

**Tantramar Planning Review and Adjustment Committee
Comité de révision de la planification de Tantramar**

South East Regional Service Commission, Tantramar Office
131 H Main Street, Sackville

March 3, 2015 at 7:00 pm • 3 mars 2015 à 19h

MINUTESprocès-verbal

Members Present / membres présents:

Randy Trenholm	Chairperson/président
Stanley Dixon	Committee Member/membre du comité
Heather Gilbert-Patterson	Committee Member/membre du comité
Mike Tower	Committee Member/membre du comité
Mark Istvanffy	Committee Member/membre du comité

Staff Present / membres du personnel présents:

Lori Bickford	Office Manager/Planner
Tracey McDonald	Recorder

Regrets:

Greg Partridge	Committee Member/membre du comité
----------------	-----------------------------------

1. Call Meeting to Order / Convocation d'une assemblée à l'ordre

The meeting was called to order at 7:02 p.m., with Chairperson Randy Trenholm presiding. / Le président Randy Trenholm ouvre la réunion vers 19h02.

2. Declaration of Conflict of Interest / Déclaration de conflit d'intérêts

None / Aucune

3. Adoption of the Agenda / Adoption de l'ordre du jour

Committee Member Mike Tower questioned the order of the applications on the agenda. Since the by-law amendment directly affects the temporary use application he questioned if the order should be reversed. Staff Member Lori Bickford answered that the temporary use application, item 7(a), made evident a discrepancy in the Dorchester By-law but these were two separate procedures. Under the Community Planning Act and the Municipal By-law it is the Planning Review and Adjustment Committee, not the Village Council, that deals with a temporary use. She added that, a temporary use could be granted regardless of the By-law amendments but was limited to one year.

It was moved by Committee Member Mike Tower and seconded by Committee Member Stanley Dixon to adopt tonight's Agenda as presented. / Il est proposé par Mike Tower, membre du comité, et appuyé par Stanley Dixon, membre du comité, d'adopter l'ordre du jour de ce soir tel quel.

MOTION CARRIED - UNANIMOUS / MOTION ADOPTÉE À L'UNANIMITÉ

4. Adoption of the Minutes of the October 22, 2014 meeting / Adoption du procès-verbal de la réunion du 22 octobre 2014

It was moved by Committee Member Heather Gilbert-Patterson and seconded by Committee Member Mark Istvanffy to adopted the Minutes of the Regular Meeting of October 22, 2014 as presented. / It est proposé par, Heather Gilbert-Patterson, membre du comité, et appuyé par Mark Istvanffy, membre du comité, d'approuver le procès-verbal de la réunion ordinaire tenue le 22 octobre 2014 tel quel.

MOTION CARRIED - UNANIMOUS / MOTION ADOPTÉE À L'UNANIMITÉ

5. Business Arising from the Minutes / Affaires découlant du procès-verbal

None/acucune

6. Variance Requests / Demandes de dérogations

None/acucune

7. Temporary Approvals, Conditional Uses, Rulings of Compatibility and Non-Conforming Uses / Approbations temporaires, usages conditionnels, déterminations de compatibilités et usages non-conformes

- a) Karl Crossman, chemin 15 Racetrack Road (PID/NID #70182647), Village of/Ville de Dorchester - To permit the operation of an automotive repair shop from the property in an existing garage. (File/Dossier #15-055)

Staff Member Lori Bickford presented the request of Karl Crossman to operate an automotive repair shop from an existing garage on the property. In order to attain certification for Inspection services the applicant requires a zoning confirmation. The property is currently zoned Residential Cottage Enterprise which does not permit auto body or engine repair.

Staff Member Lori Bickford informed the Committee that a conflict was discovered within the definition of Residential Cottage Enterprise used in the Village of Dorchester By-laws. The definition allows small scale manufacturing which is considered more intrusive than automotive repair and creates higher level of noise and pollution. She reported that this definition is currently undergoing a text amendment by the Village.

Committee Member Mike Tower questioned if the automotive repair shop had the potential to expand in a manner similar to one located on Lorne Street in Sackville. Staff Member Lori Bickford answered that due to lot size and configuration this was not a concern. She demonstrated on the map that Racetrack Road was a dead end street with a public ball field located at the end, therefor increased traffic flow would not be a problem. She pointed out that there was a fair amount of natural buffering but informed the Committee that additional buffering would be added as necessary.

Notices were sent to neighbouring landowners within 60 meters to the subject property. There have been no comments received to date.

Staff Member Lori Bickford informed the Committee that the Village of Dorchester is looking at rezoning this area which would then permit this use and, as the applicant is using an existing structure, there will be no visual changes to the property. Staff is, therefore, recommending this request subject to terms and conditions. Staff Member Lori Bickford read the terms and conditions into the record.

Committee Member Mark Istvanffy expressed his concerns that there would be vehicles parked on the road. Staff Member Lori Bickford answered that the business must be contained on the site.

Committee Member Heather Gllbert-Patterson questioned if the applicant had intentions of enlarging the business. Staff answered that the applicant will only employ himself and does not want to get into hiring employees.

Chairman Randy Trenholm questioned the storage and disposal of used oils and fuels. Staff Member Lori Bickford answered that the applicant will operate a furnace that burns used oil.

Chairman Randy Trenholm read the motion into the record.

