



SAINT JOHN

PLANNING ADVISORY COMMITTEE TUESDAY, DECEMBER 11, 2012

The regular meeting of the Planning Advisory Committee was held in the Council Chamber, Lobby Level.

PRESENT

Eric Falkjar	Chairman
Morgan Lanigan	
Anne McShane	
Dave Drinnan	
Gerry Lowe	
Andrew Miller	
Michael Whelton	
Patrick Beamish	
Donald Gillis	
Mark Reade	Senior Planner
Jody Kliffer	Planner
Stacey Forfar	Planner
Lynda Lockhart	Recording Secretary

It was MOVED and SECONDED that the December 11, 2012 agenda be amended as follows:

- Item 6 City of Saint John at 524 Mill Street be moved to 2nd item on the agenda;*
- Item 5 Hughes Surveys & Consultants Inc. at 345 Boars Head Road be moved to the 3rd item on the agenda;*
- Item 2 Haldor (1972) Ltd. at 8 Rockwood Avenue be moved to the 4th item on the agenda;*
- Item 3 Hughes Surveys & Consultants Inc. at 1875 & 1925 Bayside Drive be moved to 5th item on the agenda; and*
- Item 4 Hughes Surveys & Consultants Inc. at 2112 Bayside Drive be moved to the 6th item on the agenda.*

CARRIED

ML/GL

Item 1: Minutes

It was MOVED and SECONDED that the minutes of the November 20, 2012 meeting be adopted as circulated.

CARRIED

ML/PB

**Item 6: City of Saint John
524 Mill Street**

Proposal: To construct a utility service building (wastewater pumping station)

Type of Application: Subdivision and Variances to:

- 1) reduce the minimum required lot depth from 30 metres to approximately 14 metres.
- 2) reduce the minimum required front yard setback from 7.5 metres to approximately 3.2 metres; and
- 3) reduce the minimum required depth of the front yard landscaping from 7.5 metres to nil.

Mark Reade advised the application to construct a wastewater pumping station on Mill Street. Staff is recommending approval of the application subject to the condition that a notation be placed on the subdivision plan limiting the use of the lot to the wastewater pumping station.

Paul Wilson, Real Estate Officer with the City of Saint John appeared before the Committee and indicated he was in agreement with the recommendations as contained in the staff report.

After considering the report, the presentations, discussions the Committee resolved to adopt the recommendations based on the reasons as outlined in the staff report.

It was MOVED and SECONDED that the Planning Advisory Committee:

- 1) *consider the proposed means of access as appropriate for the creation of a lot to accommodate the establishment and operation of utility service building (wastewater pumping station); and*
- 2) *grant the necessary variances to:*
 - a) *reduce the minimum lot depth from 30 metres to approximately 14 metres;*

- b) *reduce the minimum required front yard setback from 7.5 metres to approximately 3.2 metres; and*
- c) *reduce the minimum required depth of the front yard landscaping from 7.5 metres to nil*

in order to facilitate the establishment and operation of a wastewater pumping station subject to the condition that the use of the site be limited to a wastewater pumping station and that a notation to this effect be placed on the final subdivision plan.

CARRIED

ML/DG

Item 5: Hughes Surveys & Consultants Inc.
345 Boars Head Road (Cambridge Estates)

Proposal: To rezone the subject site "RM-1" Three Storey Multiple Residential and subdivide a portion of the site to permit 11 lots for multi-unit buildings.

Type of Application: Rezoning and Subdivision

Six letters in support of the application were received.

Stacey Forfar advised the application is to rezone the property to "RM-1" Three Storey Multiple and to subdivide a portion to permit 11 lots of varying sizes to accommodate the multi-unit buildings subject to conditions outlined in the report.

Rick Turner of Hughes Surveys & Consultants Inc. appeared before the Committee and indicated they were in agreement with the recommendations as contained in the staff report. He indicated that Kemal Debly of Barsa Ventures and Steve Perry of Brunswick Engineering were also in attendance to answer any questions which may arise. Mr. Turner responded to questions from the Committee with respect to the anticipated increase in units from the rezoning and the reason for the street connection not being made at this time.

