to residential developments adjacent to their rail corridors. The total land obligation for this phase based on the proposed nineteen (19) lot development is 2485 sq. metres. The proposed LLP parcel is 24000 square metres and as such, more than meets the minimum requirement with respect to land area obligations. The

proposed land will provided the Developer with a land bank LPP credit that can be applied to the LPP obligations for future development. It is a requirement that access to the LPP be developed to an acceptable pedestrian trail standard as part of Phase 2.

#### Stormwater Management and Lot Grading Plan

The topography in this area of the Fernwood Park development is challenging and will require a combination of storm sewer systems and open channels for stormwater management. While a comprehensive stormwater management plan for the entire area was developed and submitted by Dillon Consulting as part of the initial Phase 1 design work, a review of the plan will be required prior to final plan approvals. It is the responsibility of the Developer to engage the services of a qualified engineer to review and update the stormwater management plan in accordance with the proposed phasing. An item to consider when we examine proposed drainage options will be to ensure it is designed in a manner to reduce silt and sedimentation impacts on the receiving stream and wetland located to the south of the development. It will be important to ensure the Developer and engineering consultants receive the proper reviews and approvals from the Provincial Department of Environment for this subdivision. Prior to final approval the Developer will be required to incorporate into the final plan the location of any municipal services easements required for the stormwater management system. The Developer is required to obtain all necessary provincial permits for approval to construct prior to commencing any work on the stormwater system.

#### Street Network Design

The Developer's surveyor will be required to provide centreline profiles for this phase to ensure proposed grades do not exceed the eight percent (8%) grade permitted by the Subdivision By-law. If variances are required, these will have to be resubmitted to PAC for consideration. These grades must be confirmed prior to any street design submission, as a change in the grades could further result in changes to the proposed street layout. The Developer is required to construct the Temporary Turnaround area to a minimum base granular for the purposes of providing a safe and efficient turnaround for snow removal equipment.

Notice was sent to residents within 100 metres of the property. Mr. Dave Murphy of Nightingale Lane attended and asked for confirmation that all heavy equipment will use an alternate road from Nightingale Lane.

MOVED BY: Marc Gosselin

SECONDED BY: Jean Place

That PAC grant the approval for the Fernwood Park Subdivision Phase 2 tentative plan with nineteen (19) new single family building lots, the extension of Nightingale Lane – a public street, the extension of Meadowlark Drive, the creation of two (2) Municipal Services Easements (MSE), and the establishment of 24,000 sq. metres (2.4 hectares) of Land for Public Purposes (LPP-2), subject to the following conditions:

1. Proper engineered design drawings for the sanitary sewer system to be submitted to the Town's Engineering Department for review and approval;
2. Comprehensive Water Source and Supply Assessment (CWSSA) report to be submitted to the Town prior to final approvals;

3. A Stormwater Management Plan and the submission of a Lot Grading Plan that clearly demonstrates acceptable stormwater management and surface drainage control practices. The plan must provide acceptable solutions for any downstream impacts, with solutions to address any possible impacts to be reviewed and approved by the Town Engineering Department;
4. The access for the Land For Public Purposes to be reviewed and approved by the Community Services for the Town of Quispamsis and to be incorporated into the Final plans for this phase;
5. The Developer shall develop the access to the LPP area to an acceptable Pedestrian Trail standard as part of the development work;
6. Any Municipal Services Easement for the stormwater management plan components not with public street right-of-ways to be established and incorporated into the Final plan;
7. All heavy equipment used in the development of Fernwood Park is to travel across the road shown on the tentative plan as a future street called Meadowlark Drive or other alternate route as Nightingale Lane is not to be used for truck traffic;
8. Submission of street centreline profiles prior to street design to confirm street grades within the permitted eight percent (8%);
9. With the exception of clearing of a lot associated with a Building Permit, tree clearing shall be restricted to street right-of-ways and easements necessary for the installation of services;
10. Approvals from the Department of Environment (DOE), in writing, regarding development adjacent to a wetland and watercourse is to be submitted to the Town;
11. Standard Developer's Agreements, bonding and subdivision fees will be required;
12. Subdivision filing fees of Three Hundred Ninety dollars (\$390.00) for a nineteen (19) lot phase; and
13. Plans to be properly signed by the necessary utilities and owners.

