

***Town of Grand Bay-Westfield***

*(Incorporated 1<sup>st</sup> January 8)*

**Planning Advisory Committee**

**Minutes**

**Monday, June 3, 2019**

**1. CALL TO ORDER**

The Town of Grand Bay-Westfield Planning Advisory Committee met for a regular meeting on Monday, June 3, 2019 at 8:00 p.m. with Chair, Jim Burke presiding.

**2. RECORD OF ATTENDANCE**

Members in attendance were Chair, Jim Burke, Vice-Chair Chyann Kirby, Alex Calvin, Theresa Gordon, Brittany Merrifield, Ron Daigle, and Development Officer David Taylor.

Member absent was Cllr Beverley Day.

**“... moved by Ron Daigle to excuse Cllr. Bev Day with cause...”**

**Seconded by Brittany Merrifield.**

**3. PAC MINUTES OF APRIL 1, 2019**

**“... moved by Theresa Gordon to accept as presented the Planning Advisory Committee Meeting Minutes of April 1, 2019...”**

**Seconded by Chyann Kirby. Carried.**

**4. REGULAR COUNCIL MEETING MINUTES OF MARCH 25, APRIL 8 AND APRIL 23, 2019**

**“...moved by Ron Daigle to receive and file the Regular Council Minutes of March 25, April 8, and April 23, 2019...”**

**Seconded by Brittany Merrifield. Carried.**

**5. DECLARATION OF CONFLICT OF INTEREST**

Theresa Gordon declared conflict of interest with Item 10 – Application for Variance – 217 River Valley Drive.

**6. CHAIRMAN'S REMARKS**

No remarks.

**7. ELECTION OF OFFICERS FOR 2019**

David Taylor took the Chair for the Election of Officers for 2019.

The Election of Officers proceeded calling for nominations three times for both Chair and Vice-Chair. Jim Burke agreed to let his name stand for the Office of PAC Chair and Brittany Merrifield also agreed to let her name stand for the office of PAC Vice-Chair for 2019.

**Chyann Kirby nominated Jim Burke for Office of Chair.  
Nomination accepted. Passed by acclamation.**

**Chyann Kirby nominated Brittany Merrifield for Office of Vice-Chair.  
Nomination accepted. Passed by acclamation**

**Jim Burke resumed as chair to preside over the remainder of the meeting.**

**8. RATIFY EMAIL POLL OF APRIL 5, 2019**

**“...Theresa Gordon voted to receive and file the Email Poll of April 5, 2019...”**

**Seconded by Alex Calvin. Carried.**

**9. APPLICATION FOR VARIANCE – 11 POINTS ROAD**

- a) DEVELOPMENT OFFICER'S REPORT OF MAY 30, 2019**
- b) LETTER OF MAY 30, 2019 FROM BLAKE ARMSTRONG – 4 IRVIN LANE**

**Re: Tentative Subdivision Plan, Variance to Frontage and Watercourse Setback**

The Applicant Mike Lee of 15 Points Road was present to speak in favour of his application. Mr. Lee stated that the new lot will allow his daughter to build a new home next to his.

Marc Cormier of Hughes Surveys spoke on behalf of the homeowner explaining that currently there are two properties. The boundary adjustment will provide both lots with street frontage.

The Subdivision will combine a parcel from the larger lot to the smaller lot, leaving both lots with more than the minimum lot area, but it does require consideration for reduced lot frontage for the driveways on Points Road. Lot 19-02 will have 10 m width, which is still sufficient for the driveway into the lot.

Letter dated May 30, 2019 from Blake Armstrong – 4 Irvin Lane stated his approval of the application.

There was no one speaking in opposition to this application.

**“... moved by Chyann Kirby:**

**UPON CONSIDERING:**

- **Applications for Subdivision and Variances received from Mike Lee of 15 Points Road, dated May 24, 2019;**
- **A Report from the Development Officer dated May 30, 2019;**
- **Notifications sent to the Applicant and surrounding property owners**
- **Application of jurisdiction of the Committee as set out in the *Community Planning Act* Sections 55 and 77;**
- **Requirements of the Zoning by-law No. 112, permitted under section 53(2) of the *Community Planning Act***

**AND UPON HEARING:**

- **Presentation by Mike Lee of 15 Points Road speaking in favour of the proposal;**
- **Marc Cormier of Hughes Surveys describing the extent of the subdivision;**

**AND HAVING CONSIDERED THE FOLLOWING:**

- Letter dated May 30, 2019 from Blake Armstrong – 4 Irvin Lane supporting the application
- Conditions of the property reconfiguring two existing parcels;
- Sufficient access and municipal services for each of the lots
- Re-development of the existing cottage set back from the ordinary high-water mark by at least 15 m and over 5 m above the Town's referenced prediction flood level modelling;
- The role that the Department of Environment and Local Government will have in granting WAWA permits to do any work within the 30 m setback of a Watercourse prior to approval of a Building Permit;

