

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

MEETING # 16-07 (Tuesday, July 26, 2016 at 5:00 pm)
Majestic/Admiral Boardroom, Ramada Hotel, 480 Riverside Drive, Fredericton

MEMBERS PRESENT: Bernie Hoganson, Mike Chamberlain, Susan Jonah, Daryl Prince, Paul Milburn, Scott Smith, Eldon Hunter, John T. Nisbet, Carman Nason, Brian Toole

MEMBERS ABSENT: Colin Trail

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

1. APPROVAL OF THE AGENDA

Moved by B. Toole; Seconded by T. Nisbet

MOTION: "that the Agenda be approved as amended to add Item # 16-07-12a".

Motion Carried

2. APPROVAL OF MINUTES

Meeting 16-06 held on June 28, 2016

Moved by M. Chamberlain; Seconded by D. Prince

MOTION: "that the Minutes of meeting 16-06 be approved as presented".

Motion Carried

3. DECLARATION OF CONFLICT OF INTEREST: None

4. DEVELOPMENT OFFICER VARIANCES: Stephen McAlinden presented the Development Officer Variances that were approved during the month of June 2016.

5. NEW BUSINESS:

Item 16-07-05:

Applicant: Juanita Leudy

Juanita Leudy – Similar to or Compatible with Application
Consideration of a camper trailer as being similar to or compatible with uses permitted in the "Residential" zone of the Village of Chipman Rural Plan

Moved by C. Nason; Seconded by T. Nisbet

MOTION: The Planning Review and Adjustment Committee of the Regional Service Commission 11 does not allow the use of a camper trailer as being similar to or compatible with uses permitted in the "Residential" zone of the *Village of Chipman Rural Plan*.

Motion Carried on Division

Item 16-07-06:

Applicant: Today's Homes Ltd.

Patrick Crawford – Similar to or Compatible with Application
Consideration of a park model home as being similar to and compatible with uses permitted in the "Yoho Lake" YL zone of the Rural Community of Hanwell Rural Plan.

Patrick Crawford was in attendance for this item.

Moved by P. Milburn; Seconded by S. Smith

MOTION: The Planning Review and Adjustment Committee of the Regional Service Commission 11 as per Section 35 – *Community Planning Act*, allows a Park Model Home to be located on PID# 75201384 - 13 Jerry Chessie Road as being similar to or compatible with uses permitted in the "Yoho Lake" YL zone of the *Rural Community of Hanwell Rural Plan* subject to the locating of the park model home adhere to the *National Building Code of Canada*, along with any other applicable regulations.

Motion Carried

Item 16-07-07:

Applicant: Guy Bourgoin

Guy Bourgoin – Terms and Conditions Application
Permitted use – Consideration of terms and conditions for an automotive sales establishment in the Rural – "RU" Zone under the Central York County Area Rural Plan Regulation – Community Planning Act.

Moved by D. Prince; Seconded by P. Milburn

MOTION: The Planning Review and Adjustment Committee of the Regional Service Commission 11 as per *Community Planning Act*: 34(4)(c)(i); set the following terms and conditions for an automotive sales establishment on PID# 75311290 in the Rural Zone of the *Central York County Area Rural Plan Regulation*:

- a) that the operation of the automotive sales establishment adhere to any applicable acts and regulations;
- b) that no more than fifteen cars are offered for sale on the property at one time;
- c) that other than automobiles kept for sale, the property retains the character of a residential property;
- d) that the vehicles are serviced off-site;
- e) that there be no auto scrap or salvage yard;
- f) that all signs be in accordance with applicable provisions of section 3.10 of the *Central York County Area Rural Plan Regulation*, and in accordance with any applicable Department of Transportation and Infrastructure policies;
- g) that outdoor lighting be located, arranged or shielded as not to interfere with traffic proceeding along Route 615 or with nearby landowners in the reasonable enjoyment of their properties; and,
- h) that where possible, existing trees and shrubs are maintained around the perimeter of property.

Motion Carried

Item 16-07-08:

Applicant: Eastern Land Surveys

Westview Subdivision 2015-1

Consideration of the creation of eight lots on a 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 private right-of-way for the development of land as shown on plan “WESTVIEW Subdivision 2015-1” subject to:

- a) the private right-of-way being shown as part of the remnant property;
- b) the final plan of subdivision being stamped with the “Private Right-of-Way” note;
- c) the private right-of-way to be designed and built to meet the standards outlined in the publication prepared by the Department of Transportation and Infrastructure entitled “A Guide to the Minimum Standards for the Construction of Subdivision Roads and Streets” to ensure layout and drainage requirements will meet these standards to ensure that the proposed street can be accepted by the Province in the future as a public street;
- d) the road design being prepared by a professional Engineer licensed to practice in the Province of New Brunswick;
- e) the road design being certified by the aforementioned professional Engineer prior to stamping of the final plan; and,
- f) the thirty-metre buffer from watercourses being shown on, and the following statement being added to, the final plan: “This area is subject to Regulation 90-80 – *Watercourse and Wetland Alteration Regulation – Clean Water Act.*”

Motion Carried

Item 16-07-09:

Applicant: Ken Cormier

Rivermist Estates Subdivision

Consideration of the creation of 44 lots on a private access to be owned and maintained by a Trustee Corporation.