CARRIED UNANIMOUSLY

**d) Tentative Subdivision Plan Renewal – Hillside Estates; 12 lots**

Mr. Gerald Roberts, on behalf of Scott Bros., attended seeking approval for Hillside Estates Subdivision, a tentative subdivision plan off the Vincent Road proposing the creation of twelve (12) new residential building lots, the creation of Lachlan Court – a public street, and the establishment of 4740 sq. metres of Land for Public Purposes.

The Planning Advisory Committee previously approved this tentative plan in December 2012. As with the previous submission, the subdivision is proposing to follow a Court layout with ten of the lots with frontage on the court (Lots 1 – 10). Lot 11 is a corner lot having frontage on both the Court and the Vincent Road and Lot 12 fronts Vincent Road. The driveway location to Lot 11 is to be eleven (11) metres from the streetline corner of the Vincent Road and Lachlan Court intersection as per the Zoning By-law requirements.

The road centreline proposed would result in a road grade that will exceed the eight percent (8%) guidelines in the Subdivision By-law. There will be a variance required for this street as previous designs had the maximum road grade at eight percent, but now the grades are shown at ten (10%) percent. The Developer's engineering consultant will be required to provide design details for the street prior to commencing construction. The street design will require the installation of a storm sewer system in accordance with Section 8(E)(ii) of the Subdivision By-law.

The development will require a comprehensive Stormwater Management Plan that examines the pre and post development stormwater flows, downstream impacts and integrates best practices to ensure these flows are balanced post development. The stormwater management plan will also require an overall lot grading plan to identify any required drainage easement so they can be established and incorporated into the final plan. The Town will require confirmation from DOE that the area does or does not contain wetland and if so, that their concerns have been addressed. As the Detention Pond will be a component of the storm water management system, the construction will be required as part of this development.

As the development is proposing more than ten (10) lots but less than twenty-four (24), an Abbreviated Source and Supply Water Assessment (ASSWA) will be required prior to final approval and the issuing of Building Permits.

The development will connect to the Municipal sewer in the Alderbrook Drive area. As part of the street upgrades completed in 2011, the necessary sewerage infrastructure was put in place to allow for connection of this subdivision. Complete sanitary sewerage engineered design details will be required prior to final approvals.

The suggested street name "Lachlan Court" is considered acceptable and can be approved by PAC before submission to Council.

The LPP requirements for this development will be met through the LPP land of 4740 square metres as shown in the tentative plan along the rear of lots 1 through 3. In addition, the plan shows a section of this land labelled around a Detention Pond as a portion that runs along the rear of Lots 4 and 5 – this section will allow for linkage from the Vincent Road through this general area up towards Queensbury Drive. It may be possible for the Developer to combine drainage easements, if required, and trail/LPP requirements in the same parcel. The link may be quite difficult in this area though, since the land at the back of the properties is quite steep and not very easy to walk on. The connection should be examined prior to finalizing lot layout.

Mr. Roberts asked about the condition that requested the LPP requirements are to be met through land dedication and trail preparation construction. His question was concerning the minimum requirements of percentage of land to be donated to LPP and whether that might change if the developer(s) were to add the cost of trail construction. Mr. Colbourne stated that this construction work would be reviewed and compensation could be looked at as banked LPP. The LPP access and development of such would be identified and approved through the Town's Community Services Department.

Notice was sent to residents within 100 metres of the property. No concerns were received and no one attended to speak for or against the application.



MOVED BY: Jean Place

SECONDED BY: Marc Gosselin

That the PAC approves the Hillside Estates Tentative Subdivision, with the creation of twelve (12) new single family building lots, the creation of Lachlan Court – a public street, and the establishment of 4740 sq. metres of Land for Public Purposes off the Vincent Road, subject to the following conditions:

1. Design drawings for the sanitary sewer to be submitted to the Town, reviewed and approved by the Engineering department prior to final approvals;
2. Submission of an Abbreviated Source and Supply Water Assessment (CWSSA) from a qualified professional;
3. A Comprehensive Stormwater Management Plan submitted for this area showing stormwater collection with the subdivision and conveyance into the detention area, and a conceptual lot grading plan;
4. Land for Public Purposes requirements are to be met through land dedication and trail preparation construction. This can be through the LPP land bank proposed by the Developer, provided it is acceptable to Mayor and Council;
5. Streets and services must be constructed to municipal standards;
6. Standard Development Agreements, bonding and subdivision fees will be required;
7. Subdivision filing fees in the amount of Three Hundred and Twenty Dollars (\$320.00) for a twelve (12) lot subdivision;
8. The street name Lachlan Court is acceptable, any changes will require approval; and
9. Plans to be properly signed by the necessary utilities and owners.