After considering the report, the presentations, discussions the Committee resolved to adopt the recommendations based on the reasons as outlined in the staff report.

It was MOVED and SECONDED

1. *That Common Council rezone a parcel of land having an area of approximately 12.56 hectares, located at 345 Boars Head Road (Cambridge Estates), also identified as part of PID Number 55203145, from "TH" Townhouse, "R-2" One and Two Family Residential, and*

“RS-2” One and Two Family Suburban Residential to “RM-1” Three Storey Multiple Residential.

2. *That, pursuant to the provisions of Section 39 of the Community Planning Act, the proposed development of the parcel of land with an area of approximately 12.56 hectares, located at 345 Boars Head Road (Cambridge Estates), also identified as part of PID Number 55203145, be subject to the following conditions:*
 - a. *Any development of the site or portion thereof be in accordance with a detailed site plan(s) and building elevations, to be prepared by the proponent and subject to the approval of the Development Officer, indicating the location of all buildings, structures, parking areas, driveways, loading areas, signs, exterior lighting, outdoor storage areas, landscaped areas, other site features and all relevant site statistics including coverage;*
 - b. *Any development of the site or portion thereof be in accordance with a detailed landscaping plan(s), to be prepared by the proponent and subject to the approval of the Development Officer, indicating the location of all proposed landscaping features on the site;*
 - c. *That the approved plans mentioned in conditions (a) and (b) above must be attached to the application for a building permit for the development and that no permits, other than site preparation permits, be issued until the Development Officer has approved the plans;*
 - d. *The developer provide an engineering water and sewer analysis determining the impact of the development on the existing infrastructure, and a detailed engineering servicing plan for the approval of the Chief City Engineer or their designate;*
 - e. *The developer provides adequate site drainage facilities in accordance with a detailed drainage plan / report, prepared by the developer and subject to the approval of the Chief City Engineer or their designate. This report must also determine the impact this development will have on the existing storm sewer infrastructure and also to ensure that this proposal does not exceed the current capacity of the existing storm system;*
 - f. *That any costs to extend or improve off-site infrastructure to serve the development be completed at the developer’s expense;*
 - g. *The developer must provide all utilities underground, including power and telephone, as per the standards in the Subdivision Bylaw;*

- h. All site improvements shown on the approved plans for the development, except for landscaping, must be completed prior to occupancy of any building, and the landscaping must be completed within one year of the building permit approval.*
- i. Construction vehicles serving the proposed subdivision shall not be permitted to use Leeds Crescent or Grantham Road.*
- j. Development of the site shall be limited to the Phase 1 area shown on the submitted tentative plan until such time as Cambridge Drive is fully built and connected to the proposed public street in Phase 1 of this subdivision.*

3. That Common Council:

- a. assent to one or more subdivision plans, in one or more phases, in general accordance with the submitted Tentative Plan Cambridge Estates Subdivision, Multi Unit Development, Phase 1, City of Saint John, dated November 20, 2012, located at 345 Boars Head Road (part of PID 55203145), with respect to the vesting of the proposed public streets and any required municipal services easements and public utility easements, subject to the following modifications:
 - i. Removal of the proposed block of Land for Public Purposes.*
 - b. authorize the preparation and execution of one or more City/Developer Subdivision Agreements to ensure the provision of the required work and facilities, including temporary turnaround for the new public street and detailed engineering and drainage plans for the approval of the Chief City Engineer or their designate; and*
 - c. Land for Public Purposes in the amount of 2,561 square metres be accepted from the existing credit.**

4. That the Planning Advisory Committee:

- a. Defer naming the proposed public street until a suitable name is decided upon, or there is a change to the subdivision plan that would see the proposed road connected to the existing Cambridge Drive.*

