

Town of Grand Bay-Westfield

(Incorporated 1st January, 1998)

Planning Advisory Meeting Minutes October 4, 2021

ADOPTED
NOV 01 2021

1. CALL TO ORDER / LAND ACKNOWLEDGEMENT

The Town of Grand Bay-Westfield Planning Advisory Committee conducted a meeting on Monday October 4, 2021 with Chair Jim Burke presiding. The meeting was live streamed on the Town's YouTube channel.

2. RECORD OF ATTENDANCE

Members in attendance were Chair Jim Burke, Vice-chair Theresa Gordon, Councillor Jim Balcomb, Kelly Thompson, Philip Reeves, Catherine Fawcett and Development Officer David Taylor.

"...moved by Theresa Gordon to excuse Alex Calvin with cause..."

Seconded by Councillor Jim Balcomb. Carried.

3. PAC MINUTES OF: September 7, 2021

"...moved by Philip Reeves to accept as presented the Planning Advisory Committee Meeting Minutes of September 7, 2021..."

Seconded by Councillor Jim Balcomb. Carried.

4. REGULAR COUNCIL MINUTES OF: AUGUST 9 AND SEPTEMBER 13, 2021

"...moved by Kelly Thompson to receive and file the Regular Council Meeting Minutes of August 9 and September 13, 2021..."

Seconded by Theresa Gordon. Carried.

5. CHAIRMAN'S REMARKS

None.

6. DECLARATION OF CONFLICT OF INTEREST

None.

7. ZONING BY-LAW #122A

A) PRESENTATION BY DILLON CONSULTING LTD.

Jennifer Brown, Dillon Consulting Ltd. was present to speak on the proposed amendments to the Town's Zoning By-law brought forth by Council for consideration.

The following motions to the Amendments were made:

1. Section 2.13 (1) (d) Application and Development Permit Approvals

(d) Applications submitted under (a), (b), and (c) shall be submitted in the form prescribed by the Development Officer and accompanied by a fee set out in Schedule B of this By-law. An application shall be signed by the registered lot owner or an authorized agent thereof.

"... moved by Cathy Fawcett to replace with the following:

(d) Applications submitted under (a), (b), and (c) shall be submitted in the form prescribed by the Development Officer and accompanied by the appropriate fee. An application shall be signed by the registered low owner or an authorized agent thereof..."

Seconded by Jim Burke.

Carried.

2. Section 2.13 Application and Development Permit Approvals.

"...moved by Cathy Fawcett to add:

(2) Development Permit Fees An application submitted under subsection © (ii) of this section shall be submitted in the form prescribed by the Development Officer and accompanied by a fee of \$50..."

Seconded by Theresa Gordon.

Carried.

3. Section 3 Definition of Habitable Space

"...moved by Theresa Gordon to insert as #80 which reads:

80. HABITABLE SPACE means the space within a dwelling unit in which living functions are carried on, and includes living rooms, dining rooms, kitchens, bathrooms, dens, recreation rooms, storage rooms, and workshops, including those located in a basement or cellar..."

The definitions that follow are renumbered accordingly.

Seconded by Councillor James Balcomb. Carried.

4. Section 3 Definition #112, Portable or Temporary Garage

112. PORTABLE OR TEMPORARY GARAGE means a collapsible structure covered with plastic or fabric, used for the purpose of temporarily storing vehicles and/or the covering of driveways.

“... moved by Cathy Fawcett to NOT recommend the following as such...”

113. PORTABLE OR TEMPORARY GARAGE means a collapsible structure covered with plastic or fabric, used for the purpose of temporarily storing vehicles and/or the covering of driveways in the side or rear yard and behind the building line of a residential lot between October 30 and April 30, inclusive.

Seconded by Theresa Gordon. Carried.

5. Section 4.8.6 Definition Portable Garages Amend

Portable Garages Portable Garages may be permitted on any residential lot, as long as a front yard and side yard setback of 1 metre is maintained. Such garages shall be permitted to be located on residential property. No permit is necessary for such uses, but a written approval from the development officer is required for the first installation only if subsequent installations are done in the same location. The maximum area shall be 56 square metres. Any canvas car shelter bigger than 56 square metres shall meet the standards established for accessory structures (Section 5.1)

“...moved by Theresa Gordon to NOT accept the following amendment to the Portable or Temporary Garages as such:

Portable or Temporary Garages may be permitted on any residential lot between October 30 and April 30, as long a side and rear yard setback of 1 metre is maintained. No permit is necessary for such uses, but a written approval from the development officer is required for the first installation only if subsequent installations are done in the same location. The maximum area shall be 56 square metres. Any canvas car shelter bigger than 56 square metres shall meet the standards established for accessory structures (Section 5.1)...”

Seconded by Kelly Thompson. Carried.

6. Section 3, Definition #127 Self Storage Facility

127. SELF-STORAGE FACILITY means an establishment where goods or personal items are stored inside separate compartments within a building each having separate exterior access or separate access through a common hallway.

“... moved by Cathy Fawcett to replace and renumber as follows:

128. SELF-STORAGE FACILITY means an establishment where goods or personal items are stored inside separate compartments within a building. Commercial self-storage facilities are accessed by an internal, common hallway. Industrial self-storage facilities have individual, exterior access...”

Seconded by Philip Reeves.

Carried.

7. Section 9.2.1.2 Conditional Uses of the Central Commercial Zone:

“...moved by Theresa Gordon to add after Printing Establishment:

8. Self-Storage Facility, Commercial...”

Seconded by Philip Reeves.

Carried.

8. Section 9.2.3.2 Conditional Uses of Highway Commercial Zone

“...moved by Philip Reeves to add a Conditional use after Restaurant

**9. Self-Storage Facility, Commercial
10. Self-Storage Facility, Industrial ...”**

Seconded by Theresa Gordon.

