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## **QUISPAMIS PLANNING ADVISORY COMMITTEE**

### **MEETING MINUTES – November 8, 2022**

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

Absent:       Mark Guest

#### **1.     Call to Order**

Darin Lamont called the meeting to order at 7:00 p.m.

#### **2.     Approval of Agenda**

**Moved By**     Kendall Mason

**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**     Darren Bishop

**Seconded By** Brenda Fowlie

That the minutes of the October 25, 2022 PAC meeting be received and filed.

**Motion Carried**

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

**Moved By**     Brent Preston

**Seconded By** Brenda Fowlie

That the Notices of Decision be received and filed.

**Motion Carried**

## **6. Unfinished Business**

### **6.1 Silliphant Holdings - Tentative Subdivision Plan - French Village Road**

On HOLD until further notice from applicant. If there are significant changes to the proposed plan, a new notice may be required.

Postponed again, by applicant, until further items are clarified.

## **7. New Business**

### **7.1 662 Gondola Point Road - Similar to a Home Occupation - Dog Training (Dog Daycare Application Eliminated)**

Ms. Olivia Mergl attended seeking approval to operate a Dog Training business called Mannered Mutts at 662 Gondola Point Road, PID 00454058 as being Similar to or Compatible with a Home-Based Business.

Ms. Jarvis reviewed the application to provide small groups of four to five dogs with positive reinforcement-based dog training classes. The sessions are proposed to be 45 to 60 minutes in duration and are to take place in two rooms located in an accessory building on the property. The applicant has also indicated that they wish to provide incidental sales for dog treats, toys, and accessories. The original application was also seeking permission to use a part of the accessory building as a doggie daycare providing service to a maximum of ten dogs. However, staff felt that this request was outside of what is permissible for a Home Occupation. The applicant was informed that a Doggie Daycare use at this location would require a rezoning to allow it to proceed so this was eliminated from the application. Since the applicant is asking permission to host the occupation in an accessory building located on the property, the request before the Planning Advisory Committee is for this use to be considered as Similar To or Compatible With a Home Occupation, as the business is not in the dwelling unit. Ms. Jarvis explained that the accessory building was at one time used as a commercial dog kennel, operating as a legal non-conforming use. However, the building was sold in 2020 and the use as a grooming shop and dog kennel ceased, therefore the non-conforming use ceased to exist as well. Staff had recommended that a Kennel License be obtained, as per Section 6.(CC)(5) of the Town's Zoning By-law, however, the NBSPCA no longer requires the kennel license. Notice was sent to property owners within 100 metres and most concerns received were for the doggie day care which has been removed. Other concerns included noise of barking outside, odors, and traffic. Copies of concerns were in the PAC review.

Ms. Mergl noted there is a fenced in area already in place, behind the classroom area, to be used for the dogs' potty that Olivia will be responsible to maintain. She added that some of the training will be for aggressive dogs, done individually, and that some of her training is even done virtual such as enrichment classes for dog owners. Dogs will be on leashes or within fenced area.

No one attended to speak for or against this application.

**Moved By** Darren Bishop

**Seconded By** Marc Gosselin

That the Planning Advisory Committee approve the Mannered Mutts to operate doggie training classes at 662 Gondola Point Road, PID 00454058 as being Similar to a Home Occupation in a Single or Two-Family Residential (R1) Zone, subject to the following terms and conditions:

1. A maximum of four (4) dogs be permitted to be engaged in the business at one time;
2. The hours of operation do not begin prior to 9:00 am and shall cease before 8:00 pm Sunday through Saturday;
3. It shall be secondary to the main residential use of the dwelling;
4. Not more than one person is engaged therein in addition to any permanent resident of the dwelling and in which it is located;
5. 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;
6. No goods or services other than those directly pertaining to the home occupation are supplied or sold therein or therefrom;
7. Not more than one (1) commercial vehicle used in connection therewith, or not more than one (1) vehicle of any kind bearing a sign in connection therewith is parked on the lot on which the dwelling unit is located;
8. Two (2) off-street parking spaces are provided in excess of those required under Section 6.(P); and
9. The activity does not involve the management or dispatching of more than one (1) commercial vehicle.