CARRIED UNANIMOUSLY

#### **e) Tentative Subdivision Plan – Kirkwood Heights Phase 8; 10 lots**

Mr. Gerald Roberts, on behalf of the Developer, Mr. Bob Darling, attended seeking approval for a tentative subdivision plan off the James Prince Road (off Hammond River Road) proposing the creation of ten (10) new single family building lots, the creation of Parcel A as a 20 metre wide Right-Of-Way to PID 230656, the upgrade of James Prince Road to a municipal street, and the creation of a public street named Elaine Court.

A review of the tentative plan shows that Lot 16-10 will require a width variance of thirty-five (35) metres as it is showing on the tentative plan with a nineteen (19) metre width along the road. Lot 16-2 will require a road frontage variance of sixteen (16) metres if the driveway is to be located off Elaine Court. The development will incorporate most of the parcel identified as PID 30039119 just past 188 Hammond River Road and the public right-of-way called James Prince Road that is currently used by one property owner as an entrance to PID 230896.

#### Lot Configuration

The development is in a Rural (RU) Zone and as such Section 25. K. of Zoning By-law 038 is used to guide the lot dimensions for compliance. This section states that lots must have minimum lot sizes of 4000 square metres, a minimum frontage of 54 metres and minimum depth of 38 metres.

It should be recognized that as per Section 25.(F) of the Zoning By-law 038, if a lot contains less than five thousand (5,000) square meters in area, then the provisions of Sections 8.(G) to 8.(I) shall apply. Lots 16-1, 16-2, 16-3, 16-4 and 16-10 would fall under this section. Section 25.(F) of the Zoning By-law 038 also states that the main dwelling unit must be located on the lot such that a minimum side lot line setback of thirty (30) metres from at least one (1) side lot line is maintained. This will be reviewed as part of the Building Permit application.

Lot 16-1 will front off James Prince Road. Lots 16-2 and 16-3 will be corner lots with frontage off James Prince Road and the newly created Elaine Court. It is recommended that driveway access to Lot 16-2 be off Elaine corner as the location would need to be 11.0m from the corner of the intersection of James Prince Road and Elaine Court. Given the location of the extension of Cliff Street it may be a challenge to place a driveway in location that does not present a conflict. All other lots will front off Elaine Court.

### Street

There has been no street profile received by the Town so the road centreline and road grade will need to be reviewed to ensure it complies with the eight percent (8%) guidelines in the Subdivision By-law. The Developer's engineering consultant will be required to provide design details for the street prior to approvals and prior to commencing construction. The suggested street name "Elaine Court" is considered acceptable and can be approved by PAC before submission to Council. The Future Street at the end of Cliff Street should be shown as an extension of Cliff Street and constructed as part of this development. This will provide an alternate access into this area via Cliff Street versus directly off Hammond River Road; an alternate access for emergency service purposes.

Mr. Roberts reviewed this last portion of Cliff Street and the grade, which is approximately 12%; noting that Prince James Road would need to be raised substantially in order to meet the Cliff Street grade. Mr. Colbourne stated that a variance could be looked at once final street design and grade percentages, and lengths thereof, are prepared by the developer.

With regards to the current maintenance and upgrading of the James Prince Road, this has been done by Ms. Julia Morris, property owner of PID 230896 (192 Hammond River Road), the only resident on that road for the last eight years. In 2015, Ms. Morris replaced the culvert near where the proposed Cliff Street extension will join James Prince Road. Ms. Morris would like the culvert to be salvaged and returned to her when the road is upgraded to street width and grade, so she can recoup at least part of her expense. Mr. Roberts noted that he has already spoken with Ms. Morris and that the developer had no problem with returning the culvert to her when available.

