

PLANNING ADVISORY COMMITTEE
MINUTES – April 14, 2015

The regular meeting of the Planning Advisory Committee of the town of Quispamsis was held in the Town Hall Council Chambers on Tuesday, April 14, 2015 at 7:00 p.m.

In attendance: David Carlson
Darin Lamont
Darren Bishop
Jean Place
Marc Gosselin
Mark Hatfield
S. Dwight Colbourne, P.Eng, Municipal Planning Officer
Violet Brown, Secretary

Absent: Bob McLaughlin
Pierre Rioux, Councillor

1. Call to Order

Mark Hatfield called the meeting to order at 7:02 p.m.

2. Approval of the Agenda

MOVED BY: Marc Gosselin

SECONDED BY: Jean Place

CARRIED UNANIMOUSLY

3. Disclosure of Interest on Agenda Items

Non

4. Review of Previous Meeting Minutes

MOVED BY: Darin Lamont

SECONDED BY: Darren Bishop

That the Minutes of the March 10 and March 24, 2015 PAC meetings be received and filed.

CARRIED UNANIMOUSLY

5. Business Arising from Minutes

<i>Notice of Decision</i>	<i>By-Law Section</i>	<i>Address</i>
Kings View Subdivision Phase 17B	Subdivision By-law # 035	Kingsway Drive
Daycare – Discretionary Use in Highway Commercial Zone	Subdivision By-law # 038, Section 14.(B)(1)(f)	28 Millennium Drive
Rezoning – Rural to Highway Commercial	Community Planning Act, Section 19	15 Elliott Road

MOVED BY: Darin Lamont

SECONDED BY: David Carlson

That the Notices of Decision be received and filed.

CARRIED UNANIMOUSLY

6. Unfinished Business

None

7. New Business

Just in case any attendees were unaware, Mark Hatfield noted that agenda item 7.b) had been pulled from the agenda prior to the information packages being delivered to the PAC members and prior to the agenda being posted on the website.

#	<i>Variance Requested</i>	<i>By-Law Section</i>	<i>Address</i>
a)	Discretionary Use (Windshield Repairs)	By-law #038 Section 14(B)(1)(d)	28 Millennium Drive
b)	Side Yard Setback (attached garage) POSTPONED	By-law 038, Section 8.(E)(1)(b)	4 Chrysler Crescent
c)	Home Occupation (Tutoring)	By-law 038, Section 6.(K)	10 Matthews Drive

a) Discretionary Use (Windshield Repairs) – 28 Millennium Drive (rented space)

Mr. Scott Upham attended seeking approval for the operation of a glass repair shop as a Discretionary Use in a Highway Commercial (HC) Zone at 28 Millennium Drive, PID 30237192. In accordance with Zoning By-law 038 Section 14.(B)(1)(d), a ‘public garage’ is permitted as a Discretionary Use subject to such terms and conditions as may be imposed by the Planning Advisory Committee pursuant to Section 34(4)(c) of the Community Planning Act of New Brunswick, and subject to a Development Agreement with the Town.

Mr. Upham stated that he rented space on the ground level in the portion of the building where garage bay doors currently exist with the intent to use the bay area for a Windshield replacement and repair on a temporary basis but has found the location to be convenient for all and wishes to make this a more permanent location.

Mr. Upham reviewed the intentions such as used or broken Glass is to be discarded in a dumpster and with pick-up by Fero. The intended hours and days of operation are 8am until 5:30pm Monday to Friday, Saturday hours are 8-12pm. There are only two employees – one being the owner and a seasonal employee (owner’s son during the summer months). The

employee parking will be available at the rear of the building which can accommodate between eight (8) and ten (10) vehicles which can be confirmed once all the snow has melted. This employee parking will also be shared with a recently approved childcare (Early Learning Blocks Inc.) facility at the other end of the building spots at that end of the building to accommodate employees from Day Care Facility. Customers usually wait for their cars while being fixed with at most two (2) customers at a time with each repair taking an average of 1.5 hours. It was noted that if customers wish to drop off their car, he can request they park around back or to the side if the spots are limited out front. It was noted that the day care facility has priority over the parking as their approval was complete before this application was received. It was also noted that the neighboring Church had offered parking spots to the day care facility. Parking will be monitored over time.

Signs were already created similar to what was on the existing building. Currently there is a fascia sign installed over the garage door with dimensions of 36 inches x 96 inches and vertical signage on the doors with dimensions of 96 inches x 20 inches. It was recognized that the signage is currently in violation of the Sign By-law as no permits were issued for the signs and the vertical signs exceed the maximum number of permitted fascia signs.

