



Planning Advisory Committee Meeting Minutes
October 31, 2023 - 7:00 pm
Council Chambers
Minutes

Attendees:

Dave Henderson	Councillor Kim Tompkins	Murray Goodman
Jamie Mahoney	Chris Rendell (Vice Chair)	Art Roy
Mark Reid (Chair)		

Regrets:

Phil Taber	Luke Johnson
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Guests:

Daniel Kennedy	117 Robertson Road, Lakeside
Donald Kennedy	586 Centennial Road, Hampton

Town Staff:

Bailey Brogan	Assistant Planner/Development Officer
Arthur McCarthy	PLED Director/Development Officer
Richard Malone	CAO (Arrived at 7:02)

1. Call to Order

Mark Reid, Chair, called the meeting to order at 7:00.

2. Approval of Agenda

Moved by Chris Rendell and seconded by Murray Goodman to approve agenda with addition of Procedural By-Law – postponement of meetings for holidays to New Business, item f.

Motion Carried

3. Disclosure of Conflict of Interest

None declared

4. Approval of Minutes

Moved by Art Roy and seconded by Dave Henderson to accept the minutes from the September 14, 2023 Special PAC Meeting and the September 26, 2023 PAC Meeting.

Motion Carried

5. Building Reports

September 2023



Moved by Jamie Mahone and seconded by Councillor Tompkins to accept the building reports as presented.

Motion Carried

6. Old Business

Municipal Plan – Motion to Council

Moved by Chris Rendell and seconded by Dave Henderson to recommend the Municipal Plan to council.

Motion Carried.

7. New Business

a. Zoning By-Law Review – Proposing Special Meeting

Moved by Councillor Tompkins and seconded by Art Roy to schedule a Special PAC Meeting on November 9, 2023 at 7:00 pm to review the Draft Zoning-By-law.

Motion Carried

b. PID 00197442 Robertson Road – Conditional Use

The application is for a conditional use for a “tourist establishment” to develop ten treehouse style cabins on PID 00197442 off Robertson Road in Lakeside (Ward 1). A tourist establishment is listed as a conditional use in the Mixed-Use Zone under the Hampton Parish Planning Area Rural Plan (Rural Plan) and is subject to terms and conditions that may be set by the Planning Advisory Committee. Staff presented a report, the applicant was provided opportunity to present and address any questions from committee members, and the committee discussed various aspects of the application including accessing campsites, considering fire pit placement, and site servicing. Following the discussion, the committee made the following motion:

Moved by Councillor Tompkins and seconded by Murray Goodman that the Planning Advisory Committee approve the requested conditional use of Tourist Establishment, for the Property Identified as PID 00197442, located at Robertson Road, Lakeside, subject to the following terms and conditions:

- 1. That parking be provided on-site;**
- 2. That an application for building and development permits be accompanied by the appropriate On-Site Sewage Disposal (OSSD) Permit issued by the Department of Justice and Public Safety;**
- 3. That a minimum setback of 5 metres be maintained from any property line shared with a residential use;**
- 4. A Development Permit is issued for each tourist establishment unit, which may be revoked at the discretion of the Development Officer should any of the Planning Advisory Committee terms and conditions be found out of compliance;**
- 5. The tourist establishment is limited to a maximum of ten (10) units, as submitted in the application to the Planning Advisory Committee on September 14, 2023. Any further development of the tourist establishment shall be presented to the Planning Advisory Committee for further consideration of terms and conditions;**
- 6. When abutting a residential dwelling, a 1.8 metre tall opaque fence shall be required, unless an**



adequate treed buffer is maintained to reasonably shield the use from view. The width of the treed buffer is to be determined by the Development Officer;

7. Any signage is to be approved by the Development Officer; and

8. An accommodation levy is applied as per the Tourism Accommodation Levy By-Law.

Motion Carried

Daniel Kennedy and Donald Kennedy left the meeting.

c. 34 Villa Drive – Variance

The application is for a variance to permit a reduction in the side yard setback for an attached garage and secondary suite on the property identified as (PID) 30019277, located at 34 Villa Drive, Hampton. The subject property is in the Residential “R1” zone which requires a 2.5 metre side yard setback. The applicant is requesting a side yard setback of 1.6 metres (Table 1). A variance from the Hampton Zoning By-Law 216-2021 is required for this proposed addition.

