



QUISPAMISIS PLANNING ADVISORY COMMITTEE

MEETING MINUTES – May 24, 2022

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

Absent: Darren Bishop

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 Kendall Mason

That the minutes of the May 10, 2022 PAC meeting be received and filed.

Motion Carried

5. Business Arising from Minutes - Notice of Decisions

Moved By Brent Preston

Seconded By Mark Guest

That the Notices of Decision be received and filed.

Motion Carried

6. Unfinished Business

7. New Business

7.1 412 Hampton Road - Detached Garage Setbacks

John and Brigitte Irwin attended seeking approval to construct a detached garage at 412 Hampton Road.

Ms. Jennifer Jarvis introduced the application noting that as per Zoning By-law No. 038, Section 8.(G)(1)(b)(i), no accessory buildings will be placed or erected so that any part is in front of the main building on the lot and that as per Section 8.(G)(1)(b)(iii) of Zoning By-law No. 038, a detached garage requires a three (3) metre set back from the main building on the lot. Ms. Jarvis noted that a corner of the garage is proposed to be located one (1) metre beyond the front line of the main dwelling and the detached garage is to be located two decimal four (2.4) metres from the main dwelling.

Mr. Irwin stated the variance request was for aesthetics, offering a different design from the right angles. He also noted they would be matching gables and siding match in size but due to the 15 years age in the house siding, the color is faded and unavailable, so they went with a soft green to compliment the yellow and blend well with the wooded area.

Notice was sent to property owners within 50 metres, no concerns were received, and there are no concerns from staff.

Moved By Marc Gosselin

Seconded By Brenda Fowlie

That the Planning Advisory Committee approve a one (1) metre variance to Section 8.(G)(1)(b)(i) to permit the development of a detached garage where the front corner of the garage is proposed to be located beyond the front line of the main dwelling; and approve a zero decimal six (0.6) metre variance to Section 8.(G)(1)(b)(iii) of Zoning By-law No. 038 to permit the detached garage to be located two decimal four (2.4) metres from the main dwelling at 412 Hampton Road, PID 30209498, subject to the following terms and conditions:

1. The detached garage shall not be used for the purpose of a business, or as a dwelling unit or for the keeping of livestock;
2. The exterior finish of the garage is to be a cladding recognized by the National Building Code of Canada, current adopted edition; and
3. A building permit to be obtained prior to construction.

Motion Carried

7.2 8 Branch Crescent - Accessory Building and Fence Setbacks

Thomas Demers attended requesting approval to erect a fence on the property of 8 Branch Crescent, PID 30235899 such that it connects to the fence on the adjacent property (50 Grafton, PID 30222285).

Ms. Jarvis introduced the application for a fence that proposes to cross over the property line to connect to the neighbor's fence in two spots. She noted that Section 6.(S)(7) of Zoning By-law No 038 requires a fence to be located sixty (60) centimeter from the property line. Mr. Colbourne explained that a variance for 8 Branch Crescent can only be granted to the property line so a second variance must be granted for 50 Grafton Drive for the section of fence that extends from the shared property line to their existing fence. He also explained that ownership and maintenance of the fence will be the responsibility of each property owner of where the fence lies. If the fence is in disrepair, the owners will be notified, not necessarily the person who erected the fence.

Mr. Demers noted the fence is for protection of a pool that is waiting on a permit. He described the fence of wood in sections and chain link where it would be connected and that it would be constructed so that it would be easy to remove the sections that cross over properties.

Ms. Jarvis added that during the process for the fence variance, it was noted that there was an existing accessory structure and deck on site for which the Town had no record of issued permits and furthermore, a zero decimal seven (0.7) metre variance was required to bring the accessory structure into compliance as it is found too close to a side lot line.

Notice was sent to property owners within 50 metres. It was recognized that correspondence was received from the owner of 50 Grafton Drive authorizing his neighbor to connect to their fence.

Moved By Brent Preston
Seconded By Kendall Mason

That the Planning Advisory Committee approve a setback variance of zero decimal six (0.6) metres from Zoning By-law 038, Section 6.(S)(7) to allow 8 Branch Crescent to connect to an existing fence at 50 Grafton Drive; and a variance for zero decimal six (0.6) metres from the same section for the property of 50 Grafton Drive, PID 30222285 to allow fencing from the shared property line to the existing fence, and approval of a zero decimal seven (0.7) metre setback variance to Section 8.(G)(2)(b)(iii) of Zoning By-law No. 038 for the location of the accessory building, subject to the following terms and conditions:

1. Lot lines are clearly delineated prior to the installation of the fence;
2. The sections of fence to be erected within the setbacks should be constructed so that these sections can be removed without difficulty should either property change ownership and property lines are disputed;

3. The accessory building will not be used for a business purpose or for the keeping of livestock or as a dwelling unit; and
4. A fence permit is issued prior to the construction of the fence.

