



**QUISPAMISIS PLANNING ADVISORY COMMITTEE  
MEETING MINUTES – September 24, 2019**

**Present:**

Darin Lamont	John Groden
Darren Bishop	Kendall Mason
Brenda Fowle	Marc Gosselin
Brent Preston	Trevor Murray
	Violet Brown

**Absent:** S. Dwight Colbourne

**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** Darren Bishop

**Seconded By** John Groden

That the minutes of the September 10, 2019 PAC meeting be received and filed.

**Motion Carried**

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

**Moved By** Brenda Fowlie

**Seconded By** Darren Bishop

That the Notices of Decision be received and filed.

**Motion Carried**

**6. Unfinished Business**

**7. New Business**

**7.1 Sign Variances - 80 Millennium Drive**

Mr. Graeme McKinnon attended seeking variances for a freestanding sign to be located at 80 Millennium Drive, PID 00173435. He requires several variances from the Millennium Drive Development Scheme By-law 017 for: a height variance of 1.3 metres, an area variance of 19.9 square metres, and a variance for a portion of the sign having digital display. As well, a clearance variance of 0.2 metres is required from the Town's Zoning By-law 038.

It was asked if there will be more signage once the third building is constructed and Mr. McKinnon believes that this sign, with the individual panels, will cover all the businesses' needs. The staff was asked about the Clearance Variance and if there were concerns. Mr. Murray, the Town's Building Inspector, stated that the location is far enough back to not have any line-of-sight issues for traffic. It was noted that the sign height is less than the original sign with was approved in 2018.

No one attended to speak against the application. Mr. Joe Boyce was in attendance and spoke on behalf of the application, stating that he supports the sign variances.

**Moved By** Kendall Mason

**Seconded By** Brenda Fowlie

That the PAC grant a height variance of one decimal three (1.3) metres, an area variance of nineteen decimal nine (19.9) square metres, and a variance for a portion of the sign having digital display from the Development Scheme for Millennium Section 7.A.xxii, and, a clearance variance of zero decimal two (0.2) metres from the Town's Sign By-law 036, Section 13.A.(3)d, on the property of 80 Millennium Drive, PID 173435 subject to the following conditions:

1. A Sign Permit is issued prior to the sign being erected; and
2. The approval is for the supplied drawings and specifications only and any variation shall require further PAC approval.

**Motion Carried**

## 7.2 Second Dwelling on Lot - 474 Hampton Road

Mr. Sean Breedveld attended seeking approval for a secondary dwelling unit to be located on a lot that already has a main dwelling at 474 Hampton Road, PID 00056341. Mr. Breedveld stated that the existing secondary building was originally a garage but has no garage doors. It has a water line to the building but it is only a half inch pipe which requires upgrade. There is no sewer connection at this time but he will connect and is yet to determine if it will be direct to the Municipal Sewer Lines or shared with the main dwelling. It was recognized that the property will be subject to a second sewer account as part of the building process. Mr. Murray stated that the plumbing code will govern over the town. As for the electrical power, the staff report recommended that this be accessed from the main dwelling through underground cables.

It was noted by the PAC that Coach Homes or Garden Homes were meant to be constructed for relatives as a comparable to the in-law suite inside the main dwelling with the understanding that it may not always be family. Mr. Breedveld's intention from the beginning is to rent the secondary dwelling. PAC noted that the condition of the property owner being in one building should stand since Mr. Murray stated that the town may not be able to enforce the second unit being used for relatives.

It was stated that this secondary unit should not be used for bed and breakfast or short term rental. Mr. Murray said this was mainly for safety reasons. It was recognized that the building code will be reviewed for the construction or renovations.

No one attended to speak for or against.

