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**QUISPAMIS PLANNING ADVISORY COMMITTEE**  
**MEETING MINUTES – October 11, 2022**

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

**1. Call to Order**

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

**2. Approval of Agenda**

**Moved By** Brenda Fowlie

**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** Darren Bishop

**Seconded By** Brent Preston

That the minutes of the previous PAC meeting be received and filed.

**Motion Carried**

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

**Moved By** Brenda Fowlie

**Seconded By** Mark Guest

That the Notices of Decision be received and filed.

**Motion Carried**

## 6. Unfinished Business

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

This item was deferred to the November 8, 2022 PAC Meeting; by the applicant, until further items are clarified

### 6.2 Rezoning - 169 Vincent Road - R1 to R2

Mr. Andrew Dunn attended seeking approval to rezone 169 Vincent Road (PID 248518) from Single or Two-Family Residential (R1) to Multiple Residential (R2).

Ms. Jennifer Jarvis reviewed the application of a proposed terrace dwelling residential development consisting of four (4) buildings, each containing four (4) dwelling units, for a total of sixteen (16) dwelling units. The multiple unit buildings are proposed to be single-storey, each with an attached garage, with each dwelling unit having ground-level entrance as well as driveway access from a private lane. The units are self-contained two bedrooms, two baths and open concept living and dining. The 16 units will be rental units and the property managed and maintained by Mr. Dunn's property management company. The Developer is proposing a shared sanitary main that would be installed under the private lane with all design and construction cost associated with the extension of municipal services to the developer. Potable water to the proposed development will be provided via a single drilled well to support each of the four main buildings. The developer has been in contact with the Department of Environment (DOE) to inquire about the need for a Watercourse and Wetland Alteration Permit.

Ms. Jarvis noted the requirement for a seven decimal five (7.5) metre variance to Section 9.(D)(1)(a) of Zoning By-law No. 038, to allow the development a seven decimal five (7.5) metre front yard setback whereas the by-law requires a fifteen decimal zero (15.0) setback in the case of a collector highway.

Mr. Dunn was asked if the entrance to this development can be aligned with the proposed street across the road. He stated that he would have to check with his engineer to see if that is possible.

As this application is a Zoning Change request, the letters to the property owners within 100 metres were sent by the Clerk's Office on behalf of Council. The Public Hearing, where residents may comment on the application, was recognized as November 1, 2022.

**Moved By** Brent Preston

**Seconded By** Darren Bishop

That the PAC support Council in the Rezoning of 169 Vincent Road (PID 248518) from Single or Two-Family Residential to Multiple Residential (R2), subject to the following terms and conditions:

1. Approval of a seven decimal five (7.5) metre variance to Section 9.(D)(1)(a) of the Town's Zoning By-law 038 to allow the development a seven decimal five (7.5) metre front yard setback;
2. The private lane ways are to be designed as per the National building Code to ensure sufficient access to all units by emergency service personnel;
3. The completion of an Abbreviated Water Source and Supply Assessment, submitted to and accepted by the Town prior to the issuance of Building Permits;
4. 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 submitted and accepted by the Town prior to the issuance of Building Permits;
5. All building lights to be downward directed;
6. The Developer is to enter into a Developer's Agreement with the Town of Quispamsis;
7. The total number of dwelling units is sixteen (16), any further development of the land will require the consent of Council;
8. The lands shall be developed in accordance with the most recently dated Building and Development Plans filed with and approved by the Town for development; and
9. If the Development does not substantially proceed within six (6) months of the date of approval, the Developer shall, at their own cost, restore the lands to an attractive natural state, such restoration is to be completed within sixty (60) days.

**Motion Carried**

6.3 662 Gondola Point Road - Similar to a Home Occupation - Dog Training (Dog Daycare Application Eliminated)

**Moved By** Brenda Fowlie

**Seconded By** Darren Bishop

As the applicant did not attend to speak to this application, it is being deferred to the October 25, 2022 PAC Meeting

**Motion Carried**

## **7. New Business**

### **7.1 123 Queensbury Drive - Fence Height in Front Yard and Setback**

Robert Parkin attended seeking approval to erect a fence such that it extends into an abutting lot, tying into a neighbouring fence; and to permit a fence with a height of 1.5 metres in a front yard at 123 Queensbury Drive, PID 30341507.

Ms. Jarvis reviewed the application noting the lot is on the corner of Queensbury Drive and a future street, and this configuration results in the property having two front yards, one abutting Queensbury Drive and the other abutting the future street. The lot is also bound by a five (5) metre wide Public Utility Easement along the south and western lot lines. Staff recommended to the application during the initial review that a letter of permission be obtained from NB Power and Bell Canada; both have provided a letter with terms and conditions and a copy is filed with the Town. Ms. Jarvis noted the one decimal zero five (1.05) metre variance required from Section 6.(S)(2) to allow the fence height of one decimal eight (1.8) metres to be located in a front yard, specifically the front yard abutting the future street. Furthermore, to permit the proposed arrangement with the neighbouring fence, a zero decimal six (0.6) metre variance to this section will be required for 123 Queensbury Drive, and a zero decimal three (0.3) metre variance to the same Section will be required for 127 Queensbury Drive. It was recognized that a letter of permission was also received from this adjacent neighbor for the applicant to connect to their existing fence.

