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

PRESENT

Morgan Lanigan
Anne McShane
Dave Drinnan
Gerry Lowe
Andrew Miller
Michael Whelton
Keith Brideau
Jen Parker
Philip Hovey

Mark Reade
Jody Kliffer
Patrick Foran
Lynda Lockhart

Chairman
Senior Planner
Planner
Planning Officer
Recording Secretary

Item 1: Minutes

It was MOVED and SECONDED that the minutes of the February 19, 2013 meeting be adopted as circulated.

CARRIED PH/JP
Item 2:  Dr. Brian Johnson  
231 Loch Lomond Road

Proposal:  To continue operating a podiatrist business as an office for one practitioner of medicine

Type of Application:  Conditional Use and Variance that would reduce the minimum front yard landscaping depth requirement of 7.6 metres to approximately 1.6 metres

Mark Reade advised the application is for a Conditional Use to continue operating an existing podiatrist business for one practitioner of medicine, as well as a variance to reduce the front yard landscaping to accommodate a handicap parking space at the front of the building. Staff is recommending approval of the application subject to the condition that the business be limited to a practice of one practitioner.

Marilyn Cormier, the Office Manager for the podiatry business appeared before the Committee on behalf of the applicant and indicated they were in agreement with the recommendations as contained in the staff report, however she questioned if two practitioners could work the business, to which staff responded it would be permitted given there was only one practitioner operating on site at any one time.

No one else appeared before the Committee to speak in favour or against the application and no letters were received.

After considering the report and the presentation the Committee resolved to adopt the recommendations based on the reasons as outlined in the staff report.

*It was MOVED and SECONDED*

1. *That the Planning Advisory Committee impose the following terms and conditions on the medical office (podiatrist) operating at 231 Loch Lomond Road:*

   - *That the business be limited to a maximum of one practitioner.*

2. *That the Planning Advisory Committee grant a variance from the requirements of the Zoning By-law that would reduce the minimum front yard landscaping depth requirement of 7.5 metres to approximately 1.6 metres for the existing handicap parking space in front of the building at 231 Loch Lomond Road.*

*CARRIED*  
PH/AM
Item 3: City of Saint John
100 Boars Head Road/14 McIntosh Street

Proposal: To erect a firefighting training tower and ancillary exterior training use

Type of Application: Similar / compatible use and variance to increase the maximum permitted height of a building or structure from 11 metres to approximately 15 metres.

Patrick Foran advised the application is for a similar / compatible use to erect a firefighting training tower on the subject site subject to conditions as noted in the report, as well as a height variance.

Dan LeBlanc, Administrative Officer with the City of Saint John Fire Department appeared before the Committee and indicated they were in agreement with the recommendations as contained in the staff report.

Kevin Clifford, Fire Chief with the City of Saint John Fire Department appeared before the Committee to address a concern expressed by the Board that the neighbours be advised of training exercises as they could be disruptive. Fire Chief Clifford responded they do have an excellent rapport with the neighbourhood and further that the neighbours are advised of forthcoming training exercises.

No one else appeared before the Committee to speak in favour or against the application and no letters were received.

After considering the report and the presentation 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) impose the following conditions on the establishment and operation of a firefighting training tower and ancillary exterior training use:

   a) That the use of a firefighting training tower and ancillary exterior training use is limited to the proposal generally described herein (i.e., a training tower and exterior training area including some derelict vehicles and / or shipping containers for training purposes);

   b) That screening vegetation between the training site and the public street be provided in accordance with a detailed landscaping / site plan, subject to the approval of the Development Officer;

   c) That the aforementioned landscaping plan be attached to the required building permit application for the proposed fire tower.
2) grant the requested variance to increase the maximum permitted height for a building or structure from 11 metres to approximately 15 metres

CARRIED GL/MW

Item 4: Hughes Surveys & Consultants Inc.
143 Waterloo Street

Proposal: To subdivide the existing vacant property into two blocks and build 16 townhouses (part-lots)

Type of Application: Subdivision, and the following five variances:

a) A variance to reduce the front yard setback from 1.5 metres to 0.0 metres;
b) A variance to reduce the minimum landscaping requirement from 20% to 0%;
c) A variance to reduce the minimum amenity space requirement from 20% to approximately 2.5%;
d) A variance to reduce the minimum off-street parking space requirement by 3 spaces, from 16 spaces to 13 spaces; and
e) A variance to permit 2 driveway accesses within 10 metres of an intersection.

The Chairman advised the applicant has requested the application be withdrawn.

Item 5: John Charles Kilpatrick
4207-4211 Loch Lomond Road

Proposal: To construct an addition to the existing retail space to establish an ANBL Agency Store and rezone the properties with PID numbers 55091524 and 00353409 to “B-2” to align with the rest of the property.

Type of Application: Section 39 Amendment and Rezoning

Jody Kliffer advised the application is for a Section 39 Amendment and rezoning of the subject site to permit the establishment of an ANBL Agency Store.

John Kilpatrick appeared before the Committee and indicated he was in agreement with the recommendations as contained in the staff report.
No one else appeared before the Committee to speak in favour or against the application and no letters were received.