Consideration of variances in the width, depth and area of all lots.

Moved by T. Nisbet; Seconded by D. Prince

MOTION: The Planning Review and Adjustment Committee of the Regional Service 11 as per Subsection 6(1) – *Provincial Subdivision Regulation*, Subsection 35(b) - *Community Planning Act*;

1. Approves a 10-metre wide private access to be owned and maintained by a Trustee Corporation for the development of land as shown on plan “Rivermist Estates Subdivision” subject to:

- a. the final plan of subdivision being stamped with the “Private Access” note;
- b. the 30-metre buffer from the Saint John River being shown on, and the following statement being added to, the final plan: “This area is subject to Regulation 90-80 – *Watercourse and Wetland Alteration Regulation – Clean Water Act*”;
- c. an Environmental Impact Assessment (EIA) being completed and the results being favourable to development;
- d. approval from the Department of Environment & Local Government for a communal water supply system;
- e. approval from the Department of Environment & Local Government for an on-site sewage disposal system; and

2. approves a 8.86-metre variance in the width of a lot to create lots 1 to 44 with a width of 9.14 metres;
3. approves a 15.37-metre variance in the depth of a lot to create lots 1 to 44 with a depth of 14.63 metres; and
4. approves a 406.22 square-metre variance in the area of a lot to create lots 1 to 44 with an area of 133.78 square metres.

Motion Carried

Item 16-07-10:

Applicant: WSP Canada Inc.

Big K Ranch Ltd. Subdivision 16-01

Consideration of the creation of 12 lots on a 9-metre wide private right-of-way.

Moved by B. Toole; Seconded by C. Nason

MOTION: The Planning Review and Adjustment Committee of the Regional Service 11 as per Subsection 6(1) - *Provincial Subdivision Regulation*; approve a 9-metre wide private right-of-way for the development land of as presented on tentative plan "Big K. Ranch Ltd. Subdivision 16-01" subject to:

- a. the final plan of subdivision being stamped with the "Private Access" note;
- b. the final subdivision plan bearing a water quality advisory note for copper; and
- c. the 30-metre buffer from the watercourses and wetlands being shown on, and the following statement being added to, the final plan: "This area is subject to Regulation 90-80 – *Watercourse and Wetland Alteration Regulation – Clean Water Act*".

Motion Carried

Item 16-07-11:

Applicant: SurTek Group Ltd.

K.W. McElwain Ltd. Subdivision 2016-1

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

Moved by C. Nason; Seconded by D. Prince

MOTION: The Planning Review and Adjustment Committee of the Regional Service 11 as per Subsection 6(1) – *Provincial Subdivision Regulation*; approves a private right-of-way for the development of land as shown on plan "K.E. McElwain Ltd. 2016-1" subdivision subject to:

- a) the final plan of subdivision being stamped with the "Private Right-of-Way" note; and
- b) the 30-metre buffer from Grand Lake, the watercourse and the provincially significant wetland being shown on, and the following note being added to, the final plan: "This area is subject to Regulation 90-80- *Wetland and Watercourse Alteration Regulation – Clean Water Act*".

Motion Carried

Item 16-07-12:

Applicant: Dobbelsteyn Signs

Dobbelsteyn Signs – Variance

Consideration of variances in the area of three signs.

Moved by M. Chamberlain; Seconded by S. Smith

MOTION: The Planning Review and Adjustment Committee of the Regional Service 11 as per Subsection 35(b) -*Community Planning Act*:

1. approves a 7.485-square metre variance in the area of a non-illuminated sign to allow a sign to have an area of 8.035 square metres;
2. approves a 5.763-square metre variance in the area of a non-illuminated sign to allow a sign to have an area of 6.313 square metres; and,
3. approves a 3.785-square metre variance in the area of a non-illuminated sign to allow a sign to have an area of 4.335 square metres.

Motion Carried

Item 16-07-12 a:

Applicant: Village of Minto

K&R Arsenault Holdings – Rezoning
PRAC's recommendation regarding the proposed By-law to rezone lands from Residential to Highway Commercial, subject to terms and conditions.

Moved by D. Prince; Seconded by P. Milburn

MOTION: The Planning Review and Adjustment Committee of the Regional Service Commission 11 recommends that the Council of the Village of Minto adopt the By-Law, as proposed.

Motion Carried

6. ADJOURNMENT

Moved by D. Prince

MOTION: "That there being no further business, the meeting adjourned at 6:20 pm."

Motion Carried

Eldon Hunter, Chairperson

Mary Stone, Recording Secretary