Carried.

9. Section 3, Definition #137, Supportive Housing

137. SUPPORTIVE HOUSING means an establishment licensed or approved by a government agency that provides care and or supervision on a 24-hour basis by professional staff to a maximum of nine residents under the age of nineteen, or to a maximum of nine residents of any age pursuant to the Family Services Act, but not both.

“... moved by Cathy Fawcett to hereby replace and renumber as follows:

138. SUPPORTIVE HOUSING means as establishment licensed or approved by a government agency that provides care and or supervision on a 24-hour basis by professional staff to a maximum of fifteen residents under the age of nineteen, or to a maximum of fifteen residents of any age pursuant to the Family Services Act, but not both..."

Seconded by Theresa Gordon.

Carried.

10. Section 8.2.5.2 Conditional Uses of the Rural Residential Zone

"...moved by Cathy Fawcett to add as a conditional use after Secondary Suite:

8. Supportive Housing Facility

Seconded by Philip Reeves.

Carried.

11. Section 9.2.4.1 Permitted Uses of the Mixed-Use Zone

"...moved by Theresa Godon to add, and renumber a permitted use after 26, School:

27. Supportive Housing Facility..."

Seconded by Cathy Fawcett.

Carried.

12. Amendment to Section 4 General Provisions

"...moved by Councillor James Balcomb to add:

4.10 Minimum Floor Elevation Above Flood Level

No development of any habitable space shall be permitted in any zone unless the minimum geodetic elevation of the top of any floor is at least 7.4 metres..."

Seconded by Theresa Gordon.

Carried.

13. Section 5.4 Home Occupations which reads:

Home Occupations shall be subject to the following requirements:

“...moved by Theresa Gordon to replace with the following:

Where permitted by this by-law, home occupations shall be subject to the following requirements: ...”

Seconded by Philip Reeves.

Carried.

14. Section 14.1.2 (a) 3, Conditional Uses of the Rural Resource Zone which reads:

A Second One-Unit Dwelling

“...moved by Councillor Jim Balcomb to replace with the following:

A Second One-Unit Dwelling, on lots fronting onto Nerepis Road...”

Seconded by Theresa Gordon.

Carried.

15. Flood Overlay Zone

“...moved by Cathy Fawcett to add as Section 16 of the By-law as follows:

16 Flood Overlay Zone

The Flood Overlay Zone is intended to promote sustainable development, prevent serious and irreversible damages to peoples, structures and the environment and permit only development that demonstrate an adaptation to flood vulnerable areas. All other section of this by-law apply to the base zones. Recognizing that flooding impacts and the vulnerabilities to Grand Bay-Westfield’s river shore change with geography. For example, due to the exposure of Grand Bay, properties along the river may experience additional impacts related to wave heights during a flood event and may require additional due diligence at the permitted stage. The process below creates flexibility to add terms and conditions associated with developing in flood prone areas. The Flood Overlay Zone applies to all properties with elevations below 7.4 metres as depicted on Schedule B of this By-law.

16.1.1 Conditional Uses

- (a) **No main building may be erected, constructed or modified in the Flood Overlay Zone unless it meets the following minimum requirements:**
- a. **In the case of a new building:**
 - i. **Notwithstanding section 4.10, a minimum floor elevation greater than 7.4m may be required within the Flood Overlay Zone dependent on the unique vulnerabilities of the property.**
 - ii. **A development or building permit request must include:**
 1. **A site plan and elevation drawings demonstrating the elevation of the habitable part of the building;**
 2. **A plan and drawings that demonstrate the flood; proofing of all electrical, mechanical and plumbing systems, by design, for the area below the required elevation;**
 3. **A drainage plan, if the adaptation measures result in more than one (1) metre of fill (in elevation) for properties less than one (1) acre.**
 4. **A site plan demonstrating that access to the property and dwelling unit is at an elevation that does not impact access to the property or dwelling unit during a flood event.**
 - iii. **Other terms and conditions to mitigate the impact of flooding to life and structures as deemed appropriate by the Development Officer and the Planning Advisory Committee**
 - iv. **The applicant may be required to enter into development agreement with the Town to be registered with Service New Brunswick on the title of the property.**
 - b. **In the case of an existing building, the building may be expanded or modified if:**
 - i. **It does not reduce the elevation of the existing building**
 - ii. **It does not increase the non-adapted habitable**

- portion of the building by the lesser of 25% or 23.2m² (250ft²)
- iii. A non-adapted expansion or modification is limited to one per main building
 - iv. The development officer or committee may impose additional terms and conditions to mitigate the impact of flooding to life and structures as deemed appropriate by the Development Officer and the Committee
 - v. The applicant may be required to enter into a Development Agreement with the Town to be registered with Service New Brunswick on the title of the property.

16.1.2 Section 16.1.1 does not apply to accessory structures, open space uses, or temporary uses permitted by this bylaw...

Seconded by Philip Reeves.

Carried.

16. Add Schedule B Flood Overlay Zone

“...moved by Philip Reeves to add Schedule B Flood Overlay Zone Map as an appendix to the By-law...”

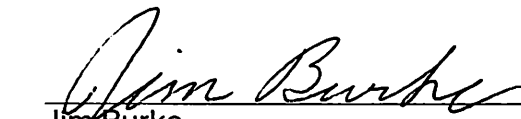
Seconded by Theresa Gordon.

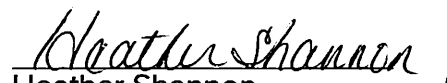
Carried.

8. ADJOURNMENT

“...moved by Philip Reeves and seconded by Theresa Gordon to adjourn at 7:45 pm.

Respectfully submitted,


Jim Burke,
PAC Chair


Heather Shannon,
PAC Secretary