**Moved By** John Groden

**Seconded By** Kendall Mason

As per the Powers of the Planning Advisory Committee in the Zoning By-law 038 Section 3.(D)(1), that the PAC approve the application for a secondary dwelling unit to be located at 474 Hampton Road, PID 00056341, as a Similar Use to an in-law suite, subject to the following terms and conditions:

1. An overall size variance of approximately fifteen (15) percent for the secondary dwelling as it compares to the size of the main dwelling;
2. The building must be renovated to the National Building Code of Canada and a permit issued prior to work being commenced in the existing building;
3. The Second Dwelling Unit must be connected to the Municipal Sewer System as part of the Building Permit Process and all costs associated with the connection are the responsibility of the property owner;
4. The Second Dwelling Unit once connected to the Municipal Sewer System will receive a second sewer account billing as per the Town Sewerage By-law 005;

5. The Second Dwelling Unit must share potable water from the existing well unless a second well is required based on the recommendation of the Province of NB;
6. The property must retain the existing buffering to a minimum of three (3) metres and enhance the buffering on the side adjacent to 478 Hampton Road as there is no vegetated buffering existing on that property line;
7. Electrical power lines to the Second Dwelling Unit must be connected from the main dwelling through underground wiring;
8. The Garden Suite is not to be used as a Bed and Breakfast unit;
9. The property, as a whole, cannot be used as a rental property; and
10. The property owner must reside on the property.

**Motion Carried**

7.3 Similar or Compatible Use - 2 Clarwood Drive

Dr. Helen Rees attended seeking approval for Podiatry Services to operate out of the building at 2 Clarwood Drive, PID 54205. Dr. Rees will be the only podiatrist on site but she has an Assistant with her and may hire a receptionist in the future as the business grows. The appointments average every thirty (30) minutes and are scheduled from 7:30 a.m. until 4:30 p.m. Parking would overlap but one to two cars. The smaller building is a garage, and Dr. Rees plans to use the garage for staff parking. Where the building has several empty offices in the basement, the proposal is to rent the spaces to similar type services. The signage proposed will be in the same location of the existing business signage.

No one attended to speak against this application. Mr. Joe Boyce was in attendance and said he would like to see this business located in this central area.

**Moved By** Brent Preston

**Seconded By** Brenda Fowlie

That the PAC approve the medical services of a Podiatry Services to operate out of the building at 2 Clarwood Drive, PID 54205 as a Similar Use to that of a permitted office, subject to the following terms and conditions:

1. The applicant enters into an Agreement with the Town to permit the use of the property as a location for the medical and similar type services;
2. The Agreement to include the previous agreement statements for that property that restrict any further encroachment into the setbacks and to formally recognize the limited parking capacity and restricting on-street parking; and
3. Deliveries and garbage removal to be conducted during normal business hours.

**Motion Carried**

#### 7.4 Waterfront Development - 575 Gondola Point Road

Mr. Joe Boyce attended seeking approval for the replacement of an existing deck and the addition of screw piles as foundation support and for the construction of a retaining wall that requires approval for waterfront development at 575 Gondola Point Road, PID 00248047.

Mr. Boyce stated that he has looked at jacking up the house to protect against flooding but he hasn't had as many issues as some of the properties on the water since his house is built on a crib and the water is under his home at times. He is currently looking at the deck with screw piles first then the retaining wall since he noticed that everyone on the beach front are building up their land to protect their property. Mr. Boyce stated that the residents should be able to stay in their homes and protect what they own. He has been there since 1989. He confirmed that he will work with an architect or an Engineering firm to design the retaining wall as it must be a professional design to ensure his house is protected.

No one spoke for or against this application.

**Moved By** Brenda Fowlie

**Seconded By** Marc Gosselin

That the PAC support the construction of a deck on screw piles and a retaining wall on the waterfront property of 575 Gondola Point Road, PID 00248047, 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 and a copy of this approval is filed with the Town.

**Motion Carried**

#### 7.5 Tentative Subdivision Plan - Queensbury Heights Phase 13

Mr. Gerald Roberts, of Kierstead Quigley and Roberts, attended with Mr. Bill Brooks, the Developer, and Mr. Raymond Carpenter, the property owner, seeking approval for Queensbury Heights Subdivision Phase 13 which proposes the creation of Twelve (12) residential building lots in the Single or Two-Family Dwelling Zone (R1); two (2) public streets; Easements; and a Future Street to provide access to the Land for Public Purposes (LPP).

