



**QUISPAMISIS PLANNING ADVISORY COMMITTEE**  
**MEETING MINUTES – September 10, 2019**

**Present:**                      Darin Lamont                      Marc Gosselin  
                                        Darren Bishop                      Violet Brown  
                                        Brent Preston                      S. Dwight Colbourne  
                                        John Groden

**Absent:**                      Brenda Fowlie  
                                        Kendall Mason

**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**    Darren Bishop  
**Seconded By** John Groden

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

**Motion Carried**

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

**Moved By** Brent Preston

**Seconded By** Marc Gosselin

That the Notices of Decision be received and filed.

**Motion Carried**

**6. Unfinished Business (none)**

**7. New Business**

**7.1 12 Heritage Way - Fence Setback**

Ms. Erika Gorman attended seeking approval for a 60 centimetre variance to construct a fence at 12 Heritage Way, PID 30328157, that will be located on the rear and right property line. Ms. Gorman noted that the fence was already installed because there was an opening with the contractor and since their house is very close to the Dream House and that traffic flow for viewing, they took the risk of installing the fence prior to approvals. Ms. Gorman stated that they were willing to move the fence if the PAC did not approve the location. She stated that the developer of the subdivision, and owner of property on two sides, located the property pins and painted the lines for the installation of the fence. The location was based on the house location and the surveyed plan. Ms. Gorman stated that they are looking at purchasing the lot behind them so the back line will not be an issue for setback if the property becomes theirs.

Mr. Colbourne noted the fence looks like it is in the proper location based on a visual inspection of the property. If the next lots are sold at a future date and there are issues with location, the PAC can recommend the fence gets moved or a variance is applied for at that time. Mr. Andrew Toole, an Engineering Consultant who did work for the Developer of this subdivision, was in attendance and stated that the property was staked properly at the time of the fence installation. No one else attended to speak for or against.

**Moved By** Marc Gosselin

**Seconded By** Darren Bishop

That the PAC grant the sixty (60) centimeter variance from By-law 038, Section 6.(S)(7) for the construction of a fence just inside the rear and right property lines at 12 Heritage Way, PID 30328157, subject to the following condition:

1. If the fence is found to be off their lot in the future, it will be dealt with then.

**Motion Carried**

## 7.2 7 Pettingill Road - Sign Variances

Jeff Sheppard attended on behalf of Wash66 requesting approval of variances to construct a permanent freestanding sign, locate “flag” style signs, and temporary approval of a vehicle for the purposes for advertising at 7 Pettingill Road, PID 30330971. Mr. Sheppard asked if the number of flag style signs could be increased to 3 instead of the 2 recommended by the staff. Mr. Colbourne noted the flag style sign was not in the Towns by-laws, but PAC has previously approved one flag sign per 30 metres of property frontage. The property frontage at 7 Pettingill Road is 46 metres. To increase the permitted amount for this application, the PAC would be changing the previously set precedence which would affect any future applications.

Mr. Sheppard noted the vehicle contest is over December 1, 2019 and the vehicle can be moved back further so it isn't on the Municipal Right-Of-Way. The digital board, once up, will have similar information as the flags but the flag signs are on the front of the property, the free standing will be on the corner. The flags signs are put out in the morning and taken in at night. The designs are rotated, some advertise donations, some advertise the pricing, etc. Mr. Sheppard said that the free standing sign display is high resolution but doesn't believe he can display images.

No one attended to speak for or against this item.

**Moved By** John Groden

**Seconded By** Darren Bishop

That the PAC grant the variance of 0.3 square meters from By-law 036 Section 13.A.(3)a. and 3.E.(5) for a digital display in accordance with the submitted design at 7 Pettingill Road, PID 30330971, subject to the following condition:

1. A building permit must be issued within one (1) year from the date of this approval and all conditions contained in the permit must be satisfied.

That the PAC grant the variance from By-law 036 Section 3.E.(9) to permit a vehicle to be used for the purposes for advertising at 7 Pettingill Road, PID 30330971, subject to the following terms and conditions:

1. The vehicle must be located on the property of 7 Pettingill Road and cannot be parked in the municipal right of way; and
2. This approval is temporary and expires December 31, 2019.