CARRIED

GL/MW

Item 2: Haldor (1972) Ltd.
8 Rockwood Avenue

Proposal: To develop the subject site in conjunction with an adjacent car sales lot

Type of Application: Rezoning and Variances that would:

- 1) Reduce the minimum front yard landscaping width requirement of 6 metres to approximately 2 metres;
- 2) Reduce the minimum side yard landscaping width requirement of 3 metres to approximately 2 metres;
- 3) Reduce the minimum parking aisle width requirement of 7.5 metres to approximately 6.9 metres; and
- 4) Eliminate the minimum 1.5 metre parking setback requirement from a side or rear property line.

One letter expressing concerns was received.

Mark Reade advised the application is rezone the subject site from "R-2" One and Two Family Residential to "I-1" Light Industrial to establish a car sales lot, as well as variances. Staff is recommending approval.

John Wheatley appeared before the Committee on behalf of the applicant and indicated they were in agreement with the recommendations as contained in the staff report.

Paul Gilbride of 7 Rockwood Avenue appeared before the Committee and expressed concerns with regards to potential flooding, adverse traffic, and the potential loss of two large mature trees.

Mr. Wheatley reappeared before the Committee and responded to the above mentioned concerns stating that the development is subject to the requirements of the Flood Risk Areas By-law, and that a stormwater management plan is required by Municipal Operations and Engineering. With regards to traffic, the proposed Section 39 condition would prohibit any traffic onto Rockwood Avenue from the site. Mr. Wheatley indicated it is likely that the existing trees will be damaged during site preparation, however landscaping with trees is planned along Rockwood Avenue to compensate for this impact.

After considering the report, the presentations, discussions the Committee resolved to adopt the recommendations based on the reasons as outlined in the staff report.

It was MOVED and SECONDED

1. *That Common Council rezone a parcel of land with an area of approximately 930 square metres, located at 8 Rockwood Avenue, also identified as being PID Nos. 55037535, 00306928, 00309344 and 55037543, from "R-2" One and Two Family Residential to "I-1" Light Industrial.*

2. *That, pursuant to the provisions of Section 39 of the Community Planning Act, the proposed development of the parcel of land with an area of approximately 930 square metres, located at 8 Rockwood Avenue, also identified as being PID Nos. 55037535, 00306928, 00309344 and 55037543, be subject to the following conditions:*
 - (a) *The use of the subject site be limited to a surface parking area to be developed and used in conjunction with an adjacent car sales lot;*

 - (b) *There shall not be any vehicular access onto Rockwood Avenue from the subject site;*

 - (c) *The Developer must install a vinyl covered chain link fence with a minimum height of 1.8 metres along the southeastern portion of the subject site adjoining an undeveloped fire lane, supplemented by a berm on the residential side of the fence, which shall be sodded and planted with trees that are spaced in a manner that totally blocks the Oakland Street residents' view of the fence, the berm and trees having a minimum combined height of 3 metres, all in accordance with a detailed landscaping plan to be prepared by the applicant and subject to the approval of the Development Officer;*

 - (d) *Required landscaping must be extended onto the Rockwood Street right-of-way to the edge of the street curb;*

 - (e) *The Developer must replace the existing dropped curb adjoining the subject site on Rockwood Avenue with full height concrete barrier curb; and*

 - (f) *All site improvements, including landscaping onto the Rockwood Avenue right-of-way, shown on the approved site and drainage plans must be completed within one year from the date the required building permit is issued by the City for this development.*

3. *That the Planning Advisory Committee grant the following variances from the requirements of the Zoning By-law for the proposed car sales lot (portion) at 8 Rockwood Avenue, as illustrated on the submitted site plan that would:*

- (a) *Reduce the minimum front yard landscaping width requirement of 6 metres to approximately 2 metres;*
- (b) *Reduce the minimum side yard landscaping width requirement of 3 metres to approximately 2 metres;*
- (c) *Reduce the minimum parking aisle width requirement of 7.5 metres to approximately 6.9 metres; and*
- (d) *Eliminate the minimum 1.5-metre parking setback requirement from a side or rear property line.*