### **Motion Carried**

#### **7.2 329 Model Farm Road - Accessory Building**

Mr. Davis Schryer attended seeking approval to construct an Accessory Building on the lot prior to the Main Dwelling, which was amended to require a Foundation Elevation Variance, at 329 Model Farm Road, PID 30232797.

Ms. Jarvis reviewed the application noting the Zoning By-law requires that any Single and Two Family Residential Use with a lot size less than five thousand (5000) square metres in area in the Rural Zone are bound to the provisions of Sections 8.(G) to 8.(I). However, since the subject property is greater than five thousand (5000) sq metres the provisions of Section 8.(G) to 8.(I) of Zoning By-

law do not apply which means there is no requirement for the PAC approval to place the accessory building on a lot prior to the main building. However, during the review of the file staff did recognize that the elevation change from the top of the property, which abuts Model Farm Road to the proposed placement of the accessory building is such that an Elevation Variance will be required from Section 6.(F)(1) of Zoning By-law 038.

Mr. Schryer noted that he contacted the province and was told verbally that he did not require a Watercourse and Wetland Alteration (WAWA) permit since he was outside the thirty metre setback from the watercourse. He was asked when the house would be constructed, and he stated that he was not sure, but the garage will be there as a workshop to assist in building the house.

Notice was sent to property owners within 100 metres. No concerns were 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 approve a Foundation Elevation Variance, as per Section 6.(F) of Zoning By-law 038, to permit the construction of an accessory building for the purpose of a workshop and storage at 329 Model Farm Road, PID 30232797, subject to the following terms and conditions:

1. The preparation of a Hold Harmless Agreement be executed within six (6) months of this approval;
2. A letter from the Department of Environment be received by the Town indicating that there are no requirements for a Watercourse and Wetland Alteration Permit for the proposed waterfront development prior to the release of a Building Permit;
3. The accessory building shall not be used for the purpose of a business, a dwelling unit or for the keeping of livestock. The purpose is to be used as a workshop and storage for the construction of the main dwelling which is incidental to the main use of the property. It is not to be used as storage for recreational beach equipment use prior to the main dwelling being constructed.;
4. The exterior finish is to be cladding recognized by the National Building Code of Canada Current adopted edition; and
5. A Building Permit is issued prior to any construction.

**Motion Carried**

### 7.3 126 Millennium Drive - Parking Lot Expansion

Mr. Bob McLaughlin and Mr. Jeff Giggey - Deputy Chief of Police attended seeking approval for the Kennebecasis Regional Police Force (KRPF) Building Addition and Parking Lot Expansion at 126 Millennium Drive (PID 30208094).

Mr. Dwight Colbourne introduced the application noting that it does not require any variances, however, the Development Scheme By-law for Millennium Drive (By-law 017) Section 3.C establishes that all development along both sides of Millennium Drive from Market Street to the municipal boundary with the Town of Rothesay is subject to review by the Planning Advisory Committee (PAC) prior to the Development Officer rendering a decision of the application. He added that the Site Plan has been forwarded to other municipal departments deemed necessary by the Development Officer as well as to the Kennebecasis Regional Fire Department and the Department of the Environment as the proposed development is located with Zone C of the Wellfield Protection area. The site plan application package will be submitted to Council at their November 15th regular meeting. While the building expansion is not occurring yet, it is comprised of additional office space and vehicle inspection bays as it relates to vehicle searches, not vehicle maintenance or repairs, and the tentative plans are required to calculate the additional requirement for parking spaces. The building application will require a further review of stakeholders and other staff departments within the town as well as Council. The location of the parking lot addition is based on the need to have police cruisers having the most efficient access to Millennium Drive; as such, the area between the existing building and the commercial property at 132 Millennium Drive is reserved for police cruiser parking. The need for additional parking is to address the increase demand for staff and civilian parking. Mr. Colbourne explained that the site plan that was received today showed the additional enhancement planned for the buffer zone. He also noted one item that was not in the staff report is Climate Change and the need to address that in any new development. He asked if the applicants considered the idea of charging stations for electric cars and possibly some solar panels to service the building. Mr. McLaughlin stated that charging stations were considered but at this time, the extra parking for staff is the only item in the budget.

