



Please note that all PAC meetings are live-streamed and saved on YouTube.



**QUISPAMISIS PLANNING ADVISORY COMMITTEE
MEETING MINUTES – February 14, 2023**

Present: Darin Lamont Marc Gosselin (Virtual)
 Darren Bishop Mark Guest
 Brenda Fowlie Chrissy Scott, GIS Technologist
 Brent Preston Jennifer Jarvis, Planning Technologist
 Kendall Mason Violet Brown, PAC Secretary

Absent: S. Dwight Colbourne, Municipal Planning Officer

1. Call to Order

Darin Lamont called the meeting to order at 6:00 p.m.

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

Moved By Brent Preston
Seconded By Brenda Fowlie

That the minutes of the January 24, 2023 PAC meeting be received and filed.

Motion Carried

5. Business Arising from Minutes - Notice of Decisions

Moved By Brenda Fowlie
Seconded By Kendall Mason

That the Notices of Decision be received and filed.

Motion Carried

6. Unfinished Business

7. New Business

7.1 157 Palmer Brook Rd - Development Agreement Amendment

The application for Mobi-Dock Package Distribution Facility and Outside Storage Screening Variance is on hold until further meetings with the Town can be accomplished.

7.2 20 Reynar Drive Foundation Elevation Variance

Jennifer Jarvis reviewed the application noting the slab foundation of the detached garage is located two decimal three (2.3) metres below the centreline of the street grade as required in Section 6.(F)(1). Therefore, a three decimal three (3.3) metre Foundation Elevation Variance is required for the detached garage. She also noted that although an application was made for a Foundation Elevation Variance in 1987, no Hold Harmless Agreement was executed between the landowners and the Town. Therefore, staff recommend that the PAC request that the applicants enter into a Hold Harmless Agreement with the Town for both the dwelling unit and the detached garage elevations. The Hold Harmless Agreement absolves the Town of any liability associated with developing buildings below the centre grade of the abutting public Right-of-Way.

Notice was sent to property owners within 50 metres; no concerns were received.

Mark Hatfield attended requesting a Foundation Elevation Variance for 20 Reynar Drive, PID 73445. He noted that he was not the homeowner and did not wish speak on their behalf regarding the Hold Harmless Agreement for the Main Dwelling.

Moved By Darren Bishop

Seconded By Kendall Mason

That the Planning Advisory Committee approve a three decimal three (3.3) metre Foundation Elevation Variance for the detached garage elevation at 20 Reynar Drive, PID 73445, subject to the following terms and conditions;

1. The Applicant enter into a Hold Harmless Agreement with the Town for the detached garage, the preparation of which shall be executed within six (6) months of this foundation elevation approval.

Motion Carried

7.3 197-199 Pettingill Road - Fence Setback

Jennifer Arsenault attended seeking approval to erect a fence such that it spans two individual PIDs at 197 / 199 Pettingill Road, PID 30340244 & PID 30340251 respectively. Ms. Arsenault stated that it is for a play base for the children in the Woods Learning Centre. While this type of fencing may not be sufficient under the licensing regulations for childcare, she stated that there is another play area that is fenced in with approved fencing products.

Jennifer Jarvis reviewed the application noting that Jennifer Arsenault has interest in both lots; she is the Co-Owner of 718118 NB INC, the company that owns The Woods Learning Centre and holds ownership of 197 Pettingill Road , and 199 Pettingill Road is owned by Jennifer and Troy Arsenault. From a Planning perspective having a fence travers over a property line with two different owners requires an agreement between the parties recognizing that, in the event there is a change of ownership or circumstances, the sections of fence that exceeds the sixty (60) centimeter setback will be removed. Ms. Jarvis also noted that the fence is already constructed, so the permit fees should be double. Ms. Jarvis was asked if that type of fencing was permitted in the Town and she noted that there is no reference in our by-laws for or against this. It was recognized that this fence is not in a residential area visible from many homes and that the entire property is not fenced in, just a portion.

