

**QUISPAMISIS PLANNING ADVISORY COMMITTEE  
MEETING MINUTES – September 12, 2017**

Present:                    Bob McLaughlin  
                                Darin Lamont  
                                Jean Place  
                                Kendall Mason  
                                Darren Bishop  
                                Carolyn LeBlanc  
                                S. Dwight Colbourne, P.Tech, Municipal Planning Officer  
                                Violet Brown, Secretary

Absent:                    Marc Gosselin

**1. Call to Order**

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

**2. Approval of Agenda**

**Moved By**     Darin Lamont

**Seconded By** Kendall Mason

That the agenda be approved as posted.

**Motion Carried**

**3. Disclosures of Interest**

No disclosures of interest were declared.

**4. Approval of Previous Minutes**

**Moved By**     Carolyn LeBlanc

**Seconded By** Jean Place

That the meeting minutes of August 8, 2017 be approved as written with the correction of Kendall Mason as being absent.

**Motion Carried**

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

**Moved By** Darren Bishop

**Seconded By** Kendall Mason

That the Notice of Decisions be approved and filed.

5.1 Sign Variance - 30 Vincent Road

5.2 Over Size Detached Garage - 29 Sandra Drive

5.3 Detached Garage Setback to Dwelling and Over Size - 18 McEachern Road

5.4 Detached Garage Setback to Dwelling - 7 Rafferty Court

5.5 Temporary Use - Farmers Market - 515 Hampton Road

5.6 Zone change from Residential (R1) to Institutional (INST) – 213 Pettingill Road

**Motion Carried**

**7. New Business**

7.1 Hazelton Heights Tentative Subdivision Plan - Hammond River Road

Brian Walsh attended seeking approval of a tentative plan for Hazelwood Heights Subdivision, Phase 2, for the creation of one residential building lot off Hammond River Road. Mr. Walsh confirmed the plan was for one lot and not the previous application for a tentative plan of eight lots.

The proposed new lot (Lot 17-01) will meet the minimum requirements of 4000 sq. metres in area, width of 54.0m and depth of 38.0m; however the remnant parcel will require a lot width variance. The remnant lot (Lot 98-1) requires a lot width variance of 33.88m as it does not have the minimum lot width of 54.0m at the line of setback from Kenneth Drive. The plan shows the lot width as 20.12 m, which is reflective of a public street right-of-way width that was proposed in a previous expired tentative subdivision plan.

There were no further questions and no one attended to speak for or against this application.

**Moved By** Darren Bishop

**Seconded By** Carolyn LeBlanc

To grant approval of the amended tentative subdivision plan for Hazelwood Subdivision for the purpose for creating Lot 17-01 at 235 Hammond River Road subject to the following terms and conditions:

1. Lot with variance of 33.88 metres for the remnant parcel (Lot 98-1);

2. Subdivision filing fees in the amount of One Hundred Dollars (\$100) for a one (1) lot phase;
3. Any conditions of approval as may be identified by the Planning Advisory Committee are incorporated into the final plans; and
4. Plans to be properly signed by the necessary Public Utilities and Executors of the Deasington Estate.

**Motion Carried**

7.2 Seawall Construction - 425 Gondola Point Road

Diane Reynolds attended requesting approval for the construction of a one hundred and seventy-five (175) foot architectural concrete block seawall along water frontage to minimize erosion. It was recognized that the Watercourse and Wetland Alteration (WAWA) Permit expires at the end of September. Ms. Reynolds noted that they were aware and decided that there is not enough time to construct the wall this year so the work will be done in the Spring of 2018. They will request new WAWA permit.

There were no further questions and no one attended to speak for or against this application.

**Moved By** Kendall Mason

**Seconded By** Jean Place

To grant approval, in accordance with By-law #038 Section 6.(I)(1), to permit the construction of a retaining wall at 425 Gondola Point Road, PID 30306104, subject to the following conditions:

1. The conditions that the Permit for Watercourse and Wetland Alteration are issued under are to be complied with, and
2. Where the PAC approval of this is based on the approved Permit for Watercourse and Wetland Alteration, should this permit be revoked, PAC approval is also revoked.

**Motion Carried**

7.3 Home Occupation - 2 Autumn Avenue

Janie Stewart attended requesting approval for a Hair Salon at 2 Autumn Avenue, PID 00054486. The intention is to continue the business as it was approved by the Planning Advisory Committee for a previous property owner, with the variance to the number of employees permitted. Home Occupations are permitted under Zoning By-law 038, Section 6.(K) but are limited to *not more than one person in addition to any permanent resident*. The new owner is seeking permission for up to three part time chair rentals, one of which will be manned by the property owner

herself. As part of the conditions being reviewed, it was clarified that the request was for three chairs; two part-time plus the owner.

There were no further questions and no one attended to speak for or against this application.