Motion Carried

7.3 210 Model Farm Road - Detached Garage completion prior to Main Dwelling

Glen Foote attended seeking approval for the construction of a detached garage prior the main dwelling unit at 210 Model Farm Road, PID 00230789.

Ms. Jarvis introduced the application noting that the lot is in a Rural (RU) Zone, with a lot size of 4176 square metres. As per the Zoning By-law 038, Section 25.(F)(1), where a lot contains less than 5,000 sqm in area, the provisions of Sections 8.(G) to 8.(I) shall apply. Specifically, Section 8.(G)(4) applies as it states accessory buildings are not to be placed on a lot before the main dwelling is constructed.

Mr. Foote explained that both foundations were going in at the same time; main dwelling and garage, with the plans to finish the garage first so it can be used for storage while the house is being finished.

Notice was sent to property owners within 100 metres; one letter of support was received but no concerns were received.

Moved By Mark Guest

Seconded By Kendall Mason

That the Planning Advisory Committee approve the request to allow the detached garage to be placed on the subject lot prior to the construction of the main dwelling at 210 Model Farm Road, PID 00230789, subject to the following terms and conditions:

1. The detached garage shall not be used for the purpose of a business, or as a dwelling unit or for the keeping of livestock;
2. The exterior finish of the garage is to be a cladding recognized by the National Building Code of Canada, current adopted edition; and
3. A building permit be obtained prior to construction.

Motion Carried

7.4 23 Motivation Avenue - Foundation Elevation, Side Yard Setback, Waterfront Development

Mark Hatfield attended requesting approval for the construction of a single dwelling unit on lot bordering a Waterfront, to be constructed below the centre

grade of the abutting Right-of-Way and requiring a Side Yard Variance at 23 Motivation Avenue, PID 30342521.

Ms. Jarvis introduced the application noting that in accordance with Section 6.(BB)(1)(a) of By-law 038, no alteration of existing buildings or land shall occur on any property bordering a watercourse without first requesting and being granted approval by the Planning Advisory Committee. As per Section 6.(F)(1) of Zoning By-law 038, the finished floor elevation of the first storey is to be at least one (1) metre above the centerline grade of the street and whereas the elevation shows zero decimal six (0.6) meters below the center line of Motivation Avenue, a variance of one decimal six (1.6) meters is required. Also, as per Section 25.(F)(3) of Zoning By-law 038, 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 so the applicant is seeking a twelve decimal seven (12.7) metre variance in order to center the dwelling on the lot.

Notices was sent to property owners within 50 metres; no concerns were received, and staff have no concerns.

Moved By Marc Gosselin

Seconded By Brent Preston

That the Planning Advisory Committee approve the one decimal six (1.6) metre Foundation Elevation Variance to Section 6.(F)(1) of the Zoning By-law 038, a twelve decimal seven (12.7) metre variance to Section 25.(F)(3) of Zoning By-law 038 for the Side Yard Setback, and to support construction on the Waterfront Lot as per Section 6.(BB)(1)(a) of the Zoning By-law 038 for 23 Motivation Avenue, PID 30342521, subject to the following terms and conditions:

1. A site drainage plan to be submitted to and accepted by the Town prior to the issuance of a Building Permit;
2. A letter from the Department of Environment be received by the Town indicating that there is no requirement for a Watercourse and Wetland Alteration Permit for the proposed waterfront development prior to the release of a Building Permit;
3. The preparation of the "Hold Harmless" agreement be executed prior to approval of the final inspection of the dwelling; and
4. A building permit is issued prior to construction.

Motion Carried

7.5 160 Pettingill Road - Zone Change from R1 to R2 (Mixed Residential Use)

Council has been asked to amend the Zoning By-law No. 038 for the Rezoning of PID 251462 (160 Pettingill Road) from Single or Two-Family Dwelling (R1) to

Multiple Residential (R2) – Mixed Residential Use Development for the purpose of four (4) Multiple-Unit Buildings, Semi-Detached and Single Detached Dwellings. The applicant, Mr. Andrew Dunn was in attendance to answer questions from the PAC Members.