### Storm Water Management

The development will require a comprehensive Storm Water Management Plan, which includes an overall lot grading plan to identify any required drainage easement so they can be established and incorporated into the final plan. As shown on the Kirkwood Heights plot, there are significant drainage concerns at the intersection of James Prince Road with the Hammond River Road. These will have to be addressed in the storm water management plan. Approvals are required from DOE for the lots (Lots 16-6, 16-7, 16-8, 16-9) that are adjacent to a wetland to ensure that their concerns have been addressed.

Sanitary Sewerage Service

Sanitary sewerage will be by private on-site septic systems. The development will require a report from a qualified professional demonstrating the property is capable of supporting the level of development.

Potable Water

Water is to be provided by way of drilled private wells. As the subdivision will create ten (10) lots, an abbreviated Source and Supply Water Assessment will be required prior to final approvals.

Land for Public Purposes

The LPP requirements for this development have not been presented to the Town and will need to be addressed prior to final approvals. The contribution of LPP is required at 5190 square metres. The Planning Department, in discussion with the Community Service Department, wishes to maintain access to the river, which was the original purpose of the James Prince Road. Furthermore, the area adjacent to this development was a campground but was shut down for environmental reason. It is the staff's desire to provide some level of access to the river for recreational purposes. The option of a path along the back section of lots 16-1, 16-4, 16-5 and 16-6 was reviewed but with this is the challenge with Parcel A, which may become a municipal street, that is between 16-1 and 16-4. This would break the LPP and options for an easement or Right-of-Way would need to be reviewed as possible creations over Parcel A. The final plan for LPP provisions for this subdivision will need to be established prior to final plan approvals. Once established, it will also require PAC approval.

MOVED BY: Darin Lamont

SECONDED BY: David Carlson

That the PAC approves the Kirkland Heights Tentative Subdivision Phase 8, with the creation of ten (10) new single family building lots, the creation of Elaine Court as a public street, the creation of Parcel A as a 20 metre wide Right-Of-Way to PID 230656 and the upgrade of James Prince Road to a municipal street, subject to the following conditions:

1. Lot 16-10 width variance is approved at thirty-five (35) metres but must return to PAC if the final plan changes this lot dimensions;
2. As the driveway location is in close proximity to the intersection of Elaine Court and the last portion of Cliff Street, it should be noted on the plan that the location for the driveway is indeed off Elaine Court;
3. The last section of Cliff Street where it connects to James Prince Road must be brought up to Municipal Standards as part of this development;
4. The submission of a centre line profile for Cliff Street is require before final approval;
5. Submission of a Abbreviated Source and Supply Water Assessment from a qualified professional;
6. A comprehensive Stormwater Management Plan submitted for this area showing stormwater collection and conveyance to the river and a lot grading plan;

7. Submission of a street design to the satisfaction of the Town as designed by a registered professional engineer license to practice in New Brunswick;
8. Land for Public Purposes to be established prior to final plan approval based on the recommendations of the Community Services Department;
9. Standard Development Agreements, bonding and subdivision fees will be required;
10. Subdivision filing fees in the amount of Three Hundred Dollars (\$300.00) for a ten (10) lot subdivision;
11. The final plans need to distinguish between the two parcels of land labeled "Parcel A" on the tentative plan; and
12. Plans to be properly signed by the necessary utilities and owners.

CARRIED UNANIMOUSLY

**f) Tentative Subdivision Plan – Woodleigh Park Phase 28; 41 lots**

Mr. Gerald Roberts, and the Developer, Mr. George Queen, attended seeking approval for a Woodleigh Park Subdivision Phase 28 - a tentative subdivision plan proposing the creation of forty-one (41) new residential building lots, the extension of Grafton Drive and Sundance Drive as existing public streets, and the construction of a new public street called Westridge Drive.

A review of the tentative plan was conducted in accordance with the applicable provisions of Zoning By-law 038 and Subdivision By-law 035 in its entirety. As the development is located in the Single or Two Family Residential (R1) Zone, the provisions of Section 8 of Zoning By-law 038 are applicable with respect to lot configuration. The review found that the proposed lot configuration would not require any variances with respect to lot width, depth or area. There are a couple of areas on the plan marked for Future Development that may require either a lot depth or width variance or some form of land transfers between Woodleigh Development and Hillcrest Holdings to create parcels that may be approved as building lots in the future. The parcels marked as for Future Development are not being considered under this phase.

