

**PLANNING ADVISORY COMMITTEE
MINUTES OF SPECIAL MEETING**

April 5, 2017

The Planning Advisory Committee (PAC) met in the Arena Complex (Theatre) with the following attendance:

Present: Chair Jill Stewart and Committee Members Kate Akagi, Darren Turner, Lindy Townsend, David Johnson, and Esma Taylor. Also present were Hap Stelling, Manager of Planning and Nikki Mott, Receptionist.

Regrets: Vice-Chair Jeff Cross and Committee Member Shannon-May Pringle and Angela McLean, CAO/Town Clerk.

1. CALL TO ORDER

The meeting was called to order at 7:01 p.m. by the Chairperson, Jill Stewart

2. CHAIRPERSON'S ANNUAL REPORT FOR 2016 - Jill Stewart

2.1 Report from Chair Jill Stewart and list of Board Member Terms

The chairperson, Jill Stewart, presented the 2016 Report and asked if there was a motion to accept the report as presented. *Esma Taylor moved to accept the Chairperson's Annual Report for 2016 as read. Seconded by Lindy Townsend with none opposed the motion was carried.*

3. ELECTION OF CHAIR AND VICE-CHAIR FOR 2017

David Johnson nominated Jill Stewart for Chair and Lindy Townsend seconded the nomination. The question was asked three times with no other nominations being made. With none opposed the nomination was carried and Jill Stewart will remain the Chairperson for 2017.

Kate Akagi nominated Jeff Cross as Vice-Chair and Darren Turner seconded the nomination. The question was asked three times with no other nominations being made. With none opposed the nomination was carried and Jeff Cross will remain our Vice-Chair for 2017.

4. DECLARATIONS OF CONFLICT OF INTEREST, IF ANY

None

5. ADDITIONS TO AND/OR APPROVAL OF AGENDA

It was moved by Kate Akagi, seconded by Darren Turner and carried to approve the agenda as presented.

6. CONFIRMATION OF PREVIOUS MEETING'S MINUTES - Listed as Follows:

6.1 Regular Meeting - November 16, 2016

It was moved by Darren Turner, seconded by Lindy Townsend and carried to approve the minutes for November 16, 2016 as presented.

6.2 Special Meeting - February 7, 2017

It was moved by Kate Akagi, seconded by Esma Taylor and carried to approve the Special Meeting minutes for February 7, 2017 as presented.

6.3 Special Meeting - February 22, 2017

It was noted that Item # 5 on page 3 under the "conditions" would need to be changed to \$1,000,000 as opposed to the \$5,000,000 that was previously noted. This change is due to further discussion with the Town's Insurance Broker who advised the Town that \$1,000,000 would be enough insurance for the project.

It was moved by Esma Taylor, seconded by Kate Akagi and carried that once the minutes for the Special Meeting on February 22, 2017 were amended shall be accepted.

7. BUSINESS ARISING FROM MINUTES

None

8. PRESENTATIONS / DELEGATIONS-NIL

9. ZONING APPLICATIONS-NIL

10. APPLICATIONS FOR VARIANCES / APPROVALS-NIL

11. SIGN APPLICATIONS-NIL

12. SIMILAR AND/OR COMPATIBLE USE REQUESTS-NIL

13. SUBDIVISION APPLICATIONS-NIL

14. APPLICATIONS FOR TEMPORARY USE APPROVAL

- 14.1 161 Augustus- Emily Donahue, Owner of Pure Hair & Esthetics, has moved her esthetics business from a "Commercial" zone to its present location which is zoned "Service Residential". The applicant is seeking a Temporary Use Permit so her business can operate at the new location while her request for a Municipal Plan amendment and Zoning Bylaw amendment is being processed for PID 01203033.**

The applicant, Emily Donahue, was unable to attend the meeting. Her long term co-worker, Julie Winchester, was present and spoke on issues of which she had personal knowledge.

Hap Stelling, Manager of Planning outlined Ms. Donahue's application. The business was originally located on Water Street. In September of 2016 Ms. Donahue spoke with Mr. Stelling about moving her business to a house she had purchased on Augustus Street beside the College. During this meeting Ms. Donahue was advised that a re-zoning application was required as well as a \$1000.00 processing fee. She was also informed that the application could take anywhere from four to six months to process. Ms. Donahue had a co-worker drop off the application, but didn't pay the fee. She was contacted numerous times, but did not come in to pay the fee until after she had moved the business to the new location. The Town was not informed of the move, and found out when Mr. Stelling noticed the "We Moved" sign placed in the window of the old location. This move happened in early 2017. With Ms. Donahue operating an illegal non-conforming business at the new location, Mr. Stelling advised her that she would now need to ask the PAC for relief through a Temporary Use Permit until the re-zoning application is processed.

Ms. Winchester spoke about the move to the new property and how the backyard has been made wider to avoid patrons from parking on the front lawn or on the road. One of the main reasons they wanted to relocate from Water Street was due to the lack of parking for their patrons.

Darren Turner inquired on if anyone was residing at the property, which there is a person living in the building at this time. The basement is set up as a four bedroom apartment and Ms. Donahue hopes to maybe renovate it in the future to live there herself, according to Ms. Winchester. The entire upstairs is the business. Darren also inquired on what type of chemicals would be used in the business and how they are disposed of. Ms. Winchester stated that there is the typical colour tubes and bottles, which go in the regular trash, as well as they use medical grade sanitizer and regular household cleaners for disinfecting purposes.

Lindy Townsend inquired as to if the building has been commercially fire inspected by the Fire Marshall, which she was unable to answer for certain. The committee also inquired on whether Ms. Donahue canvassed the neighbourhood prior to moving the business. They did give their patrons forms to fill out to drop to the Town Hall, which were all submitted as part of the PAC package. But most of these patrons were from outside the polling area or outside of Town limits. There was one letter from a neighbour who was opposed to the business being located there. Lindy inquired if Ms. Winchester, who also lives by the business, understands that having a Commercial Zoned business in the neighbourhood can mean that all their property taxes will be affected.

With the absence of the applicant the Chair inquired if a motion would be brought forth. *Kate Akagi moved, seconded by Esma Taylor that the application for a Temporary Use Permit be granted to allow the business to continue to operate as a legal non-conforming use while her application for a Municipal Plan amendment and Zoning Bylaw amendment is being processed with a condition that Ms. Donahue have the property fire inspected by the Fire Marshall.* During voting two were in favour and three were opposed leaving the motion defeated. The application has been denied.

15. ORGANIZATIONAL MATTERS

- 15.1 NOTICE OF DECISION-DRAFT - A new form to be used to notify applicants of the final decision made by the Committee as well as assisting the Town and the Committee in keeping track of all final decisions for future reference.

It was moved by Lindy Townsend, seconded by Darren Turner and carried to adopt the Notice of Decision Form as a new process in tracking application decisions and any conditions that might be applied to an application for future reference.

16. OTHER BUSINESS

None

17. QUESTION PERIOD

18. MOTION FOR ADJOURNMENT

It was moved by Kate Akagi to adjourn the meeting at 8:15 p.m.

Next Regular Meeting will be held Wednesday, April 19th, 2017.



Jill Stewart, Chairperson