Dwight Colbourne introduced the application that comes to the PAC through the Clerk's office as it is the Council that approves the zone changes and part of the process is to seek the PAC recommendations. He stated that June 21, 2022, is the scheduled public hearing, but response from the PAC is required within 30 days of notice from the Town Clerk and since Council does not meet again until June 21, there is no chance to request an extension. He reviewed the mixed-use residential development that proposes four (4) low-rise multiple dwelling buildings having 12 units in each building (48 dwelling units), single detached units along the street from Pettingill Road to Heritage Estates (7 to 8 units), and 14 - 16 semi-detached units in the area shown on the site plan as Future Development along the rear of the Pettingill Road properties. The multiple unit buildings will be rental units while the single detached and semi-detached will be distinct ownership. Mr. Dunn noted the rental units will be designed on a hill so they will look like 6 garden homes on one side and 6 garden homes on the other side. When asked why he wanted to design rental units, Mr. Dunn stated that there is a huge demand for apartments in Quispamsis. It was noted that Multi-facet units construction is the fastest growing activity in some areas of New Brunswick.

Mr. Colbourne noted that the total dwelling units being proposed for the mixed-use development would be in the order of 69 - 72 units or a 67% increase from the previously approved unit count for the subject land. Tentative approvals were previously granted for 43 single detached dwelling lands on the same land under the current Single- or Two-Family Dwelling (R1) Zoning. The 72-unit development equates to approximately 3.5 units per acre, which is considered low-medium density development and aligns with the medium density range established in the Municipal Plan. Mr. Dunn is seeking approval of Council before finalizing the purchase from the current landowner, recognizing that there are studies that must be completed prior to obtaining final approvals. These studies include a comprehensive stormwater management plan, a traffic impact study, an Environmental Impact Assessment for water source and supply, possibly a geotechnical for slope stabilization, and, furthermore, he recognizes the development will require construction of access to the QR Trail and Land for Public Purposes. Mr. Colbourne reviewed the access to the developments through public streets for the single and semi-detached dwelling units and private lanes for the multi-unit buildings. The public streets will connect Pettingill Road and Windsor Boulevard, off Heritage Way, as well a cul-de-sac to provide access to the semi-detached dwellings along the rear of the Pettingill Road properties. There was concern from the PAC Members for the number of units being built into that stretch of road with regards to the speed at which traffic now travels and visibility around the Southwood Drive intersection. Mr. Colbourne noted that the traffic study will

include this development and any others in progress and even the potential of land development. As well, the timing for lights, turning times of vehicles, what potential traffic control device would be required, etc.

No variances were noted at this time but may be recognized during the phases of development. At this time, the plans propose to meet all the necessary setbacks and buffers; however, this will need to be confirmed as the development progresses and a return to PAC for specific variances would be required if applicable Zoning By-law requirements cannot be met.

Moved By Brent Preston

Seconded By Mark Guest

That the Planning Advisory Committee support Council in their decision of the Rezoning of PID 251462 (160 Pettingill Road) from Single or Two-Family Dwelling (R1) to Multiple Residential (R2) – Mixed Residential Use Development for the purpose of four (4) Multiple-Unit Buildings, Semi-Detached and Single Detached Dwellings subject to the following terms and conditions:

1. A full comprehensive traffic study for the Southwood Drive/Pettingill Road and future access to the proposed development;
2. The completion of an Environmental Impact Assessment prior to final development and permitting approvals from the Town;
3. An engineered design Stormwater Management Plan and Drainage system stamped by a registered Professional Engineer licensed to practice in the Province of New Brunswick is to be completed and submitted for each phase of the development;
4. A geotechnical report regarding slope stabilization for that portion of the development along the QR Trail;
5. The proposed development shall be forwarded to CN Railway for review and comment as it relates to development near their rail infrastructure;
6. A site design showing the creation of the buffering zone as it relates to the neighboring residential (R1) zones must be approved by the Town prior to construction;
7. The development must include pedestrian trail connection to the QR trail as well as consideration to connection to the École des pionniers trail located at 250 Quispamsis Road;
8. Street lighting installation at the entrance to the development shall be installed;
9. All building lights to be downward directed;
10. The Developer is to enter into a Development Agreement with the Town of Quispamsis;

11. The Developer shall undertake to complete the work for each approved phase within a period of two (2) years following approval, and the development schedule is to be included in the Development Agreement;
12. The lands shall be developed in accordance with the most recently dated Building and Development Plans filed with and approved by the Town for each phase; and
13. If the Development does not substantially proceed within six (6) months of the date of approval for each phase, the Developer shall restore the lands to an attractive natural state, and such restoration is to be completed within sixty (60) days.

Motion Carried

8. Information Items and/or Discussion

That the Information Items be received and filed.

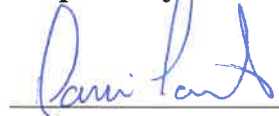
9. Adjournment

Moved By Marc Gosselin

Seconded By Mark Guest

Meeting adjourned at 7:56 p.m.

Respectfully Submitted,



CHAIRMAN



SECRETARY