Street Network Design

As a street centerline profile did not accompany the tentative subdivision plan, staff cannot confirm whether a street grade variance will be required as well as a possible variance from Section 6.E.ii of Subdivision By-law 035 with respect to storm system design. This provision states a storm sewer system shall be provided in accordance with the provisions of the Subdivision Specifications and Guidelines in a subdivision located in a zone other than the rural zone, unless the Developer can confirm the following conditions will be met through sound engineering design and construction methods approved by the Town:

- a) streets, or a portion thereof, have a gradient of or less than six percent (6%); or
- b) the depth of ditches is not in excess of zero decimal seven five (0.75) metres; or
- c) driveway pipe culverts require inside diameter not larger than 300mm

The Developer's surveyor will be required to provide centreline profiles for this phase to ensure proposed grades do not exceed the eight percent (8%) grade permitted by the Subdivision By-law. If variances are required, these will have to be resubmitted to PAC for

consideration. These grades must be confirmed prior to any street design submission, as a change in the grades could further result in changes to the proposed street layout.

The Developer is required to construct the extensions of Sundance Drive and Grafton Drive to the municipal standard as well as any Temporary Turnaround areas. Temporary Turnarounds are to be constructed to a minimum base granular for the purposes of providing a safe and efficient turnaround for snow removal equipment.

The street name for the new public street – Westridge Drive – has been checked against the provincial Master Street Address Guide and no conflicts were found within the area. The name has proposed is acceptable.

#### Sanitary Sewer Servicing

The Developer is proposing to extend Municipal sewer to all the lots. Submission of engineered design drawings will be required prior to final approvals. It will be the Developer's responsibility to engage the services of a qualified engineering consultant to provide design information for the sanitary sewer layout. It is anticipated that the connection to the municipal system will be at two locations:

To existing infrastructure within the sewerage easement on the Hillcrest Holdings property; and

Existing infrastructure at Queensbury Drive and Kingsley Avenue intersection

From an engineering perspective, the design for that section between Lot 2-9 and Queensbury Drive is such that maximum velocities in the pipe is not greater than 3.3m/s; as such, a drop manhole system may be required. The existing infrastructure into the new system will not require any upgrades to handle the flows from this level of development.

#### Potable Water Servicing

The Developer has requested the lots be serviced via individual on-site wells. This proposed phase will see the creation of forty-one (41) lots, with potential for more within the remnant area identified on the plan as Future Development. In accordance with Section 8C of Subdivision By-law 035, the services of a qualified Hydrogeological Consultant must be engaged to prepare the required Comprehensive Water Supply Source Assessment (CWSSA) (Hydrogeological Assessment) report for the Town. The report should indicate if there is sufficient quality and quantity of groundwater to support the proposed development.

A concern regarding the impact of the proposed development on existing wells has been expressed by several property owners who were notified of the development. It is the intent of the CWSSA to demonstrate that there is groundwater of sufficient quantity and quality in the aquifers within the area for development as well as surrounding to support the level of development. It will be the responsibility of the Developer to follow and complete any recommendations of the engineer to address concerns identified in the report. Before final approval, sufficient water to support the level of development must be demonstrated.

#### Stormwater Management and Lot Grading Plan

The topography in this area of the Woodleigh Park is challenging and will require a combination of storm sewer systems and open channels for stormwater management. The biggest challenge with storm water management in this area will be avoiding any further

downstream impacts of the residents along Queensbury Drive – as expressed by the residents in the area who have been notified of the development.

A comprehensive stormwater management plan has not yet been submitted to the engineering department for review; however the department is fully aware of the challenges and issues in the area and as such, will be looking for practices that both avoid intensifying the ongoing issues but more alleviating or reducing the current flooding during heavy rain events.

Prior to final approval the Developer will be required to incorporate into the final plan the location of any municipal services easements required for the stormwater management system. The Developer is required to obtain all necessary provincial permits for approval to construct prior to commencing any work on the stormwater system.

#### Land for Public Purposes (LPP)

The total land obligation for this phase based on the proposed forty-one (41) lot development is 6302 sq. metres. The development has not proposed how this obligation will be met. It is the desire of the Community Services and Planning departments to see the allocation of greenspace or trail network that would eventually link to the pedestrian trail being constructed at the end of Selkirk that leads to the new Q Line Pedestrian trail along the CN Railway line.

The LPP can also be incorporate into the stormwater management plan should detention ponds be required. A detailed LPP plan will be required prior to final approval.

