

**PLANNING ADVISORY COMMITTEE**  
**MINUTES – November 24, 2015**

The regular meeting of the Planning Advisory Committee of the town of Quispamsis was held in the Town Hall Council Chambers on Tuesday, November 24, 2015 at 7:00 p.m.

In attendance:     Bob McLaughlin  
                          David Carlson  
                          Darren Bishop  
                          Jean Place  
                          Marc Gosselin  
                          Mark Hatfield  
                          Pierre Rioux, Councillor  
                          Violet Brown, Secretary  
                          S. Dwight Colbourne, P.Eng, Municipal Planning Officer

Absent:               Darin Lamont

**1. Call to Order**

Bob MacLaughlin called the meeting to order at 7:00 p.m.

**2. Approval of the Agenda**

MOVED BY:           Marc Gosselin

SECONDED BY:       Mark Hatfield

CARRIED UNANIMOUSLY

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

None

**4. Review of Previous Meeting Minutes**

MOVED BY:           Mark Hatfield

SECONDED BY:       Jean Place

*That the Minutes of the October 13, 2015 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>
Beyond Front Line of Dwelling & Front Yard Setback	By-law No. 038 Section 25.(O)(1)(a)(i) & 25.(O)(1)(a)(ii)	704 Hampton Road; PID 00253591
Detached Garage Beyond Front Line of Dwelling, Setback to Main Dwelling	By-law #038 Section 8.(G)(1)(b)(i) and (iii)	13 Stoneycroft Road; PID 25499
Side Yard Setback	By-law #038, Section 8.(E)(1)(b)	19 Hardwood Crescent; PID 30197354
Foundation Elevation Variance	By-law #038, Section 6.(F)(1)	13 Sky View Terrace
Tentative Subdivision Plan – Kings View Phase 19	By-law #035 & Section 8.(C) of #038	Extension of Kingsway Drive

MOVED BY: David Carlson  
 SECONDED BY: Darren Bishop

*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)	Home Based Business	By-law #038 Section 6.K.	16 Nightingale Lane
b)	Amending Plan – White Subdivision Ph 1	By-law #035	5-6 Angel Lane
c)	Land For Public Services - AE McKay Builders Ltd	By-law #035	Ritchie Lake Collector Sewer
d)	Land For Public Services - Woodleigh Development Ltd. Subdivisions	By-law #035	Ritchie Lake Collector Sewer

**a) Home Business – 16 Nightingale Lane, PID 30206197**

Mr. Steven Larson of 16 Nightingale Lane attended seeking approval for a Home Business and a variance for extra commercial equipment parking in a residential zone at 16 Nightingale Lane, PID 30206197.

Mr. Larson offered a presentation to the PAC that addressed the concerns received from the adjacent neighbor. He included pictures and points as follows:

- The lot size is 5,904 square metres, almost one and one half acres with an existing driveway that is approximately 187 square metres. The far edge of the driveway is approximately 30 metres from the adjacent house – that of 28 Nightingale Lane;
- Startup (of larger vehicle) typically not before 0800 hours Monday to Friday;
- Vehicle idling (of larger vehicle) seldom more than 15 minutes – no idling of smaller vehicle;

- Carbon Monoxide – pollution problem of the truck when delivered in April 2014 was repaired immediately after diagnosis;
- We operate two (2) commercial vehicles only;
- Mini dump truck was operated for eight (8) weeks only – sold in August 2015, not used for most of July or early August;
- Crew parking – one full-time employee without driver’s license, second casual employee parks small car in the driveway and never on the road;
- Hardwood hauled in/out of property - minimal, for personal use;
- Rarely is the wood chipper operated on the property – last time summer 2015 for personal property maintenance;
- One chainsaw used on site for personal use during normal working hours, very infrequently (last time early July 2015);
- One new wood splitter with quiet/low emission gas engine used on site for personal use;
- The property is not an ‘area of operations’;
- No business signs on property and no customers conducting business on the property;

Mr. Larson stated that they are very sensitive to noise and other disturbances and have made all efforts to mitigate legitimate concerns in a timely manner. The property is well maintained, neat and tidy, and the equipment is kept in an area where it can be as nonintrusive as possible.

Notice was sent to all property owners within 100 metres of the subject of property; there was only one concern received as addressed above. No one, other than the applicant, attended the meeting to speak for or against this application.

MOVED BY:                 Darren Bishop  
 SECONDED BY:             Mark Hatfield

That the PAC grant approval for a Home Business and a variance for extra commercial equipment parking in a residential zone at 16 Nightingale Lane, PID 30206197, with the following terms and conditions:

- 1) It shall be secondary to the main residential use of the dwelling;
- 2) Not more than one person is engaged therein in addition to any permanent resident of the dwelling unit in which it is located;
- 3) No change, except for a sign, pursuant to the Town’s Sign By-law is made in the outside appearance of the building which would indicate that a home occupation is being conducted therein;
- 4) No goods or services other than those directly pertaining to the home occupation are supplied or sold therein or therefrom;
- 5) With this variance approval, not more than two (2) commercial vehicles used in connection with this Tree Trimming Business, or not more than two (2) vehicle of any kind bearing a sign in connection therewith is parked on the lot.
- 6) The PAC approval to operate the business is non-transferable. The approval is solely for the benefit of the property owner named herein. In the event the Tree Trimming Service is discontinued or the lands are transferred, the said approvals shall terminate.