It was moved by Committee Member Mark Istvanffy and seconded by Committee Member Heather Gilbert-Patterson that the request of Karl Crossman to permit the operation of an automotive repair shop as a temporary use from the existing garage located on the property located at 15 Racetrack Road, Dorchester, known as PID # 70182647, for a temporary period not to exceed 1 year, BE GRANTED subject to the following terms and conditions:

- 1. That outdoor storage of any materials associated with the business be stored safely in appropriate containment within an opaque fenced area until such time as it can be properly disposed.**
- 2. That no auto salvage activities, or excessive accumulation of vehicles, shall occur on the site.**
- 3. That all vehicles associated with the business shall remain on site, and**
- 4. That the natural buffering surrounding the property remains and additional buffering/screening from adjoining properties be added as necessary.**

MOTION CARRIED - UNANIMOUS / MOTION ADOPTÉE À L'UNANIMITÉ

Committee Member Heather Gllbert-Patterson questioned if the same conditions applied to other automotive repair stations. Staff Member Lori Bickford explained that the auto salvage component is not listed in Sackville. She explained that a complaint would trigger an intervention in this circumstance.

8. Tentative Subdivisions / Lotissements provisoires

None/*acucune*

9. By-law Amendments, Zoning and Municipal Plan Matters / Questions de zonage et questions relatives aux plans municipaux

- a) Village of Dorchester - Map and text amendments to the Dorchester Zoning By-law. (File/Dossier #15-043)

Staff Member Lori Bickford presented the request of the Village of Dorchester to amend the zoning map, amend the definition of Residential Cottage Enterprise and change the opening statements for each zone.

Staff Member Lori Bickford informed the Committee that under section 2.3 of the Municipal Plan properties abutting or contiguous to a given designation may be considered for a zoning amendment without changing the Municipal Plan. At present, the north side of Racetrack Road is zoned Village Center while the south side is zoned Residential Cottage Enterprise. Staff Member Lori Bickford explained that it is acceptable to have two different zones on opposite sides of the road but there is usually a justification. In this case there is no significant topographical change, both sides are serviceable by municipal water and sewer, and have the same traffic flow. Staff is, therefore, recommending that both sides of Racetrack Road be included within the Village Center Zone or what is considered the core of the Village.

Staff Member Lori Bickford informed the Committee that the Residential Cottage Enterprise Zone was created to allow low scale businesses outside of the Village center which could blend into a residential area. Cottage Enterprise is a use permitted in this zone but the definition stated in the zoning by-law conflicts with the intended goals of this zone. Staff Member Lori Bickford explained that small scale manufacturing is considered, from a land use perspective, to be a more intrusive use with a larger negative effect on the environment. Staff is recommending the removable of "small scale manufacturing" from the definition to ensure the permitted uses are in line with the Municipal Plan policies.

Staff Member Lori Bickford explained to the Committee that the opening statement used in the Zoning By-law dictates how the list of permitted uses is interpreted. She informed the Committee that it is the intention of the Dorchester Municipal Plan to permit more than one use on a property and not restrict the options. Staff is recommending the text amendment to the general zoning statements to more appropriately reflect the policy of the Municipal Plan.

Staff Member Lori Bickford explained that the amendments have been separated into 3 motion. She read the motions into the record.

It was moved by Committee Member Stanley Dixon and seconded by Committee Member Mike Tower that it is the views and recommendation of the Tantramar Planning Review and Adjustment Committee that the Village of Dorchester Zoning Map BE AMENDED by changing the zone of the south side of Racetrack Road from Residential



Cottage Enterprise to Village Centre, as per "Attachment A", as these properties are considered part of the Village core due to availability of municipal sewer and water services, surrounding public uses, and for consistency of permitted uses on the street.

MOTION CARRIED - UNANIMOUS / MOTION ADOPTÉE À L'UNANIMITÉ

Committee Member Mark Istvanffy questioned the addition use of the word manufacturing in the definition. Staff Member Lori Bickford agreed that it should be removed from the definition as well.

It was moved by Committee Member Mark Istvanffy, as amended, and seconded by Committee Member Heather Gilbert-Patterson that it is the views and recommendation of the Tantramar Planning Review and Adjustment Committee that the Village of Dorchester Zoning By-law BE AMENDED by removing "small scale manufacture" and "manufacture" from the definition of Cottage Enterprise, as this change is reflective of the Municipal Plan policies and the permitted uses within the established Residential Cottage Enterprise and Resource zones.

MOTION CARRIED - UNANIMOUS / MOTION ADOPTÉE À L'UNANIMITÉ

Committee Member Mark Istvanffy questioned if, for clarification, the motion should state that what is there now is being replaced.

It was moved by Committee Member Mike Tower, as amended, and seconded by Committee Member Stanley Dixon that it is the views and recommendation of the Tantramar Planning Review and Adjustment Committee that the Village of Dorchester Zoning By-law BE AMENDED by changing the introductory text of Village Center, Residential Cottage Enterprise and Resource zones from "one and only" to state "one or more of the following uses", as this amendment to the text ensures the intention of the land use policies and regulations are fulfilled by allowing more than one of the listed permitted use on the lot simultaneously.

MOTION CARRIED - UNANIMOUS / MOTION ADOPTÉE À L'UNANIMITÉ

10. Other Business / Autres affaires

Staff Member Lori Bickford reported that the executive board is discussing the possibility of having one Planning Review and Adjustment Committee for the entire region instead of 3. There are a number of details to consider and be worked out. It is uncertain at this time whether all municipalities are in agreement with this option. She assured the Committee that she would keep them up to date on the issue.

11. Next Meeting / Prochaine réunion

Next monthly meeting will be held March 25, 2015 at 7:00 pm / La prochaine réunion mensuelle aura lieu à 25 mars 2015 à 19h.

12. Adjournment / Levée de la réunion

It was moved by Committee Member Mike Tower to adjourn the meeting at 8:05 pm.

Randy Trenholm - Chairperson