Notice was sent to all property owners within 100m of the proposed development. Concerns were received regarding the flooding on Queensbury Drive, increased traffic with connection through the subdivision, the water table and possible loss of well water, blasting during construction and additional greenspace. All correspondences were reviewed by the PAC members and the Town Staff. The storm water management, Water table and additional greenspace have been discussed and will be addressed by way of engineered studies and designs that meet the requirements of the Engineering Department, the Subdivision Guidelines and Specifications, the terms and conditions of the PAC as well as Council through the Development Agreement. The intent of the subdivision connection is to reduce the traffic congestion at single points of entry and balance traffic flow in the area, to provide additional points of access for emergency service providers, and to increase the walkability of an area. There are traffic calming measures that are available if deemed warranted through an engineering study. Blasting must be approved by Council in accordance with the Subdivision By-law. Blasting operations within a radius of one hundred (100) metres of any building is prohibited. Blasting operations between a radius exceeding one hundred (100) metres to a maximum of a radius not exceeding two hundred (200) metres of any building is prohibited without the written approval of Council, and compliance with any additional terms and conditions as imposed by Council.

No persons attended the meeting to speak for or against this application.

MOVED BY: David Carlson

SECONDED BY: Jean Place

That the PAC approves the Woodleigh Park Subdivision Phase 28, a tentative subdivision plan proposing the creation of forty-one (41) new residential building lots, the extension of Grafton Drive and Sundance Drive as existing public streets, and the construction of a new public street called Westridge Drive, subject to the following conditions:

1. Proper engineered design drawings for the sanitary sewer system to be submitted to the Town's Engineering Department for review and approval;
2. Comprehensive Water Source and Supply Assessment (CWSSA) report to be submitted to the Town prior to final approvals;
3. A Stormwater Management Plan and the submission of a Lot Grading Plan that clearly demonstrates acceptable stormwater management and surface drainage control practices. The plan must provide acceptable solutions for any downstream impacts, with solutions to address any possible impacts to be reviewed and approved by the Town Engineering Department;
4. Land For Public Purposes to satisfy the required 6302sq .m obligations to finalize prior to final approvals based on recommendations from the Community Services Department;
5. Any Municipal Services Easement for the stormwater management or sanitary sewerage service components not with public street right-of-ways to be established and incorporated into the Final plan;
6. Submission of street centreline profiles prior to street design to confirm street grades within the permitted eight percent (8%);
7. With the exception of clearing of a lot associated with a Building Permit, tree clearing shall be restricted to street right-of-ways and easements necessary for the installation of services;
8. Standard Developer's Agreements, bonding and subdivision fees will be required;
9. Subdivision filing fees of Six Hundred Ten dollars (\$610.00) for a forty-one (41) lot phase; and
10. Plans to be properly signed by the necessary utilities and owners.

CARRIED UNANIMOUSLY

**g) Tentative Subdivision Plan – Kings View Phase 20; 13 lots**

Mr. Gerald Roberts attended with Murray Carpenter of Langard Ltd. to seek approval for Kings View Subdivision Phase 20, a tentative subdivision plan effecting PIDs 175638, 30191449 and 30258024. This plan is proposing the creation of create one (1) new public street named Perry Court, thirteen (13) Single-Family residential lots with all lots fronting the proposed Perry Court, a Municipal Services Easements (MSE) between Perry Court and Carlton Drive (along the sides of Lot 176 and 177 in Phase 20 and existing Lots 124 and 125 fronting Carlton Drive) for the purposes of extending municipal sanitary sewerage service, and the creation of 230 square metres of Land for Public Purposes in order to create a pedestrian walkway from end of Perry Court and future extension of Carlton Drive.

### Streets

A centerline profile has not been submitted for proposed new public street (Perry Court) as such its compliance with the street grade requirements cannot be confirmed; a street profile will be required prior to final plan approvals. The court length is in compliance with the Subdivision By-law. The street name was checked against the Master Street Address Guide database and the name is acceptable for 911 purposes. The intersection of Perry Court with Carlton Drive does not generate any line-of-sight concerns and is acceptable as proposed.