CARRIED

DG/PB

**Item 3: Hughes Surveys & Consultants Inc.
(for Barsa Ventures Ltd. & Thomas Construction Ltd.)
1875 & 1925 Bayside Drive**

Proposal: To expand the existing pit and quarry, located at 1781 Bayside Drive onto the property at 1875 Bayside Drive, and establish a new operation for extracting aggregate at 1925 Bayside Drive

Type of Application: Rezoning and Variance to allow the excavation to occur up to the common boundary between the two operations.

One letter in support and one letter opposed to the application were received.

Jody Kliffer advised the application is to rezone two subject sites from "RF" Rural to "PQ" Pits and Quarries. This is a joint application by Barsa Ventures Ltd. and Thomas Construction. Staff is recommending approval subject to a number of conditions outlined in the report. To be noted is a condition that third reading and adoption of the proposed rezoning not be given until the rehabilitation of the existing site at 1781 Bayside Drive has occurred (as required by the approved Section 39 conditions) to the satisfaction of the Building Inspector.

Rick Turner of Hughes Surveys & Consultants Inc. appeared before the Committee on behalf of the applicants who were also in attendance, in addition to their engineer from Brunswick Engineering, to address any questions/concerns which may arise. Mr. Turner indicated he was in agreement with the recommendations as contained in the staff report. He indicated his clients have entered into an agreement and made a joint application to operate two gravel pit operations adjacent to each other eliminating the berm between the two properties which would serve no function. Mr. Turner indicated the new Municipal Plan places the subject area in the "Rural Resource" designation on the Future Land Use map which clearly identifies certain rural areas of the City as areas reserved primarily for resource-related activities. The Plan states that extractive industries

form an important component of the economic activities in the region. Its close proximity to existing and proposed construction projects will eliminate trucking of material over city streets.

David Griffin of Red Head Road appeared before the Committee and expressed concern regarding the potential impacts the proposed pit and quarry would have on his well water. He stated that the previous development of the Bayside Drive roadway to the LNG terminal affected the flow and quality of his water, and was therefore concerned that a similar result would occur from a pit and quarry operation.

Robert Lynch, of 14 Aberdeen Avenue, appeared before the Committee to express his opposition to the proposed rezoning. He stated that residential developments were unable to have driveways accessing Bayside Drive along this new stretch of road, therefore pit and quarry operations should also not be permitted to create new access roads.

Deborah Kneeland, an area resident and Chair of the Red Head Community Association appeared before the Committee and expressed concern regarding the lack of notification to area residents of the proposed application, potential contamination of wells, decreased property values, noise, dust, traffic congestion and the quality of life for the residents.

Staff responded with respect to notification, the *Community Planning Act* stipulates that all property owners/business within 100 metres of the subject site are notified of the rezoning and that notification to be mailed or delivered at least one week prior to the Planning Advisory Committee meeting. All requirements in this application were met. With respect to copies of reports, minutes, etc. are public documents and available to the public via by request or can be viewed on the City of Saint John's website at www.saintjohn.ca.

Robert O'Donnell, an area resident, appeared before the Committee and stated that there was a lack of information in the proposal submitted by the applicant. Specifically, he stated that he would like to know the depth of excavation for the proposed operation.

Mike Walsh, on behalf of Loretta Walsh of 240 Anthony's Cove Road, appeared before the Committee and an interest in seeing the application tabled until the applicant can clearly identify how the community would benefit from the proposed pit and quarry.

Susan Wall, of 123 Aberdeen Avenue, appeared before the Committee and expressed concerns regarding the unsightliness of the pit and flooding risks and/or water course alterations that would come as a result from the proposed operation.

Peter Martin, of 1623 Red Head Road, appeared before the Committee and expressed concern regarding the City's ability to enforce existing regulations or any conditions placed on the rezoning of the property.

