

## TANTRAMAR PLANNING REVIEW & ADJUSTMENT COMMITTEE

### Minutes of the November 27, 2013 Meeting

Sackville Town Hall, 31 Main Street, Sackville

Present: Chairman Trenholm  
Committee Member Dixon  
Committee Member Gilbert-Patterson  
Committee Member Tower  
Vice Chair Istvanffy

Staff: Lori Bickford, Planning Manager/Planner  
Tracey McDonald, Administrative Assistant

Regrets: Committee Member Partridge

Chairman Trenholm called the meeting to order at 7:00pm

### **1. Welcome**

Chairman Trenholm welcomed everyone to the meeting.

### **2. Declaration of Conflict of Interest**

No conflicts were declared.

### **3. Adoption of the Agenda**

Chairman Trenholm inquired if the Committee members had read the agenda and had any comments.

Lori Bickford requested that the rezoning application for 131 Main Street, Sackville on the agenda be switched to the first presentation as a representative, Chris Harborne, for the applicant Gordon Beal was present.

**It was moved by Committee member Dixon and seconded by Committee member Istvanffy that the agenda of November 27, 2013 be accepted with the change of order.**

**Motion Carried (Unanimously)**

#### **4. Adoption of the minutes of the July 24, 2013 meeting**

Chairman Trenholm inquired if all Committee members had read the minutes of the July 24, 2013 meeting.

**It was moved by Committee member Tower and seconded by Committee member Dixon that the minutes of July 24, 2013 be accepted as presented.**

**Motion Carried (Unanimously)**

#### **5. Development Requests**

##### **131H Main Street, Sackville – Rezone from RHC to R3**

Lori Bickford presented the request of Gordon Beal to rezone a portion of the property located at 131 Main Street, Sackville, known as PID #00969048, from Residential Historic Commercial to Urban Residential 3 to permit the construction of a 3 storey, 18 unit multiple dwelling at the rear of the property. At present the 2.3 acre property is used for commercial and residential purposes.

Under the Town of Sackville Municipal Plan, the Town has made higher density development a priority and is encouraging its development along the main arterial roads, such as Main Street. This application meets these policies, as well as the appropriate standards including sloping roofs, fencing, landscaping and parking.

This property is located in the Heritage Conservation Area requiring the applicant to obtain a Municipal Heritage Permit for any new structure or modifications to an existing structure.

The application successfully demonstrates the policies set forth in the Town of Sackville's Sustainable Sackville Plan of optimizing existing infrastructure and increasing the density of development in serviced areas.

Views and recommendations were sought from internal and external departments.

George Woodburn, the Director of Engineering and Public Works, commented that this was a full service lot but would recommend that the applicant provide either a fire hydrant on site to service the building or sprinkler the building. As well, a storm water management plan will be required of the applicant.

Craig Bowser, the Fire Chief, also requested that the applicant provide a fire hydrant on the site. Furthermore, he expressed concerns that the driveways are not wide enough to accommodate 2

way traffic and would like to see this changed to a one way traffic flow with a dedicated entrance and exit.

The Heritage Committee, after meeting with the applicant's representatives, commented that they didn't feel the rooflines would be inconsistent from the street view due to the change in topography. From the architectural drawings provided they felt that the street view of the building was appropriate and incorporated architectural elements reflective of the main building but felt that the east, west and rear of the building was lacking in these elements. They also stated that wood, not vinyl, siding must be used and appropriate heritage colours.

Lori Bickford went on to state that the proposed building is a 3 storey (42' high) 18 unit multiple unit dwelling with a building footprint of 132'-6" x 58'. It will be located at the rear of the property and is capable of meeting all required setbacks. Parking requirements have been met and will be located to the west of the structure. At present there is a fence buffering the existing parking lot from the Marshwinds Housing Co-operative which will be continued along the eastern property boundary. Either a fence or a vegetation buffer will be located along the western property boundary and, with the Mount Allison practice field to the rear of the property it is not anticipated that buffering be an issue. Any mature trees which do not interfere with the placement of the building will remain as a natural buffer.

If the rezoning is successful, the property will need to be subdivided for this development to proceed. As the proposed structure will be accessed using the existing driveways on the property, right-of-ways should be placed on the laneway to ensure future access to the building should the properties have different owners at a later date.

Lori Bickford verified that this application conforms to the policies outlined in the Municipal Plan, is capable of meeting the Zoning By-law and is in accordance with the Sustainable Sackville Plan. It has incorporated the heritage elements of the existing structure and, as visibility of the structure will be limited from the street, it is not expected to have a negative effect on Main Street.

Committee member Istvanffy questioned if it was common to request a right-of-way off of Main Street. He wondered if it was not possible to include a driveway in the subdivided portion of the property. Lori Bickford responded that to provide a separate driveway the carriage house and mature trees would have to be removed. This is not a desirable option for the applicant. She also explained that due to the distance the proposed property would be off of the road the fire chief would require 2 exits in the event of a fire.

Committee member Gilbert-Patterson questioned if anyone had expressed concern that tenants would be walking through the adjoining properties. Lori Bickford responded that, as of yet, there have been no concerns brought to her attention. She went on to comment that with the line of mature trees this is not a preferable path to take.

Chairman Trenholm questioned whether the applicant had met with the Heritage Board. Chris Harborne, speaking on behalf of the applicant, stated that Cathy Beal had met with them. He added that it helped them understand the process a little bit more and that, as a result of that meeting, the building was altered to more closely reflect the main building.

Committee member Tower questioned the position of the Heritage Board. Lori Bickford responded that the Heritage Board seems satisfied with the appearance of the proposed building. She informed the committee that if the Heritage Board does not approve the structure cannot be built. Committee member Tower relayed that the Heritage Board did not think they were in a position to approve as they are not at the application stage. Lori Bickford explained that the Heritage Board does not approve the use. Their authority is to approve the external structure.