### Sanitary Sewerage

The developer is proposing to extend municipal sanitary sewerage to all lots. The developer is required to submit professionally engineered design drawings for the sanitary sewerage system. These drawings have not yet been submitted to the Town for review as such the exact layout cannot be commented on. Based on the tentative plan it appears the connection to the system will be via the proposed MSE; however until such time as the final engineered design drawings are submitted and approved, planning cannot confirm if the proposed MSE will work or if alternate easement locations are required. These will need to be confirmed prior to final plan approvals. Based on the topography of the land servicing with municipal infrastructure should not be a significant challenge. It is anticipated that this development will not have a significant impact on the existing municipal infrastructure without need for any upgrades or modifications to service the proposed lots.

### Potable Water

The Developer has requested the lots be serviced via individual on-site wells. As the subdivision will be creating ten (10) or more lots, Section 8.(C)(i)(c) of Subdivision By-law 035 requires the submission of an abbreviated water study. This requirement will not be waived by submitting subsequent smaller phases of the same area.

### Stormwater Management

The Developer will be required to submit a comprehensive stormwater management plan covering the proposed phase. The stormwater management plan for the other areas proposed a system of open ditches, culverts and swales. A detailed design will be required specific for this phase including a lot grading and drainage plan for the lots. As this phase is situated below the retention pond, the phase will not be able to make use of the feature for stormwater control. The plan will have to address the proposed discharge location for the flows from this area. Concerns have been expressed by the adjacent property owner and developer, Mr. Raymond Carpenter, regarding the discharge of water from the development onto and across his property, and suggested flows should be directed onto the Department of Transportation Right-of-Way. This will have to be looked at as part of the plan. Drainage cannot be directed toward and negatively impact existing properties; concerns of which have been expressed by adjacent properties owners.

As part of this review, staff would like to remind both the PAC and the Developer that the piping of front yard ditches subsequent to final approvals and without the proper design by the consulting engineer is not an acceptable practice. When the stormwater management plan for the development is based on ditches and culverts, and ditches are subsequently piped without proper consideration given to the overall stormwater management plan, it can negatively impact the development and create drainage problems rather than address them. If the



developer desires to sell the lots as piped ditches then it must be incorporated into the engineered stormwater management plan and the overall engineered design. If and where this continues, the Town may not accept the infrastructure or the overall development, and building permits may be withheld.

#### Land For Public Purposes (LPP)

The total land area obligation for LPP is 2588 square metres. Langard Ltd. presently has a credit of 1747.5 square metres of LPP credit; however, 1691 sq. m of this is required for Phase 19, which has been tentatively approved by the PAC. After applying the remaining 56.5 sq. m of credit and the proposed 230 sq. m of LPP under this phase, the development still requires 2301.5 sq. m of LPP to meet the required obligations. The Developer has not proposed any further land to meet the requirements and given the need for LPP lands, further discussions with Planning and Community Services staff will be required prior to final plan approvals.

Notification was sent to all property within 100 metres of the subject property and concerns have been expressed. All concerns were part of the package reviewed by the PAC members as part of the application and plan review process.

As with previous phases of Kings View subdivision, correspondences were received expressing concerns regarding traffic and the level of service at the intersection of Route 119 and Squire Drive and the need for signalized intersection. Mr. Carpenter noted that a traffic study was completed when Squire Drive was developed and asked that the PAC consider this before requesting another study with consideration of the fact that this phase was only for 13 lots. Mr. Colbourne reviewed that this area was studied in 2014 by the engineering consulting firm exp as part of an overall study of all the intersections and traffic flows along Gondola Point Arterial. The study found that while the intersection does have fluctuations in levels of service, with the highest being during morning and evening rush periods, the overall level of service is such that it did not warrant a signalized intersection at that time. However, the report did recommend that once the two new schools were in operation and there is a continuation of development in the area, a further study should be conducted. Mr. Colbourne also reminded the PAC members that Kings View Phase 19 was recently approved with an additional twelve (12) lots for this area and there is more land in the area that will be developed.

Mr. Gooding of Carlton Drive attended speaking of his concerns regarding an environmental impact and water supply issues, and specifically wanting to ensure the grade and drainage does not change. Mr. Gooding spoke to the lot next to his and how it would be oriented 90 degrees, meaning a significant loss of privacy for his family. As such, if the development is approved, he asked if a privacy fence could be constructed and additional trees be planted along the property line to maintain some privacy. Mr. Gooding also mentioned the concern for the additional traffic, specifically the development equipment, and how this could impact the families and children in the area. As well, he asked for the 7.5 meter buffer along the Gondola Point Arterial Road be maintained as is. Road noise is currently an issue and it will be increased if the trees are removed either partially or completely.