Kevin Morrell, of 1657 Red Head Road, appeared before the Committee and expressed concern regarding the community's ability to trust that the operators would not go below the maximum required depth of the pit and quarry as per the proposed Section 39 condition.

Rick Turner returned to the podium to address the concerns expressed by the community. Mr. Turner explained how the proposed operation would not result in altering the water quality and/or water course, aesthetics of the area that the Red Head residents currently enjoy, and noted Bayside Drive will be used to divert trucks away from Red Head Road. Mr. Turner also noted matters pertaining to noise and dust are extensively covered in the Zoning By-law and proposed limiting the hours of operation to 7:30 am until no later than 6:30 pm, with no work occurring on weekends. The proponents are aware of the condition that the third reading will not proceed until such time as the rehabilitation of the site has occurred to the satisfaction of the Building Inspector.

Steve Perry, an Engineer with Brunswick Engineering & Consulting Inc., appeared before the Committee to address some of the concerns regarding the impact on local water tables and wells. Mr. Perry stated that many of the concerns would be addressed through the required hydrology study, which would show the depth of the water tables, and the required storm management plan. He also indicated that it is highly unlikely that any wells would be affected by the operations of a pit and quarry in the area.

Kemal Debly, owner of Barsa Ventures Ltd. and John Colwell, owner of Thomas Construction Ltd., appeared before the Committee to state that they were in favour of the proposed conditions and amendments as suggested by the Committee.

The Committee then asked the applicant several questions regarding the management and operation of the proposed development. The Committee agreed to the limited hours of operation and questioned the applicant regarding the process of rehabilitation and expressed an interest in securing a deposit to ensure it gets done properly. Mr. Turner explained that the Bylaw already allows staff to receive a security deposit for rehabilitation.

In response to questions from the Committee members, staff confirmed that each operator would be permitted to operate a four hectare portion at one time (i.e. four hectares on the Barsa Ventures property and four hectares on the Thomas Developments property).

Don Gillis made a motion that in addition to the amendments to staff recommendations as previously discussed, he would like to add a further amendment that a Management Committee between the two operators be struck.

There being no seconder, the motion was defeated.

After considering the report, letters, comments made by the applicant and the concerns expressed by area residents, the Committee recommended approval of the rezoning of the property, subject to the revised conditions as set out below.

It was MOVED and SECONDED

1. *That Common Council rezone a parcel of land with an area of approximately 34 hectares, located at 1875 & 1925 Bayside Drive, also identified as portions of PID Nos. 00416644 and 55188353, from "RF" Rural to "PQ" Pits and Quarries.*
2. *That, pursuant to the provisions of Section 39 of the Community Planning Act, the use of a parcel of land with an area of approximately 23.2 hectares, located at 1875 Bayside Drive, also identified as a portion of PID No. 00416644 be subject to the following conditions:*
 - a. *The use of the site shall be limited to a pit or quarry, operated in conjunction with the existing operation at 1781 Bayside Drive (PID 00339960)*
 - b. *The disturbed area of the site (including PID 00339960) is restricted to a maximum of 4 hectares at all times and all other areas of the site, except for the access driveway, shall remain undisturbed (including retention of existing tree cover) or shall be fully rehabilitated (including revegetation of the excavated area).*
 - c. *All access to the site shall be via the existing driveway at 1781 Bayside Drive.*
 - d. *In addition to the requirements contained in Section 680(10)(d) of the Zoning Bylaw, the elevation of the excavation shall be no greater than 10 metres below the existing elevation of the site and at no point should the excavation be deeper than 53 metres above sea level.*
 - e. *The applicant shall provide existing topographical data to the satisfaction of the Development Officer prior to undertaking the development.*
 - f. *Trucks and equipment, not being utilised as part of the active excavation of the site, shall not be stored on the site.*
 - g. *Any blasting occurring along a property line abutting a zone other than the "PQ" Pits and Quarries zone shall follow the side yard setback requirements for a quarry as established in the City's Zoning Bylaw.*

adjacent to the property at 1925 Bayside Drive (PID 55188353).