That the PAC grants the variance from By-law 036 Section 3.E.(16). to permit flag style signs to be used for the purposes for advertising at 7 Pettingill Road, PID 30330971, the following terms and conditions must be considered:

1. The signs must be located at least 2 meters from the front property line of 7 Pettingill Road and cannot be located in the municipal right of way; and
2. A maximum of two (2) flag style signs are permitted to be erected at one time.

**Motion Carried**

7.3 579 Gondola Point Road - Retaining Wall Expansion

Ms. Wendy Scott attended seeking approval for the construction of a retaining wall that requires approval for waterfront development at 579 Gondola Point Road, PID 00248039. Ms. Scott noted her Watercourse and Wetland Alteration (WAWA) permit has been issued and a copy delivered to the Town.

No questions were asked, and no one attended to speak for or against this item.

**Moved By** Brent Preston

**Seconded By** Marc Gosselin

That the PAC approve the construction of a retaining wall on waterfront property at 579 Gondola Point Road, PID 00248039, subject to the following conditions:

1. A building permit must be issued within a one (1) year timeframe from the date of this decision; and
2. Department of Environment approvals are required for waterfront development.

**Motion Carried**

7.4 475 Gondola Point Road - Retaining Wall Reconstruction

Mr. Michael Oleksiuk attended seeking approval for the construction of a retaining wall that requires approval for waterfront development at 475 Gondola Point Road, PID 00244517. Mr. Oleksiuk stated he was waiting on the WAWA permit.

No questions were asked, and no one attended to speak for or against this item.

**Moved By** Darren Bishop

**Seconded By** Brent Preston

That the PAC approve the construction of a retaining wall on waterfront property at 475 Gondola Point Road, PID 00244517, subject to the following conditions;

1. A building permit must be issued within a one (1) year timeframe from the date of this decision; and
2. Department of Environment approvals are required for waterfront development.

**Motion Carried**

7.5 86 Meenans Cove Road - Rezoning Rural to Neighbourhood Commercial for Daycare

Pursuant to Section 110 of the Community Planning Act, before making a by-law and or by-law amendment under the CPA, Council is requesting the written views of the PAC to Rezone the property of 86 Meenans Cove Road from Rural (RU) to Neighbourhood Commercial (NC) for the Construction of an Early Learning Childcare Centre (ELCC). Ms. Vickie Newell attended as the applicant.

Ms. Newell stated that the first daycare would stay open for now for her own children and the families that wish to keep their children in a daycare of a small scale; currently licensed for 20 children. It was recognized that Ms. Newel will be subdividing the lot into two parts; the larger parcel for the Early Learning Childcare Centre, and the smaller lot might be sold or built upon. Mr. Colbourne noted that the Municipal Sewage System would be extended by the applicant so the lots could then be divided into sizes of 1140 square metres or more. No one attended to speak for or against this item.

**Moved By** John Groden

**Seconded By** Brent Preston

That the PAC support Council in the application to Rezone the property of 86 Meenans Cove Road, PID 30290175, from Rural (RU) to Neighbourhood Commercial (NC) for Construction of an Early Learning Childcare Centre (ELCC) subject to the following conditions:

1. A variance is granted for the location of the Day Care Facility to be within four hundred (400) metres of another Day Care Facility;
2. A Development Agreement is required in accordance with Section 15.(H)(1) of the Zoning By-law 038;
3. The property is connected to the Municipal Sewer System through an engineered design, completed by a Professional Engineer Registered with the Province of NB, reviewed and approved by the Engineering Department of the Town of Quispamsis;
4. Sewer Connection Permits must be obtained as per the Utility By-law;
5. The sanitary sewerage system is extended to the ELCC building with the applicant responsible to cover all costs associated with extending the sanitary sewerage system;
6. A traffic pattern report showing sufficient line-of-sight to ensure safe turn movements into and from the parking lot;
7. All on-site lighting is to be directed downward;
8. Provisions for refuse disposal must be screened from public view;
9. All landscaping must comply with Section 12.(G)(1) of the Zoning By-law 038 inclusive of screening and the recommended six (6) metre buffer containing trees, hedges, vegetated buffering or fencing, or a combination of such;
10. The building is located such that it is two (2) times the height of the building away from the property line and residential properties;
11. Building permits are issued in accordance with the National Building Code of Canada; and
12. If any variances are noted on the Final Plan, the applicants must return to PAC for approval.