Mr. Roberts responded to Mr. Gooding's concerns and noted that the proposed road, adjacent to Mr. Gooding's property, does not create a safety concern to the public; therefore, there is nothing in the By-laws that would request a developer create a fence in this situation. The 7.5 metre buffer will continue along the rear of Lots 179-185.

It was also mentioned that the condition of Squire Drive at the intersection of Route 119 remains a concern and must be addressed prior to the development of this phase. It has been an ongoing issue, with outstanding deficiencies, that continues to worsen.

MOVED BY: Darin Lamont

SECONDED BY: Jean Place

That the PAC grant the approval for Kings View Subdivision Phase 20, a tentative subdivision plan proposing the creation of create one (1) new public street named Perry Court, thirteen (13) Single-Family residential lots with all lots fronting the proposed Perry Court, a Municipal Services Easements (MSE) between Perry Court and Carlton Drive (along the sides of Lot 176 and 177 in Phase 20 and existing Lots 124 and 125 fronting Carlton Drive) for the purposes of extending municipal sanitary sewerage service, and the creation of 230 square metres of Land for Public Purposes in order to create a pedestrian walkway from the end of Perry Court and future extension of Carlton Drive, subject to the following conditions:

1. Submission of street centreline profile for Perry Court;
2. Submission of engineered design drawings for the sanitary sewerage system to the Town for review and approval, with any alternate Municipal Service Easements to be clearly identified prior to final plan approval;
3. Submission of an Abbreviated Water Supply Source Assessment (Hydrogeological Assessment) report will be required to demonstrate there is sufficient quality and quantity groundwater, or a letter from the Engineering Company to state this Phase was reviewed in previous reports;
4. Submission of a comprehensive Stormwater Management Plan inclusive of engineered design drawings of the proposed stormwater management system and a lot grading plan. The Stormwater Management Plan must identify any areas where easements are required and these are to be incorporated into the final subdivision plan prior to final approval;
5. LPP requirements in the amount of 2301.5 sq. m are to be satisfied prior to final plan approvals, and any lands require the approval of the Community Services Department;
6. A 7.5m No Cut Zone to be retained and delineated on the Final Plan along the rear of Lots 179-185;
7. The requirement of an additional traffic study at the intersection of Squire Drive and Route 119 based on the recommendation of the previous report by exp;
8. Standard Development Agreement, bonding and subdivision fees will be required;
9. Subdivision filing fees in the amount of Three Hundred Thirty dollars (\$330.00) for a thirteen (13) lot phase; and
10. Plans to be properly signed by the necessary utilities and owners.

CARRIED UNANIMOUSLY

**h) Bonus Room above existing Garage – 439 Gondola Point Road, PID 247270**

Mr. Mark Hatfield was scheduled to present this application on behalf of the property owner but as the agenda item was called and Mr. Hatfield was about to step out of the room due to the conflict of interest, it was recognized that there would no longer be a quorum with Mr. Hatfield's absence and therefore, the item could not be reviewed for the waterfront development of a room above the existing garage.

MOVED BY: Darin Lamont

SECONDED BY: David Carlson

That the PAC defer this application, for a bonus room above an existing garage, to the Municipal Planning Officer for review and subsequent decision.

CARRIED UNANIMOUSLY

**9. Information Items**

Council Meeting Minutes – January 19, February 2 & 16, March 1, 2016

**10. Adjournment**

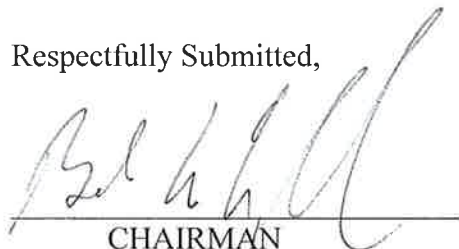
MOVED BY: David Carlson

*That the meeting be adjourned.*

The Planning Advisory Committee meeting was adjourned at 8:06 p.m.

The next Planning Advisory Committee meeting is scheduled for April 12, 2016.

Respectfully Submitted,



CHAIRMAN



SECRETARY