

Southwest New Brunswick Service Commission
PLANNING REVIEW AND ADJUSTMENT COMMITTEE (PRAC)

MEETING #21-03 Thursday, March 18, 2021
Online Meeting via Zoom

MEMBERS PRESENT:

Dennis Blair
Sam Walsh

Gerald Gass
Vance Johnson

Jill Stewart
B. Cornish

Annette Townes
Raymond Hall

MEMBERS ABSENT:

Dean Fletcher

STAFF PRESENT:

Alex Henderson, Planning Director
Vivian Peng, Junior Planner

Judy Hartford, Development Officer
Alexander Gopen, Planner

PUBLIC MEMBERS PRESENT:

See attached registration report.

CALL TO ORDER:

Chairperson, Sam Walsh called the meeting to order at 6:31PM and welcomed all in attendance.

1. APPROVAL OF AGENDA:

It was moved by A. Townes and seconded by G. Gass “that the agenda be approved as presented.”

Carried – Unanimously

2. APPROVAL OF MINUTES:

It was moved by J. Stewart and seconded by R. Hall “to approve the Minutes of the last meeting as presented.”

Carried – Unanimously

3. DECLARATION OF CONFLICT OF INTEREST:

- J. Stewart declared a conflict with item number 8 regarding St. Andrews PAC.
- G. Gass declared a conflict with item number 6.

4. TERMS & CONDITIONS APPLICATIONS:

Item 21-03-01 Applicant: Terry Whey

V. Peng presented an application in the Town of St. George to locate a new mini-home as the main use of a vacant property on South Street, subject to terms and conditions.

Staff recommends in favour subject to the following terms and conditions;

1. Only one (1) mini-home is permitted on this lot (PID 15174642);
2. Mini-home must meet all standards in section 4.1.20 of the Town of St. George Zoning By-law No. 25-B; and
3. All other applicable provisions, such as landscaping (section 4.1.5), shall be followed.

With 2 inquiries from the public regarding a different file and comments or concerns from Committee Members;

(17:28)

It was moved by V. Johnson and seconded by A. Townes that we “accept staff’s recommendation as to the terms and conditions as presented.”

Carried – Unanimously

Item 21-03-05 Applicant: Millfield Management

A. Gopen presented an application in the Town of St. George for two four-unit apartment buildings – permitted uses in the R2 (Residential Mix) zone of the Town of St. George Zoning By-Law, No. 25-B.

Staff recommends in favour with the following terms and conditions;

1. That prior to a building permit being issues, the PID’s are subdivided so that they are as they appear on the attached site plan;
2. Notwithstanding any variance, that all development and activities shall comply with the Town of St. George Zoning By-law, No. 25-B including Sections 3.31 Parking Lot Requirements, 3.22 Garbage Storage, and 4.1.16 standards for Multiple-Unit Dwellings; and

3. That prior to the commencing of construction upon said lands, that all development and activities shall comply with all applicable acts, permits and approvals as required, including but may not be limited to the Watercourse and Wetland Alteration Regulation.

With a couple comments and concerns from the public from and no comments or concerns from the Committee Members;

(34:19)

It was moved by G. Gass and seconded by R. Hall that we “accept staff’s recommendation to approved the two four-unit apartment buildings on School Street subject to the terms and conditions as specified.”

Carried – Unanimously

5. TEMPORARY USE APPLICATIONS:

Item 21-03-06 Applicant: Tracie Messer McDade

Application has been withdrawn.

6. VARIANCE APPLICATIONS:

Item 21-03-07 Applicant: Logan Binney

A. Henderson presented an application in the Parish of Saint David seeking two variances related to the size of the property and the home-based business:

1. To allow a Class II home-based business on a lot less than required by section 3.15(3)(b) – from 8,000m² to 7,378m² and,
2. To allow a Class II home-based business size in excess of 30% the gross floor area of the dwelling unit, as required by section 3.15(3)(d) – from 33.4m² to 107.7m²

Staff recommends in favour subject to the following terms & conditions;

1. that the home-based business not take any deliveries past 10:00 pm or before 7:00 am;
2. that the doors of the welding shop be fully closed during all operations, other than deliveries;
3. that a loading area be established wholly within the property lines, in accordance with section 3.9 (a) of the rural plan, and that no delivery vehicles shall be parked in any poration of the public right of way;

4. that an opaque fence or vegetative screening medium of between 1.5-2 m tall be established between any outdoor storage (including sea containers) and the public right of way, subject to section 3.16 (a) of the regulation, by September 2022;
5. that any exterior lighting be shielded and directed downward so as to limit light pollution and not preclude nearby residents from enjoying the view of the night sky.