**Motion Carried**

7.6 Maple Ridge Estates Phase 2 - Tentative Plan (PID 231928)

Mr. Andrew Toole, Engineering Consultant, attended on behalf of Rob Viger seeking approval for the Maple Ridge Estates Phase 2 tentative plan proposing the creation of six (6) residential dwelling lots and an extension of the public street (Corduroy Road).

Mr. Colbourne reviewed the proposed access to the Land for Public Purposes (LPP) and how it crosses over and through the NB Power Right-Of-Way (ROW). Mr. Toole stated that the previous owner of this property had permission to put the access road over the ROW and the permission was granted to the next owner and can be transferred to the Town. Mr. Colbourne showed the maps with the LPP, the road and the ROW and noted that Town trails are proposed as the overall plan.

Mr. Colbourne noted the elimination of the entrance to the subdivision at the top of the plan (between 98 and 102 Elliot Road) as it is not a good spot for an intersection due to the elevations. This will be reviewed at the next phase of the development. Mr. Colbourne noted the Storm Water Management Plan (SWMP) and the berm going in to direct the water flow to the proper location. He also showed the wet areas and how the drainage area needs to be continued beyond lot 5 of the current phase plan. The engineer will need to determine how much of each of these lots is safe for construction and what is going to be left protected for water drainage.

No one attended to speak for or against this item.

**Moved By** Marc Gosselin

**Seconded By** John Groden

That the PAC support the Municipal Planning Officer in considering the approval of the Maple Ridge Estates Subdivision Phase 2 – Tentative Plan subject to the following conditions:

1. A variance is granted from the Subdivision By-law Section 5.B. to permit a street length greater than 300 metres as the overall street layout provides for alternate access in the future development of an adjacent parcel and the current level of development density is reasonable for the proposed street length;
2. The proposed right-of-way easement to access the LPP lands is appropriate, conditional of permission from NB Power being granted to the Town; and
3. The overall street layout and design is approved by the Town's Engineering Department.

The following standard conditions will be applied to the approval of the plan by the Municipal Planning Officer:

4. Submission of a Comprehensive Stormwater Management Plan and a Lot Grading Plan as designed by a qualified professional engineer licensed to practice in the Province of New Brunswick. The plan must demonstrate a

balanced pre and post-development flows. The plan must provide acceptable solutions for any downstream impacts and shall be submitted to the Department of Environment (DOE) for their review and feedback. The final stormwater management plan is to be reviewed and approved by the Town for construction;

5. Any approvals or conditions from the DOE are to be submitted to the Town in writing;
6. All Local Government Services Easement necessary for the stormwater management are to be incorporated into the Final Subdivision Plan;
7. Tree clearing shall be restricted to street right-of-ways and easements necessary for the installation of services in accordance with the Subdivision By-law 035 and Zoning By-law 038;
8. Building permits will only be issued once all applicable of Section 8.A.vi of Subdivision By-law 035 are met – the issuing of a single permit for PID 231928 will not be permitted prior to satisfying the requirements;
9. Standard Developer's Agreements, bonding and subdivision fees will be required;
10. Subdivision filing fees of Two Hundred and Sixty Dollars (\$260.00) for a six (6) lot phase; and
11. The Tentative Plan will be forwarded to all applicable Public Utilities providing electrical power and telecommunication services for review and comments on the location and widths of the proposed Public Utility Easements prior to incorporation into the Final Subdivision Plan.

**Motion Carried**

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

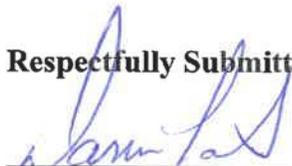
None

**9. Adjournment**

**Moved By** Darren Bishop

Meeting adjourned at 7:50 p.m.

**Respectfully Submitted,**

  
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CHAIRMAN

  
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SECRETARY