In terms of potential impact within the zone and adjacent zones, the property borders commercial properties along the rear and a collector street on the front and local commercial street on the side. The business will not have any direct impact on residential properties and its location provides prime access to a collector street as such will not have significant impact on traffic patterns and movements.

Renovations not required, just a desk in the corner of the bay; additions are not going forward at this time so no building permits are required.

Public notification was sent to property owners within 100 metres; no concerns received.

MOVED BY: Darren Bishop

SECONDED BY: Jean Place

That the PAC approve the Discretionary Use to operate a glass repair shop at 28 Millennium Drive subject to the following conditions:

- 1. The business is consistent with the Zoning By-law 038 including the following:*
 - a. There will be no change to the current downward facing exterior lighting;*
 - b. Signage must be brought into compliance with the Signage By-law 036;*
 - c. The existing Development Agreement is reviewed and revised in accordance with the terms and conditions of the PAC;*
 - d. The hours of operation including the pickup of waste and supply deliveries are within the 7:00 a.m. to 9:00 p.m. permitted times.*
- 2. There shall be no on-street parking as such ample parking must be provided to meet the minimum requirements; and*
- 3. The use of parking facilities of other business in the area is not permitted without written approval of the business and property owner(s).*

CARRIED UNANIMOUSLY

c) Home Occupation – Tutoring – 10 Matthews Drive

Ms. Jennifer Ramsay attended seeking approval for a Tutoring Home Occupation at 10 Matthews Drive, PID 30030845.

Ms. Ramsay noted that the home is insured for a home business and the business name is registered as “Be Your Best Tutoring”. The intention is to tutor students from pre-kindergarten to grade six in all subjects except French, with the Provincial School Curriculum. The hours of tutoring are proposed from 2pm until 8pm, Monday to Friday. It was clarified that there are no limits, as per the Town’s By-laws, to the number of hours worked by an owner of a home occupation and that business hours could be extended so long as they are within the Noise By-law restrictions.

Advertising will be done through social media, word-of-mouth, delivered business cards and a proposed sign at the end of the driveway measuring 686mm by 457mm (0.3 square metres).

The lot is located in a Single or Two-Family Dwellings (R1) Zone as such a Home Occupation is a permitted secondary use (Section 8.(A)(1)(b)(i) subject to the provisions of Section 6.K of Zoning By-law 038.

The basement floor space, where the business will be conducted contains total area of 55 sq. m. (600 sq. ft). The area to be used tutoring is 12.5 sq. m (134.4 ft) putting the business usage percentage at 22.4%; within allowable limits as per Zoning By-law 038, Section 6.(K)(2)(d).

The applicant is the proprietor and only employee for the *Be Your Best Tutoring* business.

The tutoring will be on an individual basis so parking will only be one vehicle at a time unless a drop-off and pick-up cross-over. The property has two existing driveways, one off Matthews Drive and another Sheraton Avenue as such access to the property does not appear to be a concern and the tutoring instructor to student ratio is such that traffic or parking will not be an issue. Furthermore this is an issue that can be monitored and tends to be one that is policed by the neighbourhood itself.

It was asked if there were any Provincial Guidelines that need to be followed for a tutoring business similar to a day care facility. The applicant was unaware of any and stated that she worked with a Business Lawyer to ensure she had all the required information on starting this home tutoring business.

Public notification was sent to property owners within 100 metres; no concerns for the home business were received but one resident questioned on-street parking which was addressed.

MOVED BY: Marc Gosselin

SECONDED BY: Jean Place

That the PAC approve the Tutoring Home Occupation at 10 Matthews Drive, PID 30030845, with the following conditions:

- 1) It shall be secondary to the main residential use of the dwelling;*
- 2) Not more than one person is 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; and*
- 9) *The hours of operation and days per week, proposed from 2pm until 8pm, Monday to Friday, may be extended so long as they are within the Noise By-law restrictions.*

CARRIED UNANIMOUSLY

8. Information Items

Council Meeting Minutes – March 3, 2015

9. Adjournment

MOVED BY: David Carlson

That the meeting be adjourned.

The Planning Advisory Committee meeting was adjourned at 7:25 p.m.

The next Planning Advisory Committee meeting is scheduled for April 28, 2015.

Respectfully Submitted,


CHAIRMAN


SECRETARY