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QUISPAMISIS PLANNING ADVISORY COMMITTEE
MEETING MINUTES – January 10, 2023

Present: Darin Lamont Mark Guest
 Darren Bishop Chrissy Scott, GIS Technologist
 Brenda Fowlie Jennifer Jarvis, Planning Technologist
 Brent Preston Violet Brown, PAC Secretary
 Marc Gosselin (Virtual) S. Dwight Colbourne, Municipal Planning Officer

Absent: Kendall Mason

1. Call to Order

Darin Lamont called the meeting to order at 6:00 p.m. (the new start time) and asked for nominations for the position of Chair for the 2023 PAC year.

Moved By Brent Preston

Seconded By Brenda Fowlie

That Darin Lamont be elected as Chairperson for the Planning Advisory Committee for 2023.

Motion Carried

Moved By Darin Lamont

Seconded By Brenda Fowlie

That Darren Bishop be elected as Vice Chairperson for the Planning Advisory Committee for 2023.

Motion Carried

2. Approval of Agenda

Moved By Darren Bishop

Seconded By Mark Guest

That the Agenda be approved as written.

Motion Carried

3. Disclosures of Interest

No disclosures were declared.

4. Approval of Previous Minutes

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Moved By Brenda Fowlie

Seconded By Marc Gosselin

That the minutes of the December 13, 2022 PAC meeting be received and filed.

Motion Carried

5. Business Arising from Minutes - Notice of Decisions

Moved By Brent Preston

Seconded By Brenda Fowlie

That the Notices of Decision be received and filed.

Motion Carried

6. Unfinished Business

6.1 Silliphant Holdings - Tentative Subdivision Plan - French Village Road

After delineation of the watercourse by the province, the tentative plan has changed and no longer requires the PAC review due to the fact that the plan no longer includes public streets or variances.

7. New Business

7.1 22 Colonial Drive - Home Occupation

Adrian Mancini, owner and operator of Red Oak Construction and Woodcraft, attended virtually to request approval for the Home Occupation at 22 Colonial Drive, PID 69609. He stated he previously lived in BC and had a wood business, but the wood craft never took off even though he had a setup in the garage. There are no plans to do the woodcraft now, but the company name has not changed.

Jennifer Jarvis reviewed the application for a Home Occupation that provides estimating and project coordination services to independent remote contractors. The office space will provide services to their client without customers or visitors or requiring additional employees. She added that there will be no signage indicating that a home occupation is present on site.

Notice was sent to property owners within 100 metres; no concerns were received, and staff have no concern for this application. No one attended to speak for or against this application.

Moved By Brent Preston

Seconded By Brenda Fowlie

That the Planning Advisory Committee grant approval for a Home Occupation, that of Estimating and Project Coordination Services at 22 Colonial Drive, PID 69609 subject to the following conditions:

1. It shall be secondary to the main residential use of the dwelling;
2. Not more than one (1) 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 unless approved by the Building Inspector through the process of a building permit;
6. No goods or services other than those directly pertaining to the home occupation are supplied or sold therein or therefrom;
7. Not more than one (1) commercial vehicles used in connection therewith, or not more than one (1) vehicles of any kind bearing a sign in connection therewith is parked on the lot;
8. There is to be no parking on the street or within Town property; and
9. 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

7.2 1 Clarwood Drive - Commercial Business Variances

Tracy Palmer & Stephanie Galea attended as potential owners. They reviewed the staff report and agreed to erect the fence recommended by staff for privacy along the property of 3 Clarwood Drive. Ms. Jarvis reviewed the application noting that this property is on the corner of Clarwood Drive and Hampton Road and was part of a Commercially pre-zoned area during an earlier version of the Municipal Plan and Zoning By-law to provide additional commercially zoned properties in the downtown core. The residential property is currently being sold and will cease to operate under Residential (R1) zoning, transitioning to Central Commercial (CC) zoning. As a CC zone, a Health Clinic is not listed as a permitted zone but the PAC can, as per Section 3.(D)(1) of Zoning By-law 038, approve a proposed use of land or a building that is otherwise not permitted under the Zoning By-law if, in its

opinion, the proposed use is sufficiently similar to or compatible with a use permitted in the By-law for the zone in which the land or building is situated. Ms. Jarvis added that the Podiatry Clinic found at 2 Clarwood Drive was approved as a Similar Use to that of a Permitted Use of an “office” by the Planning Advisory Committee in 2019 so this request is not considered to be precedent setting.

