

MINUTES/PROCÈS-VERBAL

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

March 27, 2014 6:00 p.m./27 mars 2014, 18h

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

Committee Members Present/membres du comité présents:

George Forsythe	Chairperson/Président
Pascal Ferron	Vice-Chairperson/Vice-président
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 presents:

Jeff Boudreau	Mgr. of Subdivision Approval/ Gestionnaire d'approbation des lotissements
Lori Bickford	Planning Manager
Pauline Magee	Recorder/rapporteuse

The meeting was called to order at approximately 6:00 p.m., with Chairperson George Forsythe presiding.

CONFLICTS OF INTEREST/CONFLITS D'INTÉRÊT

No conflicts registered.

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

Moved by Vice-Chairperson Pascal Ferron, seconded by Committee Member Audbur Bishop to adopt tonight's agenda as presented.

MOTION CARRIED - UNANIMOUS

2. ADOPTION OF MINUTES OF THE REGULAR MEETING OF JANUARY 23, 2014/ADOPTION DU PROCÈS-VERBAL DE LA RÉUNION ORDINAIRE DU 23 JANVIER 2014

Moved by Committee Member Ricci Archibald, seconded by Vice-Chairperson Pascal Ferron to adopt the Minutes of the Regular Meeting of January 23, 2014 as presented.

MOTION CARRIED - UNANIMOUS

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

- (a) Clarification of the Planning Review and Adjustment Committee Mandate, as indicated in the Planning Review and Adjustment Committee By-law – *Appendix A – Role of the Regional Service Commission Planning Review and Adjustment Committee of an RSC and the Community Planning Act – Section 77(11)(a)*

Clarification du mandat du Comité de révision de la planification, tel qu'indiqué dans l'Arrêté - Comité de révision de la planification de la Commission de services régionaux #7 (CSR) - Annexe A – Rôle du Comité de révision de la planification de la Commission de services régionaux #7 et dans la Loi sur l'urbanisme – section 77(11)(a)

For Information Purposes

4. VARIANCE REQUESTS/DEMANDES DE DÉROGATIONS

None/*aucune*

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) Unit/unité #2, L. Dysart Estate Subdivision/lotissement, Irishtown, comté de Westmorland County, Unincorporated Area/région non-incorporée (OWNER/PROPRIÉTAIRE: Poirier Enterprises Ltd.) (File/Dossier #13US-1351) (Subdivision/lotissement)

Staff member Jeff Boudreau clarified the attached location map is incorrect, noting the subject property is south of what is shown. He further noted that the attached subdivision plan (Unit 2) is in fact correct.

Committee members asked questions with respect to road standards and possible drainage issues. Mr. Boudreau pointed out that the Department of Transportation and Infrastructure have addressed these issues, as indication in a letter attached to the staff report. It was noted that the owner has been in contact with DTI with respect to the construction of the road.

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

- *assent to the location of Josée Drive, Langton Lane and Jovial Drive; and*
- *assent to the location of three future streets.*

Subject to the following conditions:

- *the development officer shall not approve the final subdivision plan until all conditions as outlined by the Provincial Department of Transportation and Infrastructure letter from Mr. Paul Lightfoot to Mr. Jeff Boudreau, dated February 19, 2014, have been satisfied; and*
- *to caution future lot purchasers, the following note shall be placed on the final subdivision plan as follows: "Based on an abbreviated water supply assessment prepared by Fisher Engineering Ltd., dated August 2, 2012, a residential water treatment unit may be required to ensure water quality within the Guidelines for the Protection of Canadian Drinking Water Quality."*

MOTION CARRIED - UNANIMOUS

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

- (a) Province of/de NB – Rezoning request from Edward Dysart, to rezone property located on the west side of Route 115 (PID #70578901), Irishtown, Westmorland County, Unincorporated Area - from R2 (Multiple-Unit Residential) Zone and A (Agricultural) Zone to C2 (Commercial Industrial) Zone/*Demande de rezonage de Edward Dysart, afin de rezoner la propriété situé sur le côté ouest de la route 115 (NID #70578901), comté de Westmorland, région non-incorporée – de la zone R2 (Habitations à logements multiples) et la zone A (Agriculture) à la zone C2 (commerciale et industrielle) (File/Dossier #13UZ-1510) (Rezoning/rezonage)*

Lori Bickford, Planning Manager, presented a *PowerPoint* presentation.

Ms. Bickford reviewed the presentation with Committee Members. She explained that the owner proposes to create a self-storage facility with up to 18 individual structures. The development will be done in phases. Buffers will be placed in between the development and the adjacent residential properties.

An aerial imagery and photos of the property were displayed. A site plan was also displayed. Fencing will be erected, once the phases are completed.

No comments were received from the Department of Environment. The only comment made by the Department of Transportation and Infrastructure is that an access permit will be required.

Notices were placed in the newspaper, as required under the CPA. As well, notices to area residents were mailed out. The Public Hearing has taken place. Area residents were primarily concerned with drainage of the development. It was noted that the proposal shows ditching along the property line, which should remedy the drainage issue.

Ms. Bickford indicated that terms and conditions are attached to this application. Any breach of the terms and conditions by the developer will trigger the return to the property's original zoning.

No drainage plan was submitted with the application. The drainage issue was discussed at length.

It was pointed out that, if flooding should occur, this would result in a breach of the terms and conditions.