**NOW THEREFORE:**

While the *Community Planning Act* permits reasonable Variances from the requirements of the Zoning By-law, I am of the opinion that the Variance is desirable and in general intent of the bylaw, therefore I move that the Planning Advisory Committee Grant the following approvals for the purposes of reducing the required frontage on Points Road for a new building lot to be created out of two existing PID Nos. 226613 and 30069678, as shown on the Tentative Subdivision Plan, Karen F. & Michael B. Lee Subdivision, Points Road, as prepared by Hughes Surveys & Consultants Ltd., dated May 22, 2019:

- i) Under section 8.2.2.3 (b) (ii) grant a Variance of 13 m to reduce the minimum required lot frontage from 23 m to 10 m;
- ii) Under section 2.7 grant a Variance of 15 m to reduce the minimum setback from a watercourse from 30 m to 15 m;

**SUBJECT** to approval and any conditions imposed by the Department of Environment & Local Government for Watercourse & Alteration Permits to be issued for the re-development of the lot for a proposed new dwelling on Lot 19-02;

**With approval of Final Subdivision Plan by the Development Officer subject to:**

- i. Recording of the Civic Numbers on the Final Subdivision Plan: Lot 19-02 as Civic No. 11 and Lot 19-01 as Civic No. 15...”**

**Seconded by Theresa Gordon. Carried.**

**10. APPLICATION FOR VARIANCE – 217 RIVER VALLEY DRIVE  
a) DEVELOPMENT OFFICER’S REPORT OF MAY 30, 2019**

Theresa Gordon stepped down to sit in the audience for this item.

Re: Variance – setback to residential zone 9.1.3 and Variance – setback from streets on a corner lot open space 9.1.1.2(d)

Applicant Paul Gordon, 1 Country Club Drive, Manager of Scholten’s 7-12 was present to speak and answer questions regarding the proposal of an addition of approximately 2800 sq ft.

Gordon Arsenault of 2 Grove Street had questions with regards to the security measures in place for the back of the property which is adjacent to his property. Paul Gordon asked Mr. Arsenault if he had any suggestions and Mr. Arsenault suggested a fence.

The location of the existing garbage bins was a concern for Mr. Arsenault. Paul Gordon had stated that they would retain the present location at the rear of the building along Southwest street, within a fenced in compound.

The question as to what hours the new loading dock would see traffic was addressed and Paul Gordon stated with their new business proposal there would only be delivery once/week and restricted during peak business times.

There was no one speaking in opposition to this application.

**“... moved by Chyann Kirby:**

**UPON CONSIDERING:**

- Applications for Variances received from Paul Gordon on behalf of owner Chris Scholten, dated May 21, 2019;
- a Report from the Development Officer dated May 30, 2019;
- a PAC letter to the owner dated October 5, 2004 (for reference);
- notifications sent to the Applicant and surrounding property owners
- application of jurisdiction of the Committee as set out in the *Community Planning Act* Section 55;
- requirements of the Zoning By-law No. 112, permitted under section 53(2) of the *Community Planning Act*;

**AND UPON HEARING:**

- presentation by Paul Gordon, Store Manager for Scholten's, speaking in favor of the proposal;
- Gordon Arsenault of 2 Grove Street noted his concerns for fencing.

**AND HAVING CONSIDERED THE FOLLOWING:**

- conditions of the property, including in-bound and out-bound traffic from the River Valley Drive and Southwest Street;
- parking, queuing, loading requirements and other vehicle movements on the property;
- noise and buffering;
- protection/buffering neighboring properties

**NOW THEREFORE:**

While the *Community Planning Act* permits reasonable Variances from the requirements of the Zoning By-law, I am of the opinion that the variance is desirable and in general intent of the by-law; therefore I move that the Planning Advisory Committee approve the following variances to the Town's Zoning By-law, Town of Grand Bay-Westfield By-law No. 112, for the construction of an addition to the existing Scholten's Convenience store, located at 217 River Valley Drive, PID No. 00218628:

- a) Under section 9.1.3, grant a variance of 8.4 m to reduce the required Rear Yard Setback from 12.0 m to 3.6 m;

- b) Under section 9.1.1.2 (d), grant a variance of 5.1 m to reduce the required front yard setback along Grove Street from 15 m to 9.9 m...”

Seconded by Brittany Merrifield. Carried.

11. DEVELOPMENT OFFICER'S MEMORANDUM DATED MAY 30, 2019 RE: SUMMER MEETING SCHEDULE

‘...moved by Ron Daigle that the Planning Advisory Committee adopt a summer meeting schedule by cancelling the regularly scheduled meetings of July 2, 2019 and August 19, 2019 noting that a special meeting may be called if required...’


Seconded by Theresa Gordon. Carried.


\*July 15<sup>th</sup> there will be a Public workshop for Municipal Plan By-law Review.

12. ADJOURNMENT

“...moved by Brittany Merrifield and seconded by Alex Calvin to adjourn....” at 8:21 p.m.

Respectfully Submitted,

  
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Jim Burke,  
PAC Chair

  
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Heather Shannon,  
PAC Secretary