

Town of Grand Bay-Westfield

(Incorporated 1st January, 1998)

Planning Advisory Committee

Minutes

Monday April 19, 2021

1. CALL TO ORDER

The Town of Grand Bay-Westfield Planning Advisory Committee conducted a virtual meeting on Monday April 19, 2021 at 7:30 pm via Webex with Chair Jim Burke Presiding. The meeting was live streamed on the Town's You Tube channel.

2. RECORD OF ATTENDANCE

Members in attendance were Chair Jim Burke, Vice-chair Brittany Merrifield, Councillor Bev Day, Philip Reeves, Theresa Gordon, Cathy Fawcett, Alex Calvin and Development Officer David Taylor.

3. CHAIRMAN'S REMARKS

A reminder that the item 7 before the committee is asking for a variances for lot frontage as well as approval of Land for Public Purposes by Council.

4. PAC MINUTES OF APRIL 6, 2021

"...moved by Theresa Gordon to accept as presented the Planning Advisory Committee Meeting Minutes of April 6, 2021..."

Seconded by Brittany Merrifield. Carried.

5. REGULAR COUNCIL MEETING MINUTES OF MARCH 22, 2021

"...moved by Councillor Day to receive and file the Regular Council Meeting Minutes of March 22, 2021..."

Seconded by Cathy Fawcett. Carried.

6. DECLARATION OF CONFLICT OF INTEREST

None.

**7. APPLICATION FOR DOUGLAS ESTATES TENTATIVE
SUBDIVISION PLAN – SHANNON ROAD – BRYCE WARD
TABLED FROM APRIL 6, 2021**

- 7.1.a Development Officer's report of April 1, 2021
application – Bryce Ward
Letter to applicant dated March 22, 2021
Letter to neighboring properties dated March 22, 2021**
- 7.1.b Presentation by Bryce Ward**
- 7.2 Letter – Claudia Simmonds dated March 29, 2021**
- 7.3 Email – Faye Bellevance & Greg Carter dated March 28, 2021**
- 7.4 Letter – Kelley Wallace & Lloyd Kirby, dated march 29, 2021**
- 7.5 Letter – John & Barb Rathburn dated March 30, 2021**
- 7.6 Letter – Tracey Sewell dated March 31, 2021**
- 7.7 Letter – Trudy & Malcolm Marwick- March 30, 2021**
- 7.8 Email – Katherine Hughes & William Cleveland, dated March 30, 2021**
- 7.9 Letter – Nicole & Chris McCracken, dated March 28, 2021**
- 7.10 Email – Kayleigh Lively, dated March 30, 2021**
- 7.11 Letter – John Casey & Linda Stephenson-Casey, dated March 30, 2021**
- 7.12 Letter – Krystal Mathieson, dated March 31, 2021**
- 7.13 Letter – Claude Moore, dated April 1, 2021**
- 7.14 Email – Ben Pougnet, dated March 30, 2021**
- 7.15 Email – Stue Osborne, dated April 1, 2021**

By request of the Planning Advisory Committee Members, a special site meeting was arranged for Friday April 9th at 6:30 pm to allow Committee Members to walk the property with the owner to identify property lines and assess drainage issues presented by the residents.

New Submissions

- 7.16 Development Officer's memo dated April 15, 2021
Letter to applicant dated April 12, 2021
Letter to neighboring properties dated April 12, 2021**
- 7.17 Email – Colin Perry, dated April 14, 2021**
- 7.18 Email – Ben & Natalie Pougnet, dated April 7, 2021**
- 7.19 Email – Trudy & Malcolm Marwick, dated April 13, 2021**
- 7.20 Email – Linda & John Casey, dated April 15, 2021**
- 7.21 Email – Nicole & Chris McCracken, dated April 15, 2021**

7.22 Email – Tracey Sewell, dated April 15, 2021

7.23 Email - from Kayleigh Lively, dated April 19, 2021

The applicant Bryce Ward was present to answer any questions from neighbors on behalf of his application.

Three calls were made for anyone speaking in favour of the Application:

- Ben Pougnet of 75 Shannon Road voiced his approval for Mr. Ward's application.

Three calls for those wishing to speak in Opposition to the Application:

- **Mr. Marwick – 75 Shannon Road** stated that he was concerned with drainage. The land itself is divided between two counties and to be registered must be signed by both the City of Saint John and the Town of Grand Bay-Westfield. Mr. Ward stated that he had already been in contact with the City of Saint John and all necessary paperwork has been submitted. Mr. Taylor states in his report that there are no wetland or watercourses mapped by the Province for this property.
- **Nicole McCracken – 86 Shannon Road** is still concerned with the amount of water running into her yard.
- **Kayleigh Lively – 52 Shannon Road** is still opposed to Mr. Ward's application because of the amount of water running through the back of her yard causing land erosion. She would like to see an Engineered drainage plan put into place.
- **Linda Stephenson – 79 Shannon Road** – would like to know the zoning for this property Shannon Road. Mr. Taylor stated that it is Zoned R3 which allows for single family and multiple family homes to be built.
- **Tracey Sewell – 96 Shannon Road** - drainage issue should have been looked after before trees were taken down.