Ms. Jarvis reviewed the variances required for this application. As per Section 6.(J)(1), whereas a lot in a C or I Zone and abutting an R Zone must have a setback depth or width equal to twice (2X) the height of the main building or structure and the yard must incorporate a landscaped buffer area containing trees, shrubs, hedges and/or a decorative wall or fence capable of mitigating any associated nuisances, and the building on this lot is approximately one decimal five (1.5) metres from the property line, a ten (10) metre variance to allow a reduced yard requirement is required. As per Section 6.(P)(3)(b), parking within a front yard setback requires approval by the Planning Advisory Committee. As per Section 12.(C)(1)(b), which requires a minimum lot depth of thirty-eight (38) metres, a one decimal three (1.3) metre lot depth variance is required. As per Section 12.(D)(1)(b), which requires a minimum side yard setback of six (6) metres, a four decimal five (4.5) metre side yard setback variance is required. And as per Section 12.(G)(1), a minimum of fifty (50) percent of the front yard shall be landscaped open space and whereas the front yard is proposed for parking, a variance is required.

The business model suggests that there will be one (1) full time Chiropractor, one (1) part-time Naturopath, and one (1) full time Office Administrator. There is also opportunity to rent space to other medical professional service providers such as Massage Therapists or Counseling Therapist. The applicants wish to renovate the current single family dwelling unit and attached garage into a health clinic to include a Reception area, Treatment rooms, Saunas + Café area, Classroom, Washrooms plus Closets and storage. Staff met with the proposed owners and the owner of 200 Hampton regarding the access to these properties over Town property; further review of the design is in the works at this time.

It was recognized that there was no proposed space for office space, only treatment spaces. Ms. Palmer stated that all the therapists do their paperwork in the treatment rooms between clients. As for the classes such as yoga, it was stated that there will be approximately ten people, inclusive of the trainer, and classes would be done at non treatment hours.

Notice was sent to property owners within 100 metres. Once concern from the owners of 3 Clarwood Drive was received, noting a potential loss in privacy.

Natalie Graves, a family physician who attended the PAC Meeting for approval of her own application, spoke to this application stating that she was in favor of having this clinic in the community.

Moved By Mark Guest
Seconded By Darren Bishop

That the Planning Advisory Committee approve a Health Clinic Use at 1 Clarwood Drive, PID 30175889, as Similar To the permitted uses within a Central Commercial Zone, subject to Section 3.(D)(1) of Zoning By-law No. 038, and to approve of the following variances:

- a ten (10) metre variance to Section 6.(J)(1), to allow a reduced yard requirement;
- a variance to Section 6.(P)(3(b) to allow parking within a required front yard setback;
- a one decimal three (1.3) metre lot depth variance to Section 12.(C)(1)(b);
- a four decimal five (4.5) metre side yard setback variance to Section 12.(D)(1)(b); and
- a variance to Section 12.(G)(1) to permit parking in the front yard setback with less than 50% of the front yard landscaped as open space,

subject to the following terms and conditions:

1. The applicants work with the Town and with the property owners at 200 Hampton Road to come to an agreement regarding the use, and maintenance, of the portion of the Sterling Place parcel that is being used to provide access to both of the lots.
2. If the applicant's engineer cannot determine how fourteen (14) parking spots can be on the lot, the applicants must return to the town for a legal agreement to use the Town's land;
3. A privacy fence of solid construction is installed within the one decimal five (1.5) metre side yard setback abutting 3 Clarwood Drive. The fence should be erected from the corner of the house to the corner of the property and can be placed on the property line with a variance of zero decimal six (0.6) metres granted at this time. The fence shall be no higher than the by-law allows and should be solid wood or vinyl, not chain link;
4. Renovations to the building must follow the National Building Code of Canada, current edition;
5. The applicants enter into a Development Agreement with the Town; and
6. A Building Permit must be issued prior to any work being commenced.