With concerns shared by the public and discussion held by the Committee;

(1:46:48)

It was moved by A. Townes and seconded by R. Hall that we “That the Planning Review and Adjustment Committee of the Southwest New Brunswick Service Commission approve the two (2) requested variances for 110 Murphy Road as it is reasonable and desirable for this parcel of land and is in keeping the general intent of the St. David Planning Area Rural Plan Regulation, subject to the terms & conditions that:

1. that the home-based business not take any deliveries past 8:00 pm or before 7:00 am;
2. that the doors of the welding shop be fully closed during all operations, other than deliveries;
3. that a loading area be established wholly within the property lines, in accordance with section 3.9 (a) of the rural plan, and that no delivery vehicles shall be parked in any portion of the public right of way;
4. that an opaque fence AND vegetative screening medium of between 1.5-2 m tall be established between any outdoor storage (including sea containers) and the public right of way, subject to section 3.16 (a) of the regulation, by September 2022 for the vegetative screening and by May 2021 for the opaque fence;
5. that any exterior lighting be shielded and directed downward so as to limit light pollution and not preclude nearby residents from enjoying the view of the night sky.
6. That a ventilation system be installed sufficient to keep the doors closed at all times during operation, subject to the approval of the building inspector.”

Carried – 5 in favour and 3 against

7. SUBDIVISION APPLICATIONS:

Item 21-03-02 Applicant: Historical Landings

J. Hartford presented an application in Bayside to create six lots on a private access.

With recommendation from Staff and no comments from the Committee;

(1:55:52) **It was moved** by G. Gass and seconded by B. Cornish that we “accept staff’s recommendation.”

Carried – Unanimously

Item 21-03-03 Applicant: Smet Subdivision

J. Hartford presented an application in the Parish of Dufferin to create seven lots on an existing private right-of-way.

With recommendation from Staff and clarification on the right of way discussed by Staff and the Committee;

(2:09:03) **It was moved** by D. Blair and seconded by G. Gass that we “accept staff’s recommendation.”

Carried – Unanimously

Item 21-03-04 Applicant: Baird Subdivision

J. Hartford presented an application in the Parish of Lepreau to create two lots on an existing private access.

With recommendation from Staff and no comments from the Committee;

(2:13:06) **It was moved** by G. Gass and seconded by G. Gass that we “accept staff’s recommendation.”

Carried – Unanimously

8. VIEWS ON BY-LAWS AND REGULATIONS:

A. Gopen presented an application for a rezoning from the SR (Serviced Residential) Zone to the MU (Mixed Use) Zone – By-law Z21-02. This rezoning also requires changing the properties designation on the Municipal Plan Generalized Future Land Use Map from Residential to Commercial – By-law MP20-03 with the following conditions:

1. All kennels must be in the main building.
2. Any future use must be similar to or compatible with a veterinary clinic and the surrounding residential neighbourhood in the opinion of the development officer.
3. The appearance of the upper window or gables must be maintained. If repair of an existing window or gable element is not possible, replacement must be of the same building materials (or adequate facsimily), size, and style of the element being replaced.
4. Vinyl siding must not be used in any repair or restoration. If restoration of the current siding is not possible, materials that mimic the current siding such as engineered wood, concrete fireboard, or equivalent must be used.

With Staff's recommendation in favour and some discussion from the Committee, it was agreed to send written views to Council in favor of the re-zoning.

(2:28:43)

Round Table Vote – All in favor

A. Henderson presented on the Town of Saint Andrews By-Law 21-02 a By-Law to establish a Planning Advisory Committee.

With much discussion from the Committee, there were no objections to send written views to Council to establish a Planning Advisory Committee, it was noted to add the following to the letter:

“We would like to thank the Town Council for the opportunity to serve them the last three years. We would also be willing to continue serving the Town in the same professional capacity as a committee while represented by the whole region.”

(2:52:25)

Round Table Vote – All in favor

A. Henderson presented on the updated Town of St. Stephen Zoning By-Law Z-2.

With Staff's recommendation in favor and positive comments from the Committee, it was agreed to send written views to Council in favor of the new Zoning By-Law Z-2.

Round Table Vote – All in favor

(3:04:08)

8. NEXT MEETING:

The next regular meeting will be on April 15, 2021 location online via zoom.

There could be a special meeting requested before the next regular meeting.

9. ADJOURNMENT:

With there being no further business, **it was moved** by D. Blair "that we adjourn."

Sam Walsh, Chairperson

Alex Henderson, Planning Director

Connie Klein, Recording Secretary