After considering the report and the presentation 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 amend the Section 39 conditions imposed on the July 22, 1985 rezoning of a parcel of land with an area of approximately 3840 square metres, located at 4207 Loch Lomond Road, also identified as PID Nos. 55043830, 55043848, 00350835 and 55043855, to permit the proposed expansion of the existing building and to permit a liquor store, subject to the following additional conditions:

   a) The proponent must pave all parking areas, loading areas, manoeuvring areas and driveways with asphalt and enclose them with cast-in-place concrete curbs where necessary to protect the landscaped areas and to facilitate proper drainage within one year of the issuance of a building permit.

   b) All disturbed areas of the site not occupied by the buildings, driveways, walkways, parking or loading areas must be landscaped by the proponent within one year of the issuance of a building permit. The landscaping must extend onto the City street right-of-way to the edge of the travelled road.

   c) The applicant’s engineering consultant must submit a detailed grading/stormwater management plan/design brief for the proposed addition to the City’s Chief Engineer or his designate for review and approval.

2. That Common Council rezone a parcel of land with an area of approximately 1278 square metres, located at 4211 Loch Lomond Road, also identified as PID Nos. 55091524 and 00353409, from “RS-1” One and Two Family Suburban Residential to “B-2” General Business.

That, pursuant to Section 39 of the Community Planning Act, the parcel of land with an area of approximately 1278 square metres shall only be used in conjunction with, and subject to the same conditions as the adjoining land having PID numbers 55043830, 55043848, 00350835 and 55043855.

CARRIED AMcS/PH
Item 6: Chris Scholten
835 Loch Lomond Road

Proposal: To amend existing Section 39 conditions to permit the construction of a Scholten’s gas bar and convenience store, including the possible future establishment of a restaurant and car wash facility.

Type of Application: Section 39 Amendment

Jody Kliffer advised the application is for a Section 39 amendment to permit construction of a Scholten’s gas bar and convenience store subject to conditions as outlined in the staff report.

Paul Gordon, Manager of two Scholten establishments appeared before the Committee on behalf of the applicant who could not attend the meeting due to a family medical emergency. Mr. Gordon indicated they were in agreement with the conditions as contained in the staff report with the exception that the site be limited to one driveway access from Loch Lomond Road. Mr. Gordon provided the Committee with an amended site plan reallocating the two driveways so as to comply with the current Zoning By-law requirements. Mr. Gordon expressed concern if the site were limited to one driveway access, it would have to be located near the middle of the property on Loch Lomond Road and noted that the turning radius for large fuelling trucks to access the underground tanks at the south-east portion of the property would be significant enough to raise safety concerns for the truck drivers. Mr. Gordon elaborated that he did not feel as though two driveways accessing a gas station was unprecedented in Saint John context.

Staff commented while the applicant’s revised site plan does meet the requirements of the Zoning By-law, it will need to be reviewed by the City’s Chief Engineer or his/her designate. Mr. Kliffer commented that staff’s concerns have to take into consideration all motorists accessing the subject site from Loch Lomond Road, not only fuelling trucks. In addition, staff stated that the volume of traffic occurring at this particular intersection warrants closer consideration than other areas of the city, which explains in part the desire to limit the property to a maximum of one driveway access off Loch Lomond Road.

Lengthy discussion ensued amongst the Committee, staff and the applicant.

No one else appeared before the Committee to speak in favour or against the application and no letters were received.

After considering the report, and the reasons as outlined in the staff report and further considering the comments made by the applicant, the Committee resolved to revise the recommendations as follows:
It was MOVED and SECONDED that Common Council amend the Section 39 conditions imposed on the January 5, 1976 rezoning of a parcel of land with an area of approximately 5089 square metres, located at 835 Loch Lomond Road, also identified as PID No. 00313700, to include among the permitted uses the establishment of a convenience store, gasoline bar, car wash and restaurant, subject to the following revised conditions:

a) That any driveway accessing the site from Loch Lomond Road be subject to the conditions as outlined in the City of Saint John’s Zoning By-law, and that the site be limited to a maximum of one driveway access from McAllister Drive;

b) That the driveway access from Loch Lomond Road be a minimum of 30 metres from the intersection;

c) That the location of the driveway on McAllister Drive be subject to the approval of the Chief City Engineer or his designate.

d) The proponent must pave all parking areas, loading areas, manoeuvring areas and driveways with asphalt and enclose them with cast-in-place concrete curbs to protect the landscaped areas and to facilitate proper drainage.

e) Adequate site drainage facilities must be provided by the proponent in accordance with a detailed drainage plan, prepared by the proponent and subject to the approval of the Chief City Engineer or his designate.

f) All utilities, including power and telephone, must be provided underground.

g) All disturbed areas of the site not occupied by the buildings, driveways, walkways, parking or loading areas must be landscaped by the proponent. The landscaping must extend onto the City street right-of-way to the edge of the travelled road.

h) The site shall not be developed except in accordance with a detailed site plan and building elevation plan, prepared by the developer and subject to the approval of the Development Officer, indicating the location of all buildings, parking areas, driveways, loading areas, signs, exterior lighting, landscaped areas and other site features. The approved site plan must be attached to the application for building permit for the development.

i) All site improvements as shown on the approved site and drainage plans, except for landscaping, must be completed prior to the opening of the facility for business. Landscaping must be completed within one year of building permit approval.
j) That no restaurant drive thru be permitted.

CARRIED GL/PH

There being no further business, the meeting adjourned at 6:55 p.m.

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Morgan Lanigan Lynda Lockhart
Chairman Recording Secretary