6. That the Planning Advisory Committee grant a variance from the normal excavation setback requirements to permit excavation to occur up to the common boundary between the two operations, whereas the Zoning By-law normally requires an excavation area to be set back a minimum of 30 metres from a property line.

CARRIED

DG/ML

"NAY" GL/ML/AMcS

Andrew Miller arrived.

**Item 4: Hughes Surveys & Consultants Inc.
(for Barsa Ventures Ltd.)
2112 Bayside Drive**

Proposal: Establish a new pit and quarry operation for extracting aggregate at 2112 Bayside Drive

Type of Application: Rezoning and Variance to permit excavation to occur up to 50 metres from a residentially zoned property, whereas the Zoning By-law requires a minimum setback of 200 metres for a quarry and 150 metres for a pit

Fourteen letters opposed to the application were received.

Jody Kliffer advised the application is to rezone the subject site to "PQ" Pits and Quarries as well as a variance to reduce the required setback from an adjacent residential zone. Staff is recommending approval subject to a number of conditions.

Rick Turner of Hughes Surveys & Consultants Inc. appeared before the Committee on behalf of the applicant, Barsa Ventures Ltd., and indicated he was generally in favour of staff's recommendation, although added a proposed recommendation to limit the proposed area of rezoning to only 13.7 hectares, as indicated on a revised site plan, which Mr. Turner submitted to the Committee. Mr. Turner indicated the new Municipal Plan designates this area of the City to be an area used primarily for resource related activities. Having aggregate supplies close to existing and future construction projects provides economic benefits and limits traffic to Bayside Drive away from municipal streets. In response to concerns expressed by Red Head residents, the applicant has revised proposal which substantially reduces and isolates it from residential homes in the area.

Kemal Debly, the applicant and President of Barsa Ventures Ltd., appeared before the Committee and explained that he also lives in the community and has no interest in disrupting the ground water or creating a disturbance. Mr. Debly added that his house is the closest dwelling to the proposed pit and quarry and would be

the first to receive any negative impacts. Mr. Debly also stated that he would like to keep the regular working hours outlined in the Pits and Quarries zone of the City's Zoning Bylaw during the week, but would be able to forego the ability to work on Saturdays if the Committee wished to limit the days of operation.

Clark McIlveen, of 1625 Red Head Road appeared before the Committee and presented concerns regarding the possible impact the proposed pit and quarry would have on the nearby brook, well water supply, flooding and/or altered water-course, possible decrease in property values, noise disturbances from blasting and the hours of operation.

David Griffin, an area resident appeared before the Committee and also expressed concerns with blasting.

Joan Walsh, of 1637 Red Head Road appeared before the Committee and expressed concern with regard to the reduced setback from a residential zone.

Peter Martin, of 1623 Red Head Road appeared before the Committee and stated that the setback requirements from a private well should be the same as required from a public water source, which is 600 metres. He also expressed concerns with blasting and drainage.

Shawn Cawley, an area resident, appeared before the Committee and expressed a concern regarding the impact the proposed development would have on property values for residents of Red Head and well water supply.

Mike Walsh, on behalf of Loretta Walsh at 249 Anthony's Cove Road, appeared before the Committee and indicated it was irresponsible of the Committee if it proceeded to recommend the proposal to Council, without the findings of a hydrology study. In his opinion the proposal would negatively impact property values in the area. He further expressed concerns regarding the traffic generation that would result from the proposed pit and quarry.

Brianne Burbridge, an area resident, appeared before the Committee and expressed concerns regarding blasting, the impacts the proposed pit and quarry would have on the environment, air quality and sediments produced from the operation. She also inquired as to how water would be contained onsite.

Kevin Morell, of 1657 Red Head Road appeared before the Committee and expressed concern with the proposed setback to a residential zone, the blasting that would occur as a result of the operations of a quarry, and the increase of traffic in the area.