**Moved By** Darin Lamont

**Seconded By** Carolyn LeBlanc

To grant approval for a Home Occupation of the His 'n Hers Salon at 2 Autumn Avenue, PID 00054486, with the following conditions:

1. It shall be secondary to the main residential use of the dwelling;
2. Not more than two part time persons are engaged therein in addition to any permanent resident of the dwelling unit in which it is located;
3. It is confined to the dwelling unit and no part of it is located in an accessory building or structure;
4. The floor area of the dwelling unit, which is devoted to it, does not exceed the lesser of twenty five (25) percent of the floor area of the dwelling unit, or thirty two (32) square meters;
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. No equipment or material used therein is stored other than in the dwelling unit;
8. 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;
9. There is to be no parking on the street or within Town property; and
10. 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 business is discontinued or the lands are transferred, the said approvals shall terminate.

### **Motion Carried**

#### 7.4 Foundation Elevation & Setback Variances - 34 Executive Drive

Nicole MacNeill attended requesting approval for a two decimal two (2.2) metre Foundation Elevation Variance from the Zoning By-law 038, Section 6.(F) and a fourteen decimal zero (14.0) metre Side Yard Setback variance from Section 8.(E)(2).

The property image was available on screen showing that the 15 metres from one side is not possible due to the width of the entire lot.

There were no further questions and no one attended to speak for or against this application.

**Moved By** Darren Bishop

**Seconded By** Jean Place

To grant approval, of a foundation elevation variance of two decimal two (2.2) metres from By-law #038, Section 6.(F) and a side yard setback variance of fourteen decimal zero (14.0) metres from Bylaw 038, Section 8. (E)(2) for construction of a Dwelling at 34 Executive Drive, PID 30317549, subject to the following conditions:

1. A "Hold Harmless" agreement is executed by the property owner absolving the Town from any liability associated with water run-off, with a registered copy to be filed with the Town; and
2. A site drainage plan must be submitted and approved by the Building Inspection Department to ensure that surface drainage is being directed away from the structure.

**Motion Carried**

#### 7.5 Back Yard Chickens - 12 Regal Drive

Scott Nelson attended requesting approval to keep a small backyard flock of egg laying chickens on the residential (rural) property of 12 Regal Drive, PID 30090211. As per *Zoning By-law No. 038, Section 3(D)(1)*, the Planning Advisory Committee is being asked to consider this as a Similar and Compatible Use to an agricultural use under the Rural Zone permitted uses noted in Section 25.

Mr. Nelson was asking for 6 chickens and noted that he has always had six but one died so he is down to 5. He noted that he researched the by-laws and didn't see anything against chickens so he figured they were permitted in the rural lot he lives in. He noted that his neighbors were ok with him having chickens. Mr. Nelson noted that 6 chickens are the maximum amount he would want to keep but also noted that they have had several rescue chickens at one point and won't want to turn anyone away if they came to him. He has no plans for roosters. Compost methods have been researched and he is using compost on his own land for garden purposes.

It was recognized that an agricultural use is permitted in the rural zone but the lot size must be a hectare. It was also noted that the PAC has previously granted approval for two property owners to own back yard chicken and the numbers of permitted chickens were reviewed at 4 for the property of 3/4 acre and 6 for the property of 2 acres. At this time, whereas the Town does not have any provisions in the zoning by-law for chickens, anyone found to have chickens is being sent a letter of non-compliance and asked to attend the PAC if the property size is sufficient, or remove the chickens from the property.

A PAC Member noted that the recommendations stated that nothing is to be sold yet with 6 chickens, there would be a lot of eggs. Mr. Nelson stated that he is aware that he isn't allowed to sell, so he gives them away. There is an inconsistent number of eggs from the existing hens and sometimes they eat most of the eggs themselves.

There were no further questions and no one attended to speak for or against the application.

**Moved By** Darin Lamont  
**Seconded By** Carolyn LeBlanc

To grant approval of a similar and compatible use for the keeping of backyard hens at 12 Regal Drive, PID 30090211, subject to the following conditions:

1. No male chickens, commonly called roosters, shall be permitted;
2. The coop and run must be no closer than 30 meters to any existing well;
3. The coop and run must be located such that it remains screened from the road view;
4. The hens must be in an enclosure at all times;
5. A maximum of five (5) hens are permitted at any time;
6. The sale of eggs, meat, or any other byproduct is not permitted;
7. Chicken feed must be stored in an impervious container that cannot be opened by other animals; and
8. Manure must be stored in an impervious, enclosed container.

**Motion Carried**

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

8.1 Council Meeting Minutes June 20 and July 18, 2017

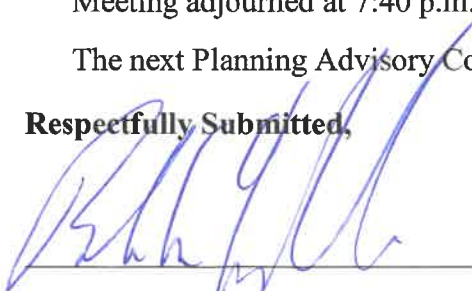
**9. Adjournment**

**Moved By** Darin Lamont

Meeting adjourned at 7:40 p.m.

The next Planning Advisory Committee meeting is scheduled for September 26, 2017.

**Respectfully Submitted,**



CHAIRMAN



SECRETARY