Motion Carried

7.3 247 Hampton Road - Rezoning Application

Dr. Monica Graves and Dr. Natalie Graves attended seeking approval for the rezoning of 247 Hampton Road, PID 0091827 from Residential (R1) to Central Commercial (CC).

Ms. Jarvis reviewed the rezoning request through Council noting that Council is seeking the Planning Advisory Committee's review. Ms. Jarvis stated that this property, on the corner of Lake Road and Hampton Road was not part of the rezoning that was done along Hampton Road as the previous application of 2 Clarwood Drive was. The current use of the property is that of a residence and hair salon under a Home Occupation approval from the Planning Advisory Committee. As there is already a flow of traffic for the Home Occupation salon, and with the reduction of in-person appointments that has occurred as a result of the Covid pandemic, the applicants have indicated that the percentage of in-person meetings has reduced by approximately 40%, therefore, there should not be a big change in traffic with the Doctor's use versus the salon business. As part of the conditions of approval for the Home Occupation, access to the property was restricted to Lake Road. Staff recommend that if the PAC is in support of Council in this rezoning application that they restrict Lot access to Lake Road as part of the recommended terms and conditions of approval. Furthermore, Ms. Jarvis stated that an address change is required for Lake Road vs Hampton Road.

It was asked what the number of proposed doctors would be. Mr. Colbourne stated that once the property becomes Commercial, the use will be permitted but the number of practitioners comes down to restrictions for parking compacity. There is no parking on the Lake Road or any Municipal Street as per the Town by-laws so the existing number of parking spots would limit growth.

There was no notice sent out to public as part of PAC review since this is done through Council and the Clerk's Office. .

No one attended to speak for or against.

Moved By Mark Guest

Seconded By Marc Gosselin

That the Planning Advisory Committee Support Council with the rezoning of 247 Hampton Road, PID 0091827 from Residential (R1) to Central Commercial (CC), with the following terms and conditions:

1. As per Section 3.(D)(1) of Zoning By-law No. 038, approval for the Use of a Medical Clinic as being Similar To the permitted use of an office, as found in Section 12.(A)(1)(a)(v) of the same by-law;
2. A variance to Section 6.(P)(3(b) is approved to allow parking within the required front yard setback;
3. A variance to Section 12.(G)1 to allow a variance whereas the front yard is not fifty (50) percent landscaped;

4. A variance to Section 6.(J)(1), is approved to allow a reduced yard requirement whereas the setback is not two (2) times the height of the main building;
5. Vehicular access to the Lot is restricted to the Lake Road for entrance and egress;
6. A site plan be submitted identifying a three (3) metre buffering zone as it relates to any neighboring residential (R1) zones. The site plan is to be approved by the Town prior to Building Permit issuance;
7. All signage is to be approved by the Town and is to be located so as not to create a sight distance problem along Hampton and Lake Road and must obtain a permit;
8. All building lights to be downward directed;
9. The applicants are to enter into a Development Agreement with the Town of Quispamsis; and
10. A Building Permit is issued prior to any construction.

Motion Carried

8. Information Items and/or Discussion

Moved By Mark Guest

Seconded By Brent Preston

That the Information Items be received and filed.

Motion Carried

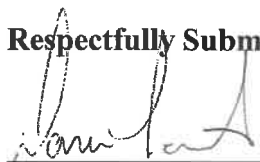
9. Adjournment

Moved By Darren Bishop

Seconded By Mark Guest

Meeting adjourned at 6:50 p.m.

Respectfully Submitted,



CHAIRMAN



SECRETARY