Rick Turner reappeared before the Committee to address the concerns expressed by the community. Mr. Turner explained that the proposed pit and quarry would involve hydraulic hammering to loosen the aggregate, and also include blasting where necessary. Mr. Turner invited Steve Perry to respond to the questions regarding blasting.

Steve Perry, an Engineer with Brunswick Engineering & Consulting Inc., appeared before the Committee and explained the process of blasting for aggregate, including the notification to neighbours that is sent out before each blast. Mr. Perry explained that there is a requirement to obtain a pre-blast survey, which involves the participation of the Provincial Department of the Environment. Mr. Perry stated that the blasting will likely occur mostly in the mid-morning and no later than 5pm and is only carried out when necessary. He argued that it is highly unlikely that any wells or ground water sources will be disrupted from the blasting.

Mr. Turner returned to the podium and indicated the applicant's intent to reduce the size of the proposal clearly demonstrates his willingness to address the concerns of the residents. He apologized for not submitting the revised proposal sooner, but they had just finalized the separations earlier in the day. He further explained how water would be contained on the site and would comply with all city engineering requirements.

Kemal Debly appeared before the Committee and requested during the times they need to engage the services of a rock crushing operator they would like their hours of operation to be from 7:00 a.m. to 8:00 p.m. Monday to Friday which is in keeping with the requirements as contained in the Pits and Quarries zone.

The Chair expressed his concerns that blasting may affect the wells in the area.

Majid Debly of Debly Enterprises appeared before the Committee and indicated his company will be conducting the drilling/blasting operations and engage the services of Brunswick Engineering to carry-out all the pre-blasting reports, surveys, etc. In addition, they carry liability insurance should there ever be an issue with wells, property, etc.

After considering the report, letters, comments made by the applicant and the concerns expressed by area residents, and further based on the recommendations as contained in the staff report, the Committee amended the recommendations as follows:

It was MOVED and SECONDED

- 1. That Common Council rezone a parcel of land with an area of approximately 13.7 hectares, located at 2112 Bayside Drive, also identified as a portion of PID No. 00467506, from "RF" Rural and "RS-2" One and Two Family Suburban Residential to "PQ" Pits and*

Quarries.

2. *That, pursuant to the provisions of Section 39 of the Community Planning Act, the use of a parcel of land with an area of approximately 13.7 hectares, located at 2112 Bayside Drive, also identified as a portion of PID No. 00467506 for a pit or quarry be subject to the following conditions:*
 - a. *The disturbed area of the site is restricted to a maximum of 4 hectares at all times and all other areas of the site, except for the access driveway, shall remain undisturbed (including retention of existing tree cover) or shall be fully rehabilitated (including revegetation of the excavated area).*
 - b. *In addition to the requirements contained in Section 680(10)(d) of the Zoning Bylaw, the elevation of the excavation shall be no greater than 10m below the existing elevation of the site and at no point should the excavation be deeper than 60 metres above sea level.*
 - c. *The applicant shall provide existing topographical data to the satisfaction of the Development Officer prior to undertaking the development*
 - d. *Trucks and equipment, not being utilised as part of the active excavation of the site, shall not be stored on the site.*
 - e. *The days of operation for the said pit and quarry be limited to Monday to Friday from 7:00 a.m. to 8:00 p.m.*
 - f. *In addition to the requirements contained in Section 680(4)(j) of the Zoning Bylaw, a storm water study and hydrology plan be prepared by the applicant and subject to the approval of the City's Chief Engineer or his designate.*
3. *That the Planning Advisory Committee grant a variance from the normal excavation setback requirements to permit excavation to occur up to 50 metres from a residential zone.*

CARRIED

**ML/AM
"NAY" EF**

There being no further business, the meeting adjourned at 12:02 a.m.



Eric Falkjar
Chairman



Lynda Lockhart
Recording Secretary