Committee member Tower questioned whether all the trees behind the proposed building would remain. Chris Harborne responded that as many as possible would remain. Lori Bickford injected that the town easement was 30' off of the rear property line. Committee member Tower commented that the trees to the rear of the building would soften the appearance as he felt the proposed building didn't look as nice from the rear. Committee member Dixon suggested that additional planting could be done at a later time. Lori Bickford advised the committee that they could incorporate, into condition 5 of the motion, additional conditions stressing the mature vegetation at the rear of the building and a requirement of future planting. Committee member Tower stated that he would like the mature buffer increased. Chris Harborne informed the committee that he didn't feel that would be a problem. Lori Bickford amended condition number 5 of the motion to read as follows:

“That the applicant provides buffering from adjoining property owners, by extending the existing fence (of solid construction) along the eastern boundary to the rear property line and a vegetative or solid fence buffer along the western property boundary at the rear of the property to ensure headlights from the parking lot are not shining on to adjoining properties. Any mature trees along the rear property boundary which does not interfere with the placement of the building should remain as a natural buffer and additional vegetative plantings should be added to strengthen the buffer.”

Committee member Tower questioned if the applicant would consider widening the doorways making the building wheelchair accessible for seniors. Chris Harborne responded that the applicant has seniors in mind for this building but that it is not intended to be an assisted living facility.

Chairman Trenholm asked if there were any further questions or comments.

Lori Bickford stated that the staff is recommending this motion for the Planning Review and Adjustment Committee.

**It was moved by Committee member Istvanffy and seconded by Committee member Gilbert-Patterson that the request by Gordon Beal to amend the Town of Sackville Zoning By-law by rezoning through a Section 39 agreement a portion of the property located at 131 Main Street, Sackville and known as PID # 00969048 from Residential Historic Commercial to Urban Residential 3, be recommended to Council subject to the following conditions:**

- 1. That the proposed multiple unit dwelling contain a maximum of 18 units,**
- 2. That the multiple unit dwelling be architecturally compatible with the attached exterior elevations subject to the approval of the Heritage Committee,**
- 3. That the applicant shall obtain a Municipal Heritage Permit from the Heritage Board prior to conducting site work and obtaining a Building Permit,**

4. That the applicant provide a fire hydrant on the site subject to the location approved by the Director of Engineering and Public Works (unless a sprinkler system is provided within the building),
5. That the applicant provides buffering from adjoining property owners, by extending the existing fence (of solid construction) along the eastern boundary to the rear property line and a vegetative or solid fence buffer along the western property boundary at the rear of the property to ensure headlights from the parking lot are not shining on to adjoining properties. Any mature trees along the rear property boundary which does not interfere with the placement of the building should remain as a natural buffer and additional vegetative plantings should be added to strengthen the buffer,
6. That the eastern laneway accessing the property be clearly marked a “entrance only” and the western laneway be clearly marked as “exit only” to ensure one-way traffic flow on the site,
7. That the applicant subdivide the property in accordance with the site plan before a building permit is issued and that right-of-ways be provided on the laneways in favor of the new lot, and
8. That a storm water management plan be prepared by a licensed New Brunswick Engineer and approved by the Director of Engineering and Public Works prior to any site work being undertaken.

**Motion Carried (Unanimously)**

**Subdivision By-law Amendment – Increase of Rural Road Standards**

Lori Bickford presented the proposal to amend the Town of Sackville Subdivision By-law No. 194 to increase the minimum rural road surface requirements to pavement. The developer, when proposing a rural subdivision, is responsible for building the road, chip sealing the surface, creating the storm ditches and contacting NB Power to have the street lights placed before the Town will take over the road as a new public road. The Town is proposing to amend By-law No. 194 to require “pavement” as the minimum road standard instead of “chip seal”.

Chip seal does not have the lifespan of asphalt. It has a breakdown similar to gravel. Snowplowing and salt deteriorates the chip seal resulting in the constant need to top up the surface. Once the road has been turned over to the Town this then becomes the Town’s responsibility. Additionally, there is an expectation of the new property owners to have their road paved. This diverts tax dollars from other municipal infrastructure projects.

George Woodburn, the Director of Engineering and Public Works was consulted and is in agreement with the change of chip seal to pavement.

Committee member Gilbert-Patterson questioned if there are different standards of pavement. Lori Bickford responded that they would rely on the Town’s depth of pavement standards. Committee member Gilbert-Patterson then questioned if the contractor takes care of that. Lori Bickford explained that the contractor provides a bond to the Town up front for funds to build the road.

As the amendment conforms to the policies outlined in the Town of Sackville Municipal Plan and is based on ensuring that the Town accepts adequately developed infrastructure the staff is recommending this amendment.

Chairman Trenholm asked if there were any further questions or comments.

**It was moved by Committee member Tower and seconded by Committee member Dixon that the Planning Review and Adjustment Committee recommends the proposed amendment to the Town of Sackville Subdivision By-law, By-law No. 194, to increase the minimum road requirements of rural subdivisions from surface coat of "chip seal" to "pavement".**

**Motion Carried (Unanimously)**

## **6. New Business**

None at this time.

## **7. Old Business**

None at this time.

## **8. Next Meeting**

Lori Bickford requested that, due to fact that the next scheduled meeting falls on Christmas, the date be moved to Wednesday, December 18, 2013.

**Motion Carried (Unanimously)**

## **9. Adjournment**

**It was moved by Committee Member Tower, at 8:05 PM, that the meeting be adjourned.**

**Motion Carried (Unanimously)**

Respectfully submitted,



Tracey McDonald- Recording Secretary



Randy Trenholm, Chair