Notice was sent to property owners within 50 metres, no concerns were received, and no one attended to speak for or against.

**Moved By** Mark Guest

**Seconded By** Brenda Fowlie

That the Planning Advisory Committee approve a one decimal zero five (1.05) metre height variance to Section 6.(S)(2) of the Town's Zoning By-law 038, to allow a fence height in a front yard of one decimal eight (1.8) metres, and approve a zero decimal six (0.6) metre variance to Section 6.(S)(7) to 123 Queensbury Drive, PID 30341507; and a zero decimal three (0.3) metre variance to the same section to 127 Queensbury Drive, PID 30341531; subject to the following terms and conditions:

1. Lot lines are clearly delineated prior to construction, if the property pins are not identifiable, a professional surveyor licensed by the Province of New Brunswick should be hired to locate and mark the property line;
2. The landowners must adhere to any terms and conditions outlined in letters of permission granted by Public Utility's regarding the erection of a fence within their Public Utility Easement; and
3. A building permit is obtained prior to any construction.

**Motion Carried**

## 7.2 75 Elliot Road - Side Yard Setback

Paula Cormier attended seeking approval for a five (5) metre variance from Section 25.(F)(3), to allow for the construction of a dwelling unit such that it does not provide a thirty (30) metre side yard setback from at least one side lot line at 75 Elliot Rd, PID 30350839 (Lot 22-1). Ms. Cormier noted they just wish to center the house on the lot versus having it to one side.

Ms. Jarvis reviewed the application noting that as per Section 25.(F)(3) of Zoning By-law 038, the main dwelling 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. The average lot width is approximately fifty-five (55) metres, the siting of the building on the lot allows a maximum side yard setback of twenty-five (25) metres.

Notice sent to property owners within 50 metres; no concerns were received and staff have no concerns. No one attended to speak for or against the application.

**Moved By** Darren Bishop

**Seconded By** Mark Guest

That the Planning Advisory Committee approve the five (5) metre Side Yard Setback from Section 25.(F)(3) of Zoning By-law No. 038 for 75 Elliot Road, PID 30350839 (Lot 22-1), subject to the following terms and conditions:

1. A site drainage plan be submitted to and accepted by the Town prior to the issuance of a Building Permit; and
2. A Building Permit is issued prior to construction.

**Motion Carried**

## 7.3 15 Lyden Drive - Detached Garage Side Yard Setback and Oversize

Mr. Matthew Corey attended seeking approval for an Oversize Detached Garage at 15 Lyden Drive, PID 54676. He noted that the design for an Engineered Slab was not part of the staff report. Ms. Jarvis replied to say that this will be a review of the building code and is not a variance. Mr. Corey confirmed the existing accessory building will be removed from the property.

Ms. Jarvis reviewed the application noting Section 8.(G)(1)(c) of the Town's Zoning By-law 038 states that a detached garage shall not exceed sixty-three (63) square metres. With a proposed floor area of seventy-seven decimal four (77.4) square metres, a fourteen decimal four (14.4) square metre variance will be required. The applicant also wishes to locate the proposed detached garage on the lot such that it is located two (2) metres from the main building on the lot. Section 8.(G)(1)(b)(iii) requires a detached garage be setback three (3) metres from the main building, therefore a one (1) metre variance will be required. Ms. Jarvis noted that any fire rating requirements due to the proximity of the building will be reviewed by the Building Inspector.

Notice was sent to property owners within 100 metres, no concerns were received, and no one attended to speak for or against this application.

**Moved By** Mark Guest  
**Seconded By** Brenda Fowlie

That the Planning Advisory Committee approve the fourteen decimal four (14.4) square metre variance from Section 8.(G)(1)(c) of the Town's Zoning By-law 038 and the one (1) metre variance from Section 8.(G)(1)(b)(iii) of the same by-law for the construction of a nine decimal eight (9.8) metre by seven decimal nine (7.9) metre (77.4 square metre) detached garage on the property of 15 Lyden Drive, PID 54676, subject to the following terms and conditions:

1. The exterior finish of the garage is to be a cladding recognized by the National Building Code of Canada, current adopted edition;
2. The garage is not to be used for business, for the keeping of animals or other household pets, or as a dwelling unit; and
3. A Building Permit is issued prior to construction.

**Motion Carried**

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

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**Moved By** Brent Preston  
**Seconded By** Brenda Fowlie

That the Information Items be received and filed.

**Motion Carried**

**9. Adjournment**

**Moved By** Darren Bishop  
**Seconded By** Mark Guest

Meeting adjourned at 7:30 p.m.

**Respectfully Submitted,**



CHAIRMAN



SECRETARY