MOTION CARRIED with One Nay (David Carlson)

**b) Amending Plan – White Subdivision Phase 1; 4-5 Angel Lane**

Mr. Colbourne reviewed the plan amendments for White Subdivision Plan filed with the registry on May 27, 2003 creating Lot 4 (5 Angel Lane including the common right-of-way to the Vincent Road) and Lot 5 (6 Angel Lane). The property owner of 5 Angel Lane (Lot 4) is seeking to transfer ownership of the common right-of-way from being a portion of their property to property owner of 6 Angel Lane (Lot 5). In order to complete the transfer Lots 4 and 5 have to be re-subdivided to create Lots 14-02 (6 Angel Lane), which will include the common right-of-way, and Lot 14-01 (5 Angel Lane).

Lots 14-01 and 14-02 comply with the minimum lot dimensions and area as required by Section 8C of the Zoning By-law 038. The lots are located in the Single or Two Family Dwelling zone and serviced by municipal sanitary sewerage as such the minimum lot dimensions are 30.0m of width, 38.0m of depth and 1140 sq. metres of area.

There is an existing municipal services easement for the sanitary infrastructure that runs through the area. This easement will not be impacted by the proposed amendment. As the lots do not front a street own by the municipality or crown, the approval of the PAC is required before the final plans can be stamped and registered.

MOVED BY: David Carlson  
SECONDED BY: Jean Place

That the PAC grant approval to the proposed amending subdivision plan as submitted subject to the following conditions:

- 1) Subdivision filing fees in the amount of One Hundred dollars (\$100.00) for a two (2) lot plan;
- 2) Plans to be properly signed by the necessary utilities and owners;
- 3) Execution of a Hold Harmless Agreement to reflect the transfer of right-of-way ownership; and
- 4) Prior to Final Subdivision Plan approval, written confirmation of notification to the property owners at lots 09-01 (190 Vincent Road), 09-02 (2 Angel Lane) and 09-03 (4 Angel Lane) of the pending transfer of ownership of the common right-of-way over which the said lots have deeded access.

CARRIED UNANIMOUSLY

**c) Land For Public Services - AE McKay Builders Ltd (Ritchie Lake Collector)**

Mr. Colbourne reviewed the proposed subdivision plan that is for the purpose of creating an LPP Parcel, which is to be vested to the Town for Land for Public Purposes and Municipal Services purposes. The lot is located along side of the CN Railway just northeast of its intersection with the Pettingill Road. The Town wishes to acquire this land from A.E. McKay Builders Limited for the installation of sanitary sewerage infrastructure as part of the Ritchie Lake Collector Sewer Wastewater upgrades. The parcel will provide access to the infrastructure for maintenance purposes, furthermore, the parcel of land will be the location of a portion of multi-use pedestrian corridor as part of the Active Transportation Plan adopted by Council in 2010.

As part of the plan a “QR Line” was proposed that would see the construction of a multi-use pedestrian corridor from the Hampton Road at Blair’s Bridge through to Rothesay along the CN Railway. This parcel provides the Town with the necessary land to construct the proposed trail. Both the installation of the sanitary infrastructure and construction of the pedestrian trail will be completed in conjunction with construction currently slated for Spring 2016 commencement.

MOVED BY: David Carlson  
SECONDED BY: Darren Bishop

That PAC grant approval of the proposed A.E. McKay Builders Limited Subdivision plan creating the LPP Parcel vesting to the town for Land for Public Purposes and Municipal Services purposes subject to the Town being provided the necessary discharges concerning any encumbrances on the parcel.

CARRIED UNANIMOUSLY

**d) Land For Public Services - Woodleigh Development Ltd. Subdivisions (Ritchie Lake Collector)**

Mr. Colbourne reviewed the proposed subdivision plan that is for the purpose of creating an LPP Parcel, which is to be vested to the Town for Land for Public Purposes and Municipal Services purposes. The lot is located along side of the CN Railway just northeast of its intersection with the Pettingill Road. The Town wishes to acquire this land from Woodleigh Development Limited for the installation of sanitary sewerage infrastructure as part of the Ritchie Lake Collector Sewer Wastewater upgrades. The parcel will provide access to the infrastructure for maintenance purposes, furthermore, the parcel of land will be the location of a portion of multi-use pedestrian corridor as part of the Active Transportation Plan adopted by Council in 2010.

As part of the plan a “QR Line” was proposed that would see the construction of a multi-use pedestrian corridor from the Hampton Road at Blair’s Bridge through to Rothesay along the CN Railway. This parcel provides the Town with the necessary land to construct the proposed trail. Both the installation of the sanitary infrastructure and construction of the pedestrian trail will be completed in conjunction with construction currently slated for Spring 2016 commencement.

MOVED BY: Darren Bishop  
SECONDED BY: David Carlson

That PAC grant approval of the proposed Woodleigh Development Limited Subdivision plan creating the LPP Parcel vesting to the town for Land for Public Purposes and Municipal Services purposes subject to the Town being provided the necessary discharges concerning any encumbrances on the parcel.

CARRIED UNANIMOUSLY

**8. Information Items**

Council meeting minutes of October 6 & 20, November 3, 2015

**9. Adjournment**

MOVED BY: David Carlson

*That the meeting be adjourned.*

The Planning Advisory Committee meeting was adjourned at 7:21 p.m.

The next Planning Advisory Committee meeting is scheduled for December 8, 2015.

Respectfully Submitted,

  
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CHAIRMAN  
\_\_\_\_\_  
SECRETARY