Moved by Committee Member Heather Keith, seconded by Committee Member Audbur Bishop to accept staff's report and recommendation that the Westmorland Albert Planning Review and Adjustment Committee recommends to the Provincial Minister of Environment and Local Government to adopt the Ministerial Regulation 14-MON-019-21, including terms and conditions outlined in Schedule R and summarized as follow:

1. *that the permitted uses be confined to one or more of the following main and accessory uses:*
 - (i) *a warehouse or storage facility, comprised of multiple self-storage units;*
 - (ii) *an office; and*
 - (iii) *any accessory building, accessory structure or accessory use.*
2. *that the development use fencing and berms as a buffer between the proposed use and surrounding uses;*
3. *that where fencing is placed, it is at least 1.5 metres in height, not exceeding 2.0 metres in height, and so constructed as to block the visibility of buildings contained within;*
4. *that the buildings are constructed in order of phases noted on Schedule R-2, and that fencing be constructed along boundaries of the subject property and adjacent single-family lots at the time that the related phase is developed;*
5. *that the development is limited to 18 buildings on the said lands and that they be positioned thereon in reasonable accordance with the plan as shown on attached Schedule R-2;*
6. *that the site be developed with respect to fencing, parking, gates, and an asphalt entrance in reasonable accordance with the plan as shown on attached Schedule R-2;*
7. *that any construction on this site requires a development and/or building permit; and*
8. *that an access permit related to the change in use be received from the Department of Transportation and Infrastructure.*

MOTION CARRIED - UNANIMOUS

- (b) Village of/de Salisbury – Plan Amendment and Rezoning request from Forrest Lothian, on behalf of Nova International, to rezone two properties located off Birkdale Drive (PIDs #01092147 & 01092154), Salisbury – from RU (Residential Use) to VC (Village Centre)/*Modification du Plan et demande de rezonage de Forrest Lothian, au nom de Nova International, afin de rezoner deux propriétés situées près de la promenade Birkdale (NIDs #01092147 & 01092154), Salisbury – de la zone «RU» (Residential Use) à «VC» (Village Centre) (File/Dossier #14SZ-38) (Rezoning/rezoning)*

Forrest Lothian, on behalf of Nova International was present.

Committee Member Ricci Archibald reported that the owners have met with the Salisbury Review Committee with respect to this request. Mr. Archibald noted that there has been lots of discussion regarding this rezoning request. He pointed out that the owners appear to be in agreement with the Village's wishes, also adding that they are very cooperative.

Chairperson Forsythe asked if staff had anything to add. Ms. Bickford pointed out that she has a *PowerPoint* presentation; however, it was not presented. It was noted that the Salisbury Review Committee is on side with this development.

Moved by Committee Member Ricci Archibald, seconded by Vice-Chairperson Pascal Ferron to accept staff's report and recommendation that the RSC 7 Westmorland-Albert Planning Review and Adjustment Committee recommends to the Village of Salisbury the adoption of By-law 42-4, to amend the Generalized Future Land Use Map by changing the designation of PIDs 01092147 and 01092154 on Birkdale Drive from "R" to "VC".

that the RSC 7 Westmorland-Albert Planning Review and Adjustment Committee recommends to the Village of Salisbury making the following Text Amendments to the Village of Salisbury Zoning By-law 43:

to add the following text to Section 5.1.2 VC Zone (uses subject to terms and conditions):

- (v) sales of equipment classified as "compact, utility, or mini"; and*
- (vi) service station*

WHEREAS Planning Staff have considered the application from Nova International to rezone PIDs 01092147 and 01092154 on Birkdale Drive from RU to VC;

AND WHEREAS, from a planning perspective, the proposal, along with proposed terms and conditions, is deemed to be acceptable;

that the RSC 7 Westmorland-Albert Planning Review and Adjustment Committee recommends to the Village of Salisbury the adoption of By-law 43-12, including terms and conditions as follows:

- 1. that prior to any site work and the issuance of a Development Permit, the four (4) separate lots owned by Nova International, specifically PIDs 70266150, 70266135, 01092147 and 01092154 be consolidated into one lot;*
- 2. that all uses of the lands pursuant to this agreement shall conform to the provisions of the Village of Salisbury Zoning By-law No. 43, except as otherwise provided in the terms outlined herein;*
- 3. that landscaping shall be in accordance with section 3.33 of the Zoning By-law No. 43;*

4. *in addition to clause (3), trees shall be planted along the eastern property line of PID 01092154 and Glendale Drive. Said trees shall be spaced not more than 6m apart and shall be at least 1.5m high at the time of planting; and*
5. *for screening between residential and commercial uses, a buffer of 10m wide be developed and maintained along the northern edge of the subject properties and Birkdale Drive, and that this buffer include a combination of landscaped berms and trees. Said trees shall be spaced not more than 4m apart and shall be at least 1.5m high at the time of planting.*

Notwithstanding the provisions of Section 39 of the Community Planning Act, in the event of a breach by the Developer of any of these terms and conditions, the zoning shall revert back to the original zoning.

MOTION CARRIED - UNANIMOUS

Delegation left.

8. OTHER BUSINESS/AUTRES AFFAIRES

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

none/aucune

(b) Report from the Chairperson

Chairperson George Forsythe reported on a recent informal Council Meeting which took place in Hillsborough with Village Council, Village Staff and Planning Director Sébastien Doiron.

Chairperson Forsythe informed the Committee Members that the Village Council and Staff were very pleased with the outcome of the meeting and appreciated Mr. Doiron's help clarifying a few items regarding planning issues within the Village.

9. ADJOURNMENT/CLÔTURE DE LA SÉANCE

Moved by Committee Member Ricci Archibald, seconded by Committee Member Audbur Bishop to adjourn tonight's meeting.

MOTION CARRIED - UNANIMOUS

The meeting adjourned at approximately 6:20 p.m.

Next meeting - Thursday, April 24, 2014/Prochaine réunion – jeudi 24 avril 2014