Moved By Mark Guest

Seconded By Kendall Mason

That the Planning Advisory Committee grant approval for a zero decimal six (0.6) metre setback variance from Section 6.(S)(7) of the Zoning By-law 038, to 197 Pettingill Road, PID 30340244; and grant approval for a zero decimal six (0.6) metre setback variance from the same by-law section to 199 Pettingill Road, PID 30340251, to permit the erection of wildlife fencing across both properties, subject to the following terms and conditions:

1. In the event that either of the subject Lots change ownership, an Agreement between the property owners of 197 and 199 Pettingill Road is to be executed, agreeing to the location of the wildlife fencing. If an agreement is not possible then the portion of fence that crosses the property line must be removed or relocated as such that it adheres to the setback requirements of the Zoning By-law enforced at the time;
2. In the event that interest in 199 Pettingill Road should change hands, unobstructed access through the Right-of-Way Easement in favour of 199 Pettingill Road be restored; and
3. The fence permit fees be doubled, as per Section 8.(f) of Building By-law No. 55 for construction prior to the issuance of a permit.

Motion Carried (Nay: Brenda Fowlie)

7.4 Tentative Subdivision Plan - Maple Ridge Estates Phase 5B

Jennifer Jarvis introduced the application for the Maple Ridge Estates Phase 5B that is before the PAC as per Section 77(1)(g) of the Community Planning Act 2017, Ch.19. Prior to seeking Council assent, the Planning Advisory Committee may provide the Development Officer with recommendations regarding the proposed subdivision plan with respect to the proposed street locations and the suitability Land for Public Purposes. She added the proposed LPP abuts existing LPP and provides additional lands for recreational trail development and general public open space, as well as buffering. Ms. Jarvis stated that this parcel of land (Lot 1000) was rezoned for the purposes of a Bare Land Condo Development that will see the construction of 19 residential units as a cluster development on 19 acres of land – an equivalent density of 1 unit per acre. Rugged Residential Inc. (Mr. Rob Vigor) is now undertaking the upgrade of the private lane (Cargo Road) to municipal street standard as a condition of the rezoning and the condominium development.

Moved By Kendall Mason

Seconded By Brent Preston

The Planning Advisory Committee supports the Development Officer in bringing Maple Ridge Estates Phase 5B to the Council for assent as per the Section 88(1) of the Community Planning Act subject to the following conditions:

1. Cargo Road is constructed to municipal street standards as per the Subdivision By-law and a professional engineered design as approved by the Town;
2. A professional engineered comprehensive stormwater management plan achieving a minimum of balanced pre-development versus post-development stormwater flows is approved by the Town;
3. Consideration of Future Street portion abutting the Land for Public Purposes being vested as a Public Street as part of Maple Ridge Estates Phase 5B with development to municipal standards as part of the next phase;
4. Rehabilitation of that portion of the Lands for Public Purposes that has undergone excavation with rehabilitation being as per Section 7 of the Subdivision By-law – Tree Planting and Preservation;
5. Land for Public Purposes surplus beyond the required 8263 sq. metres be a LPP credit for future development of the remnant parcel;
6. Filing Fees in the amount of one hundred dollars (\$100) be paid prior to plan approval by the Development Officer;

7. The execution of a Subdivision Development Agreement and the posting of required security in the amount as determined by the Town to cover the associated road and stormwater management construction of Cargo Road and any other items as identified by the Town's Engineered Department; and
8. The undertaking of the proposed development as per all applicable Federal and Provincial Acts and regulations thereto, and applicable Town of Quispamsis By-laws.

Motion Carried

8. Information Items and/or Discussion

Council meeting minutes - January 17, 2023

Moved By Brenda Fowlie

Seconded By Mark Guest

That the Council Meeting Minutes for January 17, 2023 be received and filed.

Motion Carried

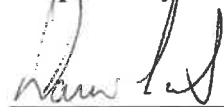
9. Adjournment

Moved By Darren Bishop

Seconded By Marc Gosselin

Meeting adjourned at 6:25 p.m.

Respectfully Submitted,



CHAIRMAN



SECRETARY