



QUISPAMISIS PLANNING ADVISORY COMMITTEE

MEETING MINUTES – November 9, 2021

Present: Darin Lamont Marc Gosselin
 Brenda Fowlie Chrissy Scott, GIS Technologist
 Brent Preston Jennifer Jarvis, Planning Technologist
 Kendall Mason Violet Brown, PAC Secretary

Absent: Darren Bishop S. Dwight Colbourne, Municipal Planning Officer
 John Groden

1. **Call to Order**

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

2. **Approval of Agenda**

Moved By Marc Gosselin

Seconded By Brent Preston

That the Agenda be approved as written.

Motion Carried

3. **Disclosures of Interest**

No disclosures were declared.

4. **Approval of Previous Minutes**

Moved By Brent Preston

Seconded By Brenda Fowlie

That the minutes of the October 26, 2021 PAC meeting be received and filed.

Motion Carried

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

Moved By Kendall Mason

Seconded By Brenda Fowlie

That the Notices of Decision be received and filed.

Motion Carried

6. Unfinished Business

6.1 Town's Sign By-law Amendment

The Town Staff is still doing research on Political Signage in other Municipalities and will bring the amendments back to the Planning Advisory Committee when completed. It will not be reviewed at this meeting of November 9, 2021.

7. New Business

7.1 7 Heritage Way - Fence Setback

Mr. Andre Charron attended seeking approval to erect fencing just inside the property line on one side of the property at 7 Heritage Way, PID 30328090.

Ms. Jarvis reviewed the application for the fence on the western side of the property that requires a zero decimal six (0.6) metre variance from Section 6.(S)(7) of the Zoning By-law 038 in order to permit the construction just inside the property line. She added that all other setbacks regarding the fence placement do conform with the Zoning By-law. It was noted that the property was recently surveyed.

Notice was sent to property owners within fifty (50) metres of the subject property; no concerns were received, and staff have no concerns.

Moved By Kendall Mason

Seconded By Brenda Fowle

That the Planning Advisory Committee approve the setback variance of approximately zero decimal six (0.6) metres from Section 6.(S)(7) of the Zoning By-law 038 for a fence on 7 Heritage Way, PID 30328090, subject to the following terms and conditions:

1. All construction work, including fence post holes, is to be done on the applicant's property with clear and accurate account of the property lines and survey markers; and
2. A building permit is issued in accordance with the Town's Building By-law 055 prior to any construction.

Motion Carried

7.2 355 Hampton Road - Accessory Building Height Variance

Ms. Jarvis reviewed the application that came before the Planning Advisory Committee (PAC) as requesting approval to permit the construction an accessory building exceeding the maximum permissible height to be located at 355 Hampton Road, PID 30220644 and PID 00250787 respectively. During the review of the application, it was recognized that this property was rezoned in 2008 under the

provisions of Section 39 (now Section 59) of the Community Planning Act, therefore, any approval to amend a Section 39 Developer's Agreement must be done through Council, not the PAC. Ms. Jarvis stated that since the applicant was not available for this meeting, staff recommend that the PAC defer their review, discussion, and decision regarding the zero decimal eighteen (0.18) metre height variance from Section 12.(F)(1)(a) of the Zoning By-law 038 until such time as the Council has the opportunity to render a decision regarding the request to amend the Developer's Agreement. As part of the process for an Amendment to a Section 39 Agreement, if Council chooses to proceed, the PAC will be asked to review the application and offer Council their written views at which time the applicant will be in attendance for discussions and questions.

Moved By Brenda Fowlie

Seconded By Kendall Mason

Whereas this is a Neighbourhood Commercial (NC) Zone, zoned as such through a Developer's Agreement, through the authority of a Section 39 (now Section 59) Developer's Agreement as per the *Community Planning Act* of New Brunswick, limiting the size and intensity of the business;

And whereas the property owner is now seeking approval for an on-site storage facility, which does not align with the original Developer's Agreement;

Therefore, the Planning Advisory Committee will defer the decision regarding the zero decimal eighteen (0.18) metre height variance from Section 12.(F)(1)(a) of the Zoning By-law 038, until such time as the Council has the opportunity to render a decision regarding the request to amend the Developer's Agreement between the Town of Quispamsis and Ascension Elevating Devices; and

That the Planning Advisory Committee ask the Town Staff to write a letter to Council asking that a fine be waged against the property owner for their disregard to Town By-laws, the Developer's Agreement, and the authority of Town staff.

Motion Carried

8. Information Items and/or Discussion

- Council Meeting Minutes - October 19, 2021
- Council Special Meeting Minutes - October 23, 2021
- 2022 Budget Presentation

Moved By Brent Preston

Seconded By Brenda Fowlie

That the Information Items be received and filed.

Motion Carried


9. Adjournment

Moved By Kendall Mason

Seconded By Brenda Fowlie

Meeting adjourned at 7:20 p.m.

Respectfully Submitted,



CHAIRMAN



SECRETARY