Public notice was not sent as there were no variances.

**Moved By** Darren Bishop

**Seconded By** Marc Gosselin

That the Planning Advisory Committee support the proposed revised plans presented to the town on November 8, 2022 that satisfied the requirement of the Development Officer.

**Motion Carried**

#### 7.4 169 Vincent Road - Rezoning

Mr. Andrew Dunn attended seeking approval for a forty-three decimal six (43.6) metre Lot width variance as part of the rezoning of 169 Vincent Road, PID 00248518.

Ms. Jarvis reviewed the application noting that during the final review of the project staff realized that a variance was required for lot width. Lot width is calculated with the following formula: 40.5 metres plus 7.5 metres for each unit over three, therefore the calculation is  $40.5 + (7.5 \times 13) = 138$  metres. The Lot width that is available is ninety-four decimal six (94.6) metres, therefore, a forty-three decimal four (43.4) metre variance, representing 31% is required to allow the project to proceed as presented. Ms. Jarvis added that the Lot area that is required for this development far exceeds what is required for the proposed development, by almost double. As a result of the concerns from the Clerk's notice to the public, Council suggested that instead of abbreviated reviews, a comprehensive hydrogeological review and a comprehensive storm management plan of the property be required. As well, with consideration to the location of the building behind 9 Carmack Court and the existing treed buffer, staff are recommending that the developer and his consultant meet with the landowners of 9 Carmack Court to see if a repositioning of the building is possible. Mr. Colbourne explained the difference between an abbreviated and comprehensive hydrogeological review as well as the storm water management report and noted that Council has the authority to request a comprehensive study over an abbreviated study due to the increased density of four units per acre.

**Moved By** Marc Gosselin

**Seconded By** Darren Bishop

That the Planning Advisory Committee approve the forty-three decimal four (43.4) metre variance to Section 9.(B)(1) of Zoning By-law 038, to permit a Lot width of ninety-four decimal six (94.6) metre at 169 Vincent Road, PID 00248518, with the following terms and conditions:

1. A comprehensive hydrogeological study be completed, ensuring that there is enough potable water available to support the proposed development, prior to the issuance of a Building Permit;
2. A comprehensive stormwater management study be undertaken, ensuring a stormwater management on the lot is net zero pre and post rain events, prior to the issuance of a Building Permit;
3. The developer and their development consultant meet with the landowners of 9 Carmack Court to discuss the potential of repositioning the proposed building abutting their property; and
4. All conditions of the Planning Advisory Committee approval dated and signed on October 16, 2022, remain in effect.

**Motion Carried**

7.5 35 Minstrel Drive - Property Line Adjustment

An application to subdivide a small portion of 35 Minstrel Drive, PID 30241103, in favour of 31 Minstrel Drive, PID 30240949.

Ms. Jarvis reviewed this application noting that potable water well belonging to 31 Minstrel Drive is on 35 Minstrel Drive which belongs to the Town of Quispamsis. Mr. Colbourne noted the land was surveyed and assessed in the same process as the Surplus Land Disposal Process and while this is not surplus land, the Town is going through the same process for this small portion of land.

**Moved By** Brent Preston

**Seconded By** Marc Gosselin

That the Planning Advisory Committee support the Development Officer in the approval of the subdivision of forty-three (43) square metres subject to the following conditions:

1. All fees associated with the subdivision of 35 Minstrel Drive, PID 30241103, for a lot line adjustment, are the sole responsibility of Mr. and Mrs. Haczek, the property owners of 31 Minstrel Drive, PID 30240949.
2. Price to be determined through the Surplus Land Disposal Policy.

**Motion Carried**

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

**Moved By** Brenda Fowlie

**Seconded By** Kendall Mason

That the Council Meeting Minutes for October 4<sup>th</sup> and 18<sup>th</sup> and Budget Meeting of October 25<sup>th</sup>, 2022 be received and filed.

**Motion Carried**

**9. Adjournment**

**Moved By** Darren Bishop

**Seconded By** Marc Gosselin

Meeting adjourned at 8:00 p.m.

**Respectfully Submitted,**



CHAIRMAN



SECRETARY