After deliberation the following motion was made:

UPON CONSIDERATING:

the authority of the Planning Advisory Committee under the *Community Planning Act*, relevant land use designations under the Municipal Plan By-law #121 and Zoning By-law #122, and Subdivision By-law #113; Development Officer's Report (including notification to applicant and neighbouring property owners) with specific references to Land for Public Purposes and lot frontage; and a Presentation by Bryce

Ward provided to Council on April 6, 2021 responding to Community Concerns;

AND UPON HEARING:

the presentation by the owner and Developer Bryce Ward for the creation of three new lots to development 4 lots with reduced frontage onto Shannon Road; and the concerns of the following property owners:

- email from Faye Bellavance & Greg Carter dated March 28, 2021;
- email from John & Barb Rathburn dated March 31, 2021;
 - presentation on April 6, 2021 noting erosion of their property from Shannon Road to the river;
- email from Ben Pougnet dated March 30, 2021;
 - presentation in favour of the Application, on April 6, 2021;
- letter from Kelley Wallace & Lloyd Kirby dated March 29, 2021;
- letter from Claudia Simmonds dated March 29, 2021;
 - presentation on April 6, 2021 noting impact to municipal sewer system;
- email from John Casey & Linda Stephenson-Casey March 30, 2021;
- email from Katherine Hughes & William Cleveland dated March 30, 2021;
- email from Kayleigh Lively dated March 30, 2021;
 - presentation on April 6, 2021 noting water on property and additional power poles;
- email from Nicole & Chris McCracken dated March 30, 2021;
 - presentation on April 6, 2021 noting increasing water on their property;
- email from Tracey Sewell dated March 31, 2021;
 - presentation on April 6, 2021 noting increasing water on their property between Shannon Road and the river;
- email from Trudy & Malcolm Marwick dated March 30, 2021;
 - presentation on April 6, 2021 noting increasing moss growth in their back yard towards the river, damage from 2018 river flood, believing that there isn't sufficient drainage from Shannon Road to the river; capacity of the sewer system; hazards for cars where children drive their bikes on the road; dangerous black ice forming on the road;
- email from Krystal Mathieson dated March 31, 2021;
 - presentation on April 6, 2021 noting environmental regulations for wetlands and wildlife protection and affect to Blueberry Hill Nature Preserve;
- email from Sue Osborne dated April 1, 2021;
- letter from Claude Moore dated April 1, 2021.

AND HAVING CONSIDERED THE FOLLOWING:

The nature of the property being adjacent (and downhill from the 50-acre Blueberry Hill Nature Preserve (protected by the New Brunswick

Nature Trust); Provincial Wetland mapping; recent upgrades to Shannon Road (2005) regarding provision of sanitary sewer service and street upgrades to road surface and drainage (2019), setbacks on the properties in relation to two developed lots (Civic No 86 & 96), the development restrictions on those portions of the lots within the jurisdiction of the City of Saint John; Land for Public Purposes requirements and recording of public utility easements and civic numbering.

HAVING TABLED THE ITEM ON APRIL 6TH, 2021 AND REQUESTING A MEETING WITH PAC MEMBERS AND THE LAND OWNER TO INSPECT THE LOT CONDITIONS (on April 9th) AND HEARING FURTHER PRESENTATIONS

- email from Ben Pougnet dated April 7, 2021;
- email from Malcolm & Trudy Marwick dated April 13, 2021;
- email from Colin Perry dated April 14, 2021;

NOW THEREFORE:

...moved by Cllr. Bev Day to recommend to Council that Tentative Approval of Douglas Estates Subdivision be subject to the requirement to comply with an Engineered Water Drainage Plan....

Seconded by Theresa Gordon Carried

FURTHER

...moved by Cllr Bev Day that the Planning Advisory Committee grant the following Variances to the Town of Grand Bay-Westfield Zoning By-law No. 122 for development of PID #30331656 into 4 lots with the following reduced lot frontages:

- i) 7.02 m to reduce frontage for Lot 17-4 from 23 m to 15.98 m;
- ii) 7.0 m to reduce the frontage of Lot 17-5 from 23 m to 16 m;
- iii) 7.8 m to reduce the frontage of Lot 17-6 from 23 m to 15.20 m;
- iv) 7.75 m to reduce the frontage of Lot 17-7 from 23 m to 15.25 m.

Subject to maintaining a minimum 7.5 m “Front Yard” building setback from rear property lines of Civic Nos. 86 and 96....”

AND

...moved by Cllr. Bev Day that subject to the condition of implementing a Drainage Plan, that the Planning Advisory Committee recommend to Council that Tentative Approval of the proposed Subdivision out of PID #30331656, to create 3 new building lots, be subject to the following conditions before considering approval of a Final Subdivision Plan:

- i) subject to payment of \$1,469.60 by (cash, money order, certified cheque, or debit) for Land for Public Purposes;
- ii) recording of Civic Numbers on the Final Subdivision Plan;
- iii) recording 5 m wide Utilities Easement on the Shannon Road frontage, as required by Public Utilities....

Seconded by Theresa Gordon

Carried.

8. ADJOURNMENT

“...moved by Councillor Day and seconded by Alex Calvin to adjourn at 8:15pm...”

Respectfully Submitted,



Jim Burke
PAC Chair



Heather Shannon
PAC Secretary