Table 1: Summary of Variance(s)

Variance Type	Proposed	By-Law Standard	Variance
Side yard setback (m.)	1.6	2.5	0.9 (36 %)

Staff presented a report, and the committee discussed various aspects of the application including the width of the proposed addition, the ground elevation of the property, and stormwater management, and made the following motion:

Moved by Jamie Mahoney and seconded by Art Roy that the Planning Advisory Committee approve the requested variance from the Hampton Zoning By-Law to reduce the minimum side yard setback required by the Residential “R1” Zone from 2.5 to 1.6, a 0.9 m reduction and equivalent to 36%, for the property identified as PID 30019277, located at 34 Villa Drive, Hampton subject to the following terms and conditions:

1. A revised site plan that includes lot grading/landscaping to direct stormwater flow away from the main building and adjacent properties.
2. Parking is restricted from the south side yard, adjacent to the proposed addition.
3. The rear deck is constructed so that it is outside the 2.5 m setback.

Motion Carried.

d. 41 O’Dell Loop Road – Variance

The application is for a variance to reduce the required lot frontage for a two lot subdivision on the property described as PID 30067292 located at 41 O’Dell Loop Road, Pessekeag, NB. The applicant is proposing to create two lots: Lot 23-1 with a width of 51.1; and 23-2 with a width of 48.9 (Table 2). The Community Planning Act’s Provincial Subdivision Regulation requires a minimum lot width of 54 metres. The Provincial Subdivision Regulation is applied as the subject property is within Ward 3, a formerly unincorporated area in which the town does not currently have an applicable subdivision by-law.



Table 2: Summary of Variances

Variance Type	Proposed	Subdivision Reg. Standard	Variance
Lot 23-1 Width (m)	51.1	54	2.9 (5%)
Lot 23-2 Width (m)	48.9	54	5.1 (9%)

Staff presented a report and the committee discussed various aspects of the application including location of natural and artificial features (buildings, utilities, wetland, etc) on the property, definition of “width” as outlined in provincial regulation, and made the following motion:

Moved by Councillor Tompkins and seconded by Murray Goodman that the Planning Advisory Committee approve the requested variances from the Community Planning Act – Provincial Subdivision Regulation to reduce the lot widths by 2.9 meters and 5.1 meters, equivalent to 5% and 9% respectively, for the lot width permitted for an unserviced residential lot, for Lots 23-1 and 23-2 described as parcel identifier (PID) 30068292, located at 41 O’Dell Loop Road, and as shown on (Tentative) Subdivision Plan J. Kevin MacKenney & Carolyn A. MacKenney Subdivision (Dwg. No. 23296SDT) Dated September 8, 2023 subject to the following condition:

- I. **The applicant complies with recommendations provided by the New Brunswick Department of Environment and Local Government.**

Motion Carried.

e. 2023 PAC Year End Report

Moved by Dave Henderson and seconded by Jamie Mahoney to accept the year end report and recommend it be forwarded to Council.

Motion Carried.

f. Procedural By-Law – postponement of meeting for holidays

The Committee discussed possible changes to be made to the Procedural By-law to establish a procedure for postponing a meeting due to a holiday. Staff suggested a presentation of all dates for committee meetings scheduled for the year in January to identify any conflicts from holidays. Staff to discuss further in the new year about drafting a potential procedure for choosing alternate dates if a meeting falls on a holiday.

8. Membership Term expiration

Mark Reid and Art Roy reoffered for a second term on the Committee. Staff will reach out to Luke Johnson to confirm whether he will reoffer for a second term.

9. The next regular meeting is tentatively scheduled for November 28, 2023.

10. Adjournment

Moved by Murray Goodman to adjourn the meeting at 8:58 pm