

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

MINUTES OF MEETING # 19-05 (Tuesday, May 28, 2019 at 5:00 pm)  
Regional Service Commission 11, 860 Prospect Street, Fredericton, NB

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**MEMBERS PRESENT:** Eldon Hunter, Peter Corey, Susan Jonah, Tom Nisbet, Mike Chamberlain, Blaine Nason, Bernie Hoganson, Debby Peck, Brian Toole, Peter Morrison

**MEMBERS ABSENT:** Paul Milburn, Daryl Prince

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

### 1. APPROVAL OF THE AGENDA

Moved by E. Hunter; Seconded by S. Jonah

**MOTION:** "that the Agenda be approved as carried".

Motion Carried

### 2. APPROVAL OF MINUTES

Meeting 19-03 held on March 26, 2019 and Meeting 19-04-Special held on April 23, 2019.

Moved by E. Hunter; Seconded by B. Toole

**MOTION:** "that the Minutes of meeting 19-03 and 19-04-Special be approved as carried".

Motion Carried

### 3. DECLARATION OF CONFLICT OF INTEREST: None

**4. DEVELOPMENT OFFICER VARIANCES:** Stephen McAlinden presented the development officer variances and subdivision re-approvals for March and April 2019.

### 5. NEW BUSINESS:

**Item 19-05-05**

Applicant: Melissa Groves

Lincoln Pet Hotel – Similar Non-Conforming Use  
Consideration of the change of a non-conforming use to a similar non-conforming use to permit a dog rescue centre to be located on a property zoned Commercial-1 in the Lincoln Local Service District Rural Plan.

Melissa Groves, David Rowan, Tryone Legacy and Erin Day were in attendance for this item.

Moved by B. Toole; Seconded by S. Jonah

**MOTION:** The Planning Review and Adjustment Committee of the Regional Service Commission 11 as per Subsection 60(4) Community Planning Act; permits the change of a non-conforming use to a similar non-conforming use to permit a dog rescue centre to be located on PID #60028610, subject to the following terms and conditions:

- a) that the total combined occupancy of the Lincoln Pet Hotel and the dog rescue centre not exceed 50 dogs at any one time;
- b) that where possible, existing trees and shrubs are maintained around the perimeter of the property;
- c) that the dogs associated with the Lincoln Pet Hotel and dog rescue centre only be permitted within an outdoor run or outdoor enclosure between the hours of 7:00 am and 9:00 pm;
- d) that the new dog rescue centre be located as shown on the site plan and no bigger than 8 m x 12 m (26'x40');
- e) that all signs be in accordance with applicable provisions of section 3.8 of the *Lincoln Local Service District Rural Plan Regulation*;
- f) that parking be in accordance with applicable provisions of section 3.7 of the *Lincoln Local Service District Rural Plan Regulation*;
- g) that outdoor lighting be located, arranged or shielded as not to interfere with traffic or nearby landowners in the reasonable enjoyment of their properties; and,
- h) that the dog rescue centre adhere to all requirements of applicable Acts and Regulations, such as the *Society for the Prevention of Cruelty to Animals Act*, and obtain required licensing from the New Brunswick Society for the Prevention of Cruelty to Animals.

Motion Carried

**Item 19-05-06:**

Applicant: John Sawyer

Atlantic Hospitality & Tech Inc. – Terms and Conditions  
 Consideration of terms of conditions for a permitted use of a general service shop in the Rural – “Ru” Zone – under the Nashwaak Valley Planning Area Rural Plan Regulation.

John Sawyer was in attendance for this item.

Moved by S. Jonah; Seconded by M. Chamberlain

**MOTION:** The Planning Review and Adjustment Committee of the Regional Service Commission 11 as per *Community Planning Act: 53(3)(c)(i)*; permits the use of a general service shop on PID# 75150920 as permitted in the Rural Zone of the *Nashwaak Valley Planning Area Rural Plan Regulation*, subject to the following terms and conditions:

- a) that an access permit be received from the Department of Transportation and Infrastructure;
- b) that exterior lighting be located, arranged or shielded as not to interfere with local traffic or with nearby landowners in the reasonable enjoyment of their properties;
- c) that parking be in accordance with section 13.11 (Parking Requirements) of the *Nashwaak Valley Planning Area Rural Plan Regulation*; and,
- d) that any sign placed be in accordance with section 13.13 of the *Nashwaak Valley Planning Area Rural Plan Regulation*.

Motion Carried

**Item 19-05-07:**

Applicant: Steven Meldrum

Steven Medrum – Terms and Conditions  
Consideration of terms and conditions for a permitted use of a camping facility in the Rural – “Ru” Zone – under the Dumfries Local Service Rural Plan Regulation.

