

**Regional Service Commission 11  
PLANNING REVIEW AND ADJUSTMENT COMMITTEE (PRAC)**

**MEETING # 14-10 (Tuesday, October 28, 2014 at 6:30 pm)**

Carleton/Victoria Room, Ramada Hotel, 480 Riverside Drive, Fredericton

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**MEMBERS PRESENT:** Eldon Hunter, Daryl Prince, Paul Milburn, John T. Nisbet, Mike Chamberlain, Bernie Hoganson, Scott Smith, Brian Toole, Carmen Nason, Ian Methvan, Colin Trail

**MEMBERS ABSENT:** Peter Corey

**ALSO PRESENT:** Stephen McAlinden, General Manager of Planning and Development; Robin Canavan, Development Officer; Mary Stone, Recording Secretary

**1. APPROVAL OF THE AGENDA**

Moved by C. Trail; Seconded by M. Chamberlain

**MOTION:** “that the Agenda be approved as presented.”

Carried

**2. APPROVAL OF MINUTES**

Meeting 14-09 held on September 30, 2014

Moved by D. Prince; Seconded by P. Milburn

**MOTION:** “that the Minutes of meeting 14-09 be approved as presented.”

Carried

**3. DECLARATION OF CONFLICT OF INTEREST:** Carman Nason stated he had a conflict of interest with item 14-10-10.

**4. DEVELOPMENT OFFICER VARIANCES:**

Stephen McAlinden presented the Development Officer Variances that were approved during the month of September 2014.

**5. NEW BUSINESS:**

**Item 14-10-05:**

Applicant: De Novo Construction Inc. & P.R. Gahan & Sons Ltd.

De Novo Construction Inc. – Terms and Conditions Application  
Consideration of terms and conditions for a convenience store and an automotive service station – permitted uses in the “Rural” zone of the Nashwaak Valley Rural Plan  
Regulation – Community Planning Act.

Moved by B. Hoganson; Seconded by C. Trail

**MOTION:** The Planning Review and Adjustment Committee of the Regional Service Commission 11, as per *Community Planning Act*: 34(4)(c)(i); 11 permits a convenience store and an automotive service station on PID #75466565 in the “Rural” zone of the *Nashwaak Valley Rural Plan Regulation – Community Planning Act*, subject to the following terms and conditions:

- (a) that all signs be in accordance with applicable provisions of section 3.13 of the *Nashwaak Valley Planning Area Rural Plan Regulation*, and in accordance with any applicable Department of Transportation and Infrastructure policies;
- (b) that parking be in accordance with applicable provisions of section 3.11 of the *Nashwaak Valley Planning Area Rural Plan Regulation*;
- (c) that outdoor lighting be located, arranged or shielded as not to interfere with traffic proceeding along highway 628 or with nearby landowners in the reasonable enjoyment of their properties;
- (d) that the operation of the convenience store and the automotive service station adhere to all applicable government regulations; and
- (e) that where possible, existing trees and shrubs are maintained around the perimeter of property.

Carried

**Item 14-10-06:**

Applicant: Atlas Geomatics

Crabbe Subdivision

Consideration of the creation of one lot on a private right-of-way.

Consideration of a variance in the area of a lot.

Moved by P. Milburn; Seconded by D. Prince

**MOTION:** The Planning Review and Adjustment Committee of the Regional Service Commission 11, as per Subsection 6(1) – *Provincial Subdivision Regulation*; Subsection 46(1) – *Community Planning Act*;

1) approves a 20-metre wide private right-of-way for the development of land to create one lot as presented on tentative plan “Crabbe Subdivision” subject to:

a) the final plan of subdivision being stamped with the “Private Right-of-Way” note; and,

2) approves the following variance, subject to the following note being added to the final plan: “This lot is not to be used for the location of a residential dwelling, or any other use that requires a septic system:”

a) a 1948-square metre variance in the area of a lot to create lot 14-01 with an area of 2052 square metres.

Carried

**Item 14-10-07:**

Applicant: WSP Canada Inc.

Orser Subdivision

Consideration of the creation of one lot on a private right-of-way.

Moved by D. Prince; Seconded by C. Nason

**MOTION:** The Planning Review and Adjustment Committee of the Regional Service 11 approves a 20-metre wide private right-of-way for the development of land as shown on plan "ORSER Subdivision" subject to:

- (a) the final plan of subdivision being stamped with the "Private right-of-way" note; and
- (b) a right-of-way agreement to cross over PID#s 75451716 and 75408948 being presented with the final plan of subdivision.

Carried

**Item 14-10-08:**

Applicant: WSP Canada Inc.

Scotchtown Heights Subdivision

Reapplication – Consideration of the creation of two lots on a 10-metre wide right-of-way.

Moved by P. Milburn; Seconded by B. Hoganson

**MOTION:** The Planning Review and Adjustment Committee of the Regional Service Commission 11 as per Subsection 6(1) - *Provincial Subdivision Regulation*; approves a 10-metre wide right-of-way for the development of land as presented on tentative plan "SCOTCHTOWN HEIGHTS SUBDIVISION PHASE 2" subject to:

- a) the right-of-way being shown as part of the remnant property; and
- b) the final plan of subdivision being stamped with the "Private right-of-way" note.

Carried

**Item 14-10-09:**

Applicant: Surtek Group

Moss & Sons Ltd. Subdivision

Reapplication – Consideration of the creation of two lots on a twenty-metre wide private right-of-way.

Moved by T. Nisbet; Seconded by M. Chamberlain

**MOTION:** The Planning Review and Adjustment Committee of the Regional Service Commission 11 as per Subsection 6(1) – *Provincial Subdivision Regulation*; approves a 20-metre wide private right-of-way for the development of land as presented on tentative plan "Moss & Sons Ltd. Subdivision 2013-1" subject to:

- a) the private right-of-way being shown as part of the remnant property; and,
- b) the final plan of subdivision being stamped with the "Private Right-of-Way" note.

Carried

**Item 14-10-10:**

Applicant: The Department of Environment and Local Government

Rusagonis – Waasis Area Rural Plan Regulation

The Department of Environment and Local Government has asked for the Planning Review and Adjustment Committee's recommendation regarding the proposed Rusagonis-Waasis Planning Area Rural Plan Regulation – Community Planning Act.

Moved by P. Milburn; Seconded by M. Chamberlain

**MOTION:** The Planning Review and Adjustment Committee of the Regional Service Commission 11 recommends that the Minister adopt the proposed Rusagonis-Waasis Planning Area Rural Plan Regulation – Community Planning Act. It was also agreed upon to have staff draft a letter to the Minister of Environment and Local Government concerning the process of divesting of lands by Department of Natural Resources and not informing RSC11 staff of their intent until the last minute. Also DNR asking to change zoning on the property to allow residential development.

Carried with one dissenter, D. Prince

**5. ADJOURNMENT**

Moved by D. Prince; Seconded by M. Chamberlain

**MOTION:** "That there being no further business, the meeting adjourned at 7:35 pm."

Carried

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Eldon Hunter, Chairman

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Mary Stone, Recording Secretary