



QUISPAMSIS



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PLANNING ADVISORY COMMITTEE MINUTES – May 13, 2014

The regular meeting of the Planning Advisory Committee of the town of Quispamsis was held in the Town Hall Council Chambers on Tuesday, May 13, 2014 at 7:00 p.m.

In attendance: Bob McLaughlin
 Councillor Pierre Rioux
 Darin Lamont
 Darren Bishop
 Jean Place
 Marc Gosselin
 Mark Hatfield
 S. Dwight Colbourne, P.Tech, Municipal Planning Officer
 Violet Brown, Secretary

Absent: David Carlson

1. Call to Order

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

2. Approval of the Agenda

MOVED BY: Marc Gosselin
SECONDED BY: Mark Hatfield

That the agenda be approved.

CARRIED UNANIMOUSLY

3. Disclosure of Interest on Agenda Items

None

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4. Review of Previous Meeting Minutes

DATED: April 22, 2014

MOVED BY: Mark Hatfield

SECONDED BY: Jean Place

That the Minutes of the April 22, 2014 PAC meeting be approved.

CARRIED UNANIMOUSLY

5. Business Arising from Minutes

<i>Notice of Decision</i>	<i>By-Law Section</i>	<i>Address</i>
Market Relocation	Millennium Drive Development Scheme Bylaw No.17, Sections 14 and 17	132 Millennium Drive
Lot Size Variance	By-law No. 38, Section 25.(F)(2)	526 Bradley Lake Road

MOVED BY: Jean Place

SECONDED BY: Darin Lamont

That the Notices of Decision be received and filed.

CARRIED UNANIMOUSLY

7. Unfinished Business

None

8. New Business

#	<i>Variance Requested</i>	<i>By-Law Section</i>	<i>Address</i>
a)	Setback Variance	By-law#038, Section 6.(S)(7)	23 Southwood Drive
b)	Amendment to PAC Approval	By-law#038, Section 6.(K)	135 Stock Farm Road

a) Setback Variance

Mr. Sheldon Ruff and his wife Jan of 23 Southwood Drive appeared before the PAC to seek approval to construction a fence along the side and rear yard area just inside the property line common with 19 and 27 Southwood Drive on the sides and 8 Devonshire Crescent along the rear. The construction of the fence requires a variance has it does not satisfy the Zoning By-law requirements with respect to its location relative to the property line - the minimum setback being 60cm (approx. 2ft). The proposal shows approximately 61m (200ft) of ornamental aluminum fencing along the rear and side yard areas having a height of 1.3m, which is compliant with the Zoning By-law requirements.

Mrs. Ruff stated the reason for the need to install the fence within the 60cm setback area is to maximize useable space in their side and rear yard, and to delineate the property line as close to its actual location as possible. Mrs. Ruff was asked if she talked with the adjoining neighbours and she said that she spoke to neighbours on the left and right of their property but

was unable to reach the owners at the rear of the property. There was minor concern regarding a flower and shrub garden that was put across the left property line by the previous owners of 23 Southwood Drive with a verbal agreement. Mrs. Ruff mentioned that it was not their intention to remove any trees or shrubs but to work within our side of the property line.

The fence was noted as an ornamental black aluminum fence that will appear very attractive on both sides of the line and not require maintenance for many years. This will be anchored with metal posts that twist into the ground without the requirement of cement postholes and will be easy to remove if any future property owner chooses not to keep the fence.

The property lines were questioned and Mrs. Ruff said that all four survey pins were clearly visible and that they would run string lines from each pin to the next in order to be assured the fence was placed on their own property. The question of possible future owners replacing this fence with a wooden fence that might require maintenance from both sides of the fence was reviewed and noted that a new fence would require a new building permit and another review by the PAC.

The PAC Secretary was asked if any letters of concern were received. It was noted that the only correspondence was questions from the property owner of 8 Devonshire Crescent. Questions and answers were reviewed as per below:

Q: Why would a variance for 23 Southwood be required if there is a 2' setback? Is the 2' setback for the entire 200' of fence line? How does this impact 8 Devonshire if I choose to sell?

A: The Town's By-law #038 states that fences are to be 60 cm (approximately 2 feet) from the property line. The applicants from 23 Southwood are applying for a two-foot variance so that they can put the fence just inside their property line so that there is not two feet of their property on the other side of the fence that has to be maintained. As for your property, if this variance is approved, there will be a fence along the adjoining property lines that is just inches away from your property edge. I hope this clears up any confusion; feel free to contact me if you require further information.

MOVED BY: Darren Bishop

SECONDED BY: Marc Gosselin

That the PAC approve the 61 metre long, 1.3 metre high ornamental black aluminum fence to be placed just inside the property lines, enclosing the back yard of 23 Southwood Drive with the following condition:

1) The property lines are clearly marked and the owners are very cautious about the placement of the fence to ensure it is fully on their own property.

CARRIED UNANIMOUSLY

b) Amendment to PAC Approval – Production Increase – Nano Brewery

Mr. Shane Steeves attended seeking approval to increase the production in his Nano Brewery from his home at 135 Stock Farm Rd. This home based business was approved by the PAC on February 12, 2013 and has been in operation since that time. The specific amendment item being requested is with respect to the production limit. As a condition of approval of the Nano Brewery, the PAC limited the production to one hundred and sixty (160) litres per week. Mr. Steeves wishes to increase this to four hundred and eighty (480) litres per week, which is well within the limits of his provincial brewing license that permits over nineteen thousand (19,230) litres per week. Mr. Steeves explained that this approval, if granted, would pretty

much maximize the allowable space within his home due to the required equipment and any future variance request could be for a move to another location. All business is currently contained within the home and there will be no difference nor added traffic that would alert the neighbors to any change.

It was asked who would monitor the production and Mr. Steeves stated that he has regular reporting sent to the Federal Government for license and tax purposes. His report includes production for all of his five locations – the Ale House and Bourbon Quarter in Saint John, Barrel Head Pub in Quispamsis, Shiretown in Hampton, Ducky's in Sackville and soon to be Britts in Saint John.

MOVED BY: Mark Hatfield
SECONDED BY: Darren Bishop

That the PAC approve the production increase request of 480 litres per week and allow for further production increases if Mr. Steeves can accommodate the production, based on the following conditions:

- 1) *The production does not violate the provincial brewing license maximum of 19,230 litres per week; and*
- 2) *The conditions of the February 12, 2013 PAC approval still apply as noted below:*
 - 1) *The home occupation 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 metres;*
 - 5) *No change, except for a sign, as submitted, pursuant to the Town's Sign By-law and approved by the Building Inspector, which would indicate that a home occupation is being conducted therein;*
 - 6) *No equipment or material used therein is stored other than in dwelling unit;*
 - 7) *No goods or services other than those directly pertaining to the home occupation are supplied or sold therein or therefrom;*
 - 8) *An annual report, stating the number of litres sold, is to be submitted to the Town;*
 - 9) *All Provincial and Federal regulations are to be met, and the approvals submitted to the Town; and*
 - 10) *No commercial transportation of the product is allowed; the business owner must use his own personal vehicle.*

CARRIED UNANIMOUSLY

9. Information Items

Council Meeting Minutes April 1 & 15, 2014

Memorandum regarding Bill 67 – An Amendment to the community Planning Act

10. Adjournment

MOVED BY: David Carlson

That the meeting be adjourned.

The Planning Advisory Committee meeting was adjourned at 7:20 p.m.

The next Planning Advisory Committee meeting is scheduled for May 27, 2014.

Respectfully Submitted,



CHAIRMAN



SECRETARY