

MINUTES/PROCÈS-VERBAL

**PLANNING REVIEW AND ADJUSTMENT COMMITTEE MEETING/
RÉUNION DU COMITÉ DE REVISION DE LA PLANIFICATION**

May 29, 2014 6:00 p.m./29 mai 2014, 18h

**1222, rue Main Street, 4th floor/4^{ième} étage
Moncton**

Committee Members Present/membres du comité présents:

Pascal Ferron	Acting Chairperson/président par intérim
Ricci Archibald	Committee Member/membre du comité
Audbur Bishop	Committee Member/ membre du comité
Heather Keith	Committee Member/ membre du comité
Andy St-Amand	Committee Member/ membre du comité

Also Present/Également présents

Jeff Boudreau	Mgr. of Subdivision Approval/ Gestionnaire d'approbation des lotissements
Bill Wright	Development Officer/Agent d'aménagement
Pauline Magee	Recorder/rapporteuse

The meeting was called to order at 6:00 p.m., with Acting Chairperson Pascal Ferron presiding.

Acting Chairperson Ferron asked that a moment of silence be observed in memory of George Forsythe.

CONFLICTS OF INTEREST/CONFLITS D'INTÉRÊT

none

1. ADOPTION OF THE MEETING AGENDA/ADOPTION DE L'ORDRE DU JOUR

Moved by Committee Member Heather Keith, seconded by Committee Member Ricci Archibald to adopt tonight's Agenda as presented.

MOTION CARRIED - UNANIMOUS

2. ADOPTION OF MINUTES OF THE REGULAR MEETING OF APRIL 24, 2014/ADOPTION DU PROCÈS-VERBAL DE LA RÉUNION ORDINAIRE DU 24 AVRIL 2014

Moved by Committee Member Audbur Bishop, seconded by Committee Member Ricci Archibald to adopt the Minutes of the Regular Meeting of April 24, 2014 as presented.

MOTION CARRIED - UNANIMOUS

3. BUSINESS ARISING FROM THE MINUTES/AFFAIRES DÉCOULANT DU PROCÈS-VERBAL

none

4. VARIANCE REQUESTS/DEMANDES DE DÉROGATIONS

- (a) James Martin (White Birch Estates Subdivision), rue Bloomfield Street (proposed/proposé) (PID/NID #05086699), Lower Coverdale, comté d'Albert Co., Unincorporated Area/région non-incorporée – to exceed the permitted length of a cul-de-sac from 180m to 329.645m/*afin de dépasser l'exigence relative à la longueur d'un cul-de-sac de 180m à 329,645m* (**RELATES TO SUBDIVISION ITEM 6(a)/SE RAPPORTE AU POINT 6(a)**) (**Variance/Dérogation**) (File/Dossier #13UV-1690)

Staff's report and recommendation was reviewed.

Staff member Jeff Boudreau reported that this variance request relates to the subdivision application on tonight's agenda (6(a)).

Mr. Boudreau explained that when the initial application came in, the request was for a straight street with no mention of the connection of a future street at the end of the "T". As a result of the application, a variance was required. Streets have since been added to the subdivision plan, and therefore it is no longer considered a cul-de-sac. Mr. Boudreau noted that since the application has been made, staff is entertaining it as such.

Moved by Committee Member Heather Keith, seconded by Committee Member Andy St-Amand to accept staff's report and recommendation that the Westmorland Albert Planning and Adjustment Committee APPROVE the variance request to exceed the permitted length of a cul-de-sac from 180m to 329.645m.

MOTION CARRIED - UNANIMOUS

- (b) Wayne Wagner, prom. Slater Drive (PID/NID #70454988), Salisbury – to reduce the front yard requirement from 12m to 5.2m/*afin de réduire l'exigence relative à la cour avant de 12m à 5,2m* (**Variance/Dérogation**) (File/Dossier #14SV-222)

Mr. Wayne Wagner, applicant, was present.

Committee Member Ricci Archibald commented that he has had a lot of discussion on this matter. Mr. Archibald continued by telling those present that at the time when the Village of Salisbury Plan was being reviewed by the former GMPDC, it was realized that many mistakes existed. Mr. Archibald said the former Planning Director for the GMPDC, Bill Budd, suggested that the Plan be approved by Council and simply fix the issues as they come up. This particular matter was one such issue. Mr. Archibald proceeded to give a little background relating to this area of Salisbury. He said in the past, front setbacks were at 5.2m. It was noted that a new front yard setback requirement was established according to the Water Well Regulation – Clean Water

Act Standards. Mr. Archibald anticipates more requests will be brought before the PRAC in coming years.

Staff Member Bill Wright indicated that existing undersized lot can be built upon as long as there is sufficient area for a well.

Moved by Committee Member Ricci Archibald, seconded by Committee Member Audbur Bishop to accept staff's report and recommendation that Westmorland Albert Planning and Adjustment Committee APPROVE the variance request, from Wayne Wagner, Slater Drive (PID #70454988), Salisbury, to reduce the front yard from 12m to 5.2m.