Moved by E. Hunter; Seconded by B. Toole

**MOTION:** The Planning Review and Adjustment Committee of the Regional Service Commission 11 as per *Community Planning Act: 53(3)(c)(i)* ; permits the use of a camping facility on PID# 75440677 as permitted in the Rural Zone of the *Dumfries Local Service District Rural Plan Regulation*, subject to the following terms and conditions:

- a) that there be a maximum of three recreational vehicles;
- b) that all recreational vehicles be connected to an on-site sewage system;
- c) that where possible, existing trees & shrubs are maintained around the perimeter of property;
- d) that exterior lighting be located, arranged or shielded as not to interfere with local traffic or with nearby landowners in the reasonable enjoyment of their properties;
- e) that Watercourse and Wetland Alteration permits be acquired prior to any work being done within 30 metres of the Saint John River; and,
- f) that the camping facility adhere to requirements of applicable Acts and Regulations.

Motion Carried

**Item 19-05-08:**

Applicant: SurTek Group

Hunter Subdivision 2019-1  
Consideration of the creation of two lots on a 20-metre wide private right-of-way.

Moved by B. Toole; Seconded by S. Jonah

**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 shown on plan “Hunter Subdivision 2019-1” subject to:

1. the final plan of subdivision being stamped with the “Private Right-of-Way” note; and,
2. a right of way agreement to cross PID# 75294512 presented with the final plans of subdivision.

Motion Carried

**Item 19-05-09:**

Applicant: Central NB Surveys Ltd.

Spencer Subdivision 2019-1  
Consideration of the creation of one lot on a private right-of-way.  
Consideration of variances in the area and width of a lot and remnant.

Moved by E. Hunter; 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*, Subsection 55(1) - *Community Planning Act*;

1. approves a right-of-way for the development of land as shown on plan "Spencer Subdivision 2019-1" subject to:
  - a. the final plan of subdivision being stamped with the "Private Right-of-Way" note;
  - b. right-of-way agreements to cross over PID#s 75297911, 75172601 and 75172114 being presented with final plan of subdivision;
  - c. the 30-metre buffer from the Nashwaak 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*"; and,
2. approves a 2329-square metre variance in the area of a lot to create lot 2019-1 with an area of 1671 square metres;
3. approves a 20-metre variance in the width of a lot to create lot 2019-1 with a width of 34 metres;
4. approves a 2208-square metre variance in the area of a lot to leave the remnant with an area of 1792 square metres; and,
5. approves a 9.662-metre variance in the width of a lot to leave the remnant with a width of 44.338 metres.

Motion Carried

**Item 19-05-10:**

Applicant: Cornerstone Surveys Inc.

Perley/Ginson Subdivision

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

Moved by D. Peck; Seconded by B. Nason

**MOTION:** The Planning Review and Adjustment Committee of the Regional Service Commission 11 as per Subsection 6(1) - *Provincial Subdivision Regulation*; approves a 20.12-metre wide private right-of-way for the development of land as shown on plan "Perley / Ginson Subdivision" subject to:

- a) the final plan of subdivision being stamped with the "Private Right-of-Way" note.

Motion Carried

**Item 19-05-11:**

Applicant: Don-More Surveys

Chatham Biotec Ltd. Subdivision

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

Moved by M. Chamberlain; Seconded by S. Jonah

**MOTION:** The Planning Review and Adjustment Committee of the Regional Service Commission 11 as per Subsection 6(1) - *Provincial Subdivision Regulation*; approves a 24-metre wide private right-of-way for the development of land as shown on plan "Chatham Biotec Ltd. Subdivision" subject to:

1. the final plan of subdivision being stamped with the "Private Right-of-Way" note; and,

2. the 30-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 19-05-12:**

Applicant: Department of Environment and Local Government

Thermtest Inc. - Rezoning

Recommendation regarding the proposed amendment to rezone lands from Residential zone to Commercial & Light Industrial zone in the Noonan Local Service District and Lower St. Marys Planning Area Rural Plan Regulation – Community Planning Act.

Moved by E. Hunter; Seconded by S. Jonah

**MOTION:** The Planning Review and Adjustment Committee of the Regional Service Commission 11 recommends that the Minister adopt the proposed amendment.

Motion Carried

**Item 19-05-13:**

Applicant: Village of Millville

Village of Millville – Rural Plan By-law No. 26

Recommendation regarding the adoption of the Village of Millville Rural Plan, By-law No. 26.

Moved by S. Jonah; Seconded by D. Peck

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

Motion Carried

**6. ADJOURNMENT**

Moved by M. Chamberlain

**MOTION:** "That there being no further business, the meeting adjourned 6:10 pm."

Motion Carried

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Tom Nisbet, Chairperson

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Mary Stone, Recording Secretary