

**MINUTES OF THE PLANNING ADVISORY COMMITTEE MEETING**  
**October 6, 2020**

Present: Anna Ashford-Morton, Chair  
Mayor Don Clarke  
Councillor Rod Reeves  
Councillor Barry Corbin  
Mike Payne, CAO  
Chris Millier, 4 Site Group (via conference call)  
Joan Levack, PAC Citizen Representative

Absent with regrets: Chantal Pineo-Atwood, Executive Coordinator  
Kelly Branton, PAC Citizen Representative

**1. Call to Order**

The PAC Meeting was called to order at 6:03pm by Councillor Anna Ashford-Morton, Chair.

**2. Approval of the Agenda**

The Agenda was approved as circulated.

**3. Previous Minutes**

The previous PAC Minutes were approved as circulated.

**4. New Business**

*a. Penner – Front & Brown Streets Application to amend MPS and LUB*

Mr. Millier reviewed his report as circulated. Required are amendments to the LUB and MPS. Former property of Imperial Oil – 2 PIDS. Public engagement is required before the application goes before the committee. The committee would consider public input in their deliberations.

Discussion about the drainage or watercourse that appears to cross the property.

Mr. Millier states:

1. May be environmental considerations given the property's former use.
2. DOE would be involved.
3. Record of site condition requirement through DOE.
4. Property owner's responsibility to ensure environmental mitigation.

Following public engagement, follow the process of rezoning involved in the MPS.

**IT WAS MOVED** and seconded

**THAT**

A public consultation meeting is required in relation to an application by Rene Penner to amend the Berwick Municipal Planning Strategy and Land Use By-law to permit the development of semidetached dwellings at Front and Brown Streets.

### **MOTION CARRIED**

#### *b. Willow Avenue – Application to amend MPS and LUB*

Mr. Millier reviewed an application by Michael Morse and additional use of non-agricultural lands north of the Cornwallis River.

- Currently a prohibition on septic sewer in the Town.
- We proposed the filed amendments for that portion of Willow Avenue north of the Cornwallis River
- Town has no intention to provide waste water services in that area.
- Lot size of 2 acres and 250' frontage
- Included single dwelling and a community solar garden
- MPS amendment required to go to the Province. Concerns around the 'statement of Provincial Interest' regarding "Agricultural Land".
  - a. Gives priority to agriculture uses or uses that don't limit agricultural uses
  - b. Preserves agriculture land by limiting the size of lots
  - c. Separation distances: new uses should not increase conflicts with agricultural uses
  - d. Limits removal of top soil to preserve agricultural use
  - e. There are exceptions for agriculture lands in urban areas
- The request can be strengthened by detailing community support and a motion of Council confirming they do not intend to provide wastewater services north of the Cornwallis River.

Mr. Payne advised that in a recent conversation with Michael Morse he learned that the agricultural lands on the west side of Willow Avenue from the Conservation zone north to Frank Peters' property are of very poor quality. They have poor drainage, are adjacent to a marsh and are below the road grade level. Mr. Millier confirmed that this is an important consideration and recommends we engage our GIS consultant to overlay the 'Canada Lands Quality of Farmland' inventory over the area to better inform the proposals.

#### *c. Section 5.14 LUB – Fences (general requirements)*

Development permit required if greater than 2 meters in residential zone – max 2.4m.

Mayor Clarke spoke to corner of Beckwith and Gala Drives. Mr. Millier confirmed that this fence is legal and complies with minimum standards for corner lots and street side, fronts or flanking yard. He also advised that the Town could amend the LUB to specify types of fences, quality and materials but current fences would be grandfathered.

d. *Revisions to Conservation Zone (revised flood plain datum)*

Mayor Clarke advised that recent efforts by a developer exploring the development potential of Town lands located at 228 Main Street indicate that the province established a new GPS based vertical datum in 2013 that is approximately 0.62 m lower than the old datum (27 m) in the Berwick area. The updated floodplain elevation should be 26.38 m.

Mr. Millier confirmed that new information is correct and the Town will have to redo our zone boundaries upon MPS and LUB renewal. The existing boundaries are not accurate but the property can still be legally developed through a Development Agreement.

**7. Status Report (July and August, 2020)**

The Status Report was reviewed by committee members. There were no comments of same.

**8. Adjournment**

The PAC Meeting was adjourned at 6:55pm.