There was a discussion on the LPP requirement for Queensbury Heights Phase 13 which is 1389 square metres. The plan is proposing the creation of 882 square metres of LPP that will provide pedestrian walkways between blocks, access to the pedestrian trail adjacent to the CN Railway and the sanitary sewerage pipe connecting to the trunk line adjacent to the railway is in the LPP.

A background review of LPP with Hillcrest Holdings Ltd. showed that there was an agreement to transfer ownership of a strip of land (Parcel 13-2 containing 2674 square metres) from the subject parcel to the Town to install sewerage pipe as part of the Ritchie Lake Sanitary Sewerage System Upgrade Project. This strip of land now contains the sewerage line and a pedestrian walking trail but the Town does not own the Parcel 13-2 because Hillcrest Holdings Ltd. ownership has been reluctant to sign the plans so it can be registered. Hillcrest Holdings currently has an outstanding LPP debt to the Town of 4611 square metres for Queensbury Heights Phases 6 to 11 inclusive. The LPP credit from Parcel 13-2 is 2674 square metres. The Town staff suggested all of the proposed 2674 square metres be applied to the Hillcrest Holdings LPP debt and the outstanding 552 square metres LPP obligations for Phase 13 be covered through future phases. As shown on the Phase 13 Tentative Plan, there are tracts of the LPP lands to come in future phases.

**Moved By** Darren Bishop  
**Seconded By** Brent Preston

That the PAC support the Municipal Planning Officer in considering approval of the Queensbury Heights Phase 13 – a Tentative Plan proposes the creation of Twelve (12) residential building lots, two (2) public streets, Easements, and a Future Street to provide access to the Land for Public Purposes (LPP), subject to the following conditions:

1. The acceptance of the street layout and design for Phase 13, including the Future Street portion, and comments on the overall street layout as shown in the remnant area on the plans;
2. The acceptance of the proposed street names;
3. The proposed 2674 square metres of LPP land in Phase 13 be applied to the Hillcrest Holdings LPP debt and the outstanding 552 square metres LPP obligations for Phase 13 be covered through future phases, and a requirement to have the Hillcrest Holdings Ltd. subdivision plan for Parcel 13-2 signed before final approval of Phase 13;
4. All LPP from phases 6-11 for Hillcrest Holdings must be satisfied before building permits are issued for this phase and before any work can be started on the development.

The Municipal Planning Officer conditions of approval will include:

5. Professionally engineered design drawings for the street network to be submitted to the Town for review and approval;
6. 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-development and post-development flows. The plan must provide acceptable solutions for any downstream impacts and be submitted to the Department of Environment (DOE) for their review and feedback.

7. The Tentative Plan and Stormwater Management Plan must be forward to CN Railway for review, feedback and approval as the development is within 300 metres of their property.
8. The final Stormwater Management Plan is to be reviewed and approved by the Town before construction;
9. Any approvals or conditions from the DOE are to be submitted to the Town in writing;
10. All Local Government Services Easement necessary for the stormwater management or sanitary sewerage service are to be drawn on the final subdivision plan;
11. The restriction of tree-clearing to street right-of-ways and easements necessary for the installation of services per the Zoning By-law 038;
12. Standard Developer's Agreements, bonding and subdivision fees will be required;
13. Subdivision filing fees of Three Hundred and Twenty Dollars (\$320.00) for a twelve (12) lot phase;
14. The Tentative Plan be sent to Public Utilities providing electrical power and telecommunication services for review and comments on the proposed Public Utility Easements for incorporation into the final subdivision plan; and
15. The development of Phase 13 is completed per the requirements and conditions of applicable Town By-laws, policies and regulations thereto.

Nay: Brenda Fowlie and Kendall Mason

**Motion Carried**

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

Council meeting minutes - July 16 and August 20, 2019

**Moved By** Marc Gosselin

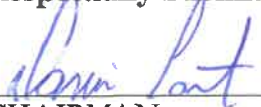
That the Information Items be received and filed.

**9. Adjournment**

**Moved By** Darren Bishop

Meeting adjourned at 8:20 p.m.

**Respectfully Submitted,**

  
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CHAIRMAN

  
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SECRETARY