MOTION CARRIED – UNANIMOUS

- (c) John Bos/Salisbury Home Hardware, 55, rue Horsman Street (PID/NID #70565916), Salisbury – to exceed the sign area requirement from 9.0m² to 16.7m² for a freestanding sign/*afin de dépasser l'exigence relative à la superficie d'une enseigne autoportante de 9,0m² à 16,7m² (Variance/Dérogation)* (File/Dossier #14SV-235)

Mr. John Bos, applicant, was present.

Acting Chairperson Pascal Ferron noted that staff's recommendation is to deny this request.

Mr. Bos circulated a photocopy of a similar sign presently located in the City of Moncton. Mr. Bos described the subject property. He noted that a fence (with vines in the future) presently conceals his lumber yard. He also noted that *Home Hardware* has standards for their signs. The requested sign is needed for visibility.

Committee Member Heather Keith asked whether the service station (corner Fredericton Road and Main Street) and the *Kubota* dealership signs are similar in size. The applicant was of the opinion that they were. Committee Member Keith didn't view the requested sign as a health and safety issue and did not feel it would interfere with traffic circulation.

Committee Member Ricci Archibald gave background on the subject property. Mr. Archibald asked staff if 2 one-sided signs could be permitted on the subject property. Staff member Bill Wright said yes, technically, 1 sign is permitted every 30m.

Mr. Archibald reiterated that the Village of Salisbury Zoning By-law needs to be fixed. He pointed out that the Salisbury Review Committee and the Village Manager are in favor of this request. He noted that changes in the infrastructure (sidewalks and curbs) are anticipated and the applicant has been very cooperative with the Village.

Committee Member Andy St-Amand asked staff if notices were given to area residents informing them of the request and if so, did staff receive any complaints. Mr. Wright said notices were sent out to area residents and no complaints were received.

It was then moved by Committee Member Ricci Archibald that the Westmorland Albert Planning Review and Adjustment Committee APPROVE the variance request John Bos/Salisbury Home Hardware, 55, Horsman Street (PID #70565916), Salisbury to exceed the sign area requirement from 9.0m² to 16.7m² for a freestanding sign.

Staff Member Jeff Boudreau asked if he could add a comment, prior to the vote. Mr. Boudreau explained that Planning Staff formulated their recommendation based on their opinion that the request is not within the general intent of the by-law and it was his opinion that the PRAC should not substitute itself as an elected council. Mr. Boudreau informed the Committee that until such time as Village Council amends the by-law or proceeds with a text amendment to rectify the issue, Planning Staff will be forced to provide the same negative recommendation on future requests.

The magnitude of variance requests was touched upon.

Mr. Archibald pointed out that conducting a new Plan Review would be very costly and time consuming at this time. He said he is well aware that there are lots of things to fix with respect to the By-law. He further pointed out that Village Council is in favor of this request as they want the Village to grow.

After the discussion, *Committee Member Audbur Bishop seconded the Motion, moved by Committee Member Ricci Archibald.*

MOTION CARRIED - UNANIMOUS

5. TEMPORARY APPROVALS, CONDITIONAL USES, RULINGS OF COMPATIBILITY AND NON-CONFORMING USES/APPROBATIONS TEMPORAIRES, USAGES CONDITIONNELS, DÉTERMINATIONS DE COMPATIBILITÉS ET USAGES NON-CONFORMES

None/*aucune*

6. TENTATIVE SUBDIVISIONS/LOTISSEMENTS PROVISOIRES

- (a) White Birch Estates Subdivision/lotissement, rue Bloomfield Street (proposed/proposé) (PID/NID #05086699), Lower Coverdale, comté d'Albert Co., Unincorporated Area/région non-incorporée – (OWNER/PROPRIÉTAIRE: James Martin) (File/Dossier #14US-42) **(RELATES TO VARIANCE ITEM 4(a)/SE RAPPORTE AU POINT 4(a)) (Subdivision/lotissement)**

Staff's report and recommendation was reviewed.

Staff member Jeff Boudreau reported that an EIA was conducted in 2006 and, as a condition, every subsequent phase of this development will need approval from the Department of Transportation and Infrastructure.

Moved by Committee Member Andy St-Amand, seconded by Committee Member Ricci Archibald to accept staff's report and recommendation that the Westmorland Albert Planning Review and Adjustment Committee recommends to the Minister of Transportation and Infrastructure;

-assent to the location of Bloomfield Street;

Subject to the following conditions:

-a satisfactory soils report be submitted to the development officer prior to final plan endorsement; and

-the development officer shall not approve the final subdivision plan until all conditions as outlined by the Provincial Department of Transportation and Infrastructure, in a letter from Mr. Paul Lightfoot to Mr. Jeff Boudreau, dated May 7, 2014, have been satisfied.

MOTION CARRIED - UNANIMOUS

7. BY-LAW AMENDMENTS, ZONING AND MUNICIPAL PLAN MATTERS/QUESTIONS DE ZONAGE ET QUESTIONS RELATIVES AUX PLANS MUNICIPAUX

None/aucune

8. OTHER BUSINESS/AUTRES AFFAIRES

(a) Development Officer Variance Approvals/Approbations de dérogations diverses accordés par l'agent d'aménagement

none/aucune

9. ADJOURNMENT/CLÔTURE DE LA SÉANCE

On a motion by Committee Member Heather Keith, the meeting was adjourned.

MOTION CARRIED-UNANIMOUS

TIME: 6:20 P.M.