

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

MINUTES OF MEETING # 19-10 (Tuesday, October 29, 2019 at 5:00 pm)
Regional Service Commission 11, 860 Prospect Street, Fredericton, NB

MEMBERS PRESENT: Eldon Hunter, Susan Jonah, Tom Nisbet, Mike Chamberlain, Bernie Hoganson, Paul Milburn, Bobbi Hartt, Brian Toole, Peter Morrison, Peter Corey

MEMBERS ABSENT: Blaine Nason

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

1. APPROVAL OF THE AGENDA

Moved by S. Jonah; Seconded by E. Hunter

MOTION: "that the Agenda be approved as presented".

Motion Carried

2. APPROVAL OF MINUTES

Moved by P. Morrison; Seconded by P. Milburn

MOTION: "that the Minutes of meeting 19-09 be approved as amended".

Motion Carried

3. DECLARATION OF CONFLICT OF INTEREST: Paul Milburn had a conflict with the Nashwaak Valley Farm application.

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

5. NEW BUSINESS:

Item 19-10-05

Applicant: Fredericton Islamic Association

Fredericton Islamic Association – Similar to or Compatible with
Consideration of a cemetery as being similar to or compatible with uses in the Resource zone of the Lincoln Local Service District Rural Plan Regulation – Community Planning Act.

Sayed Ismail was in attendance for this item.

Moved by E. Hunter; Seconded by M. Chamberlain

MOTION: The Planning Review and Adjustment Committee of the Regional Service Commission 11 as per Subsection 55(1)(a) – *Community Planning Act*; allows the use of a cemetery as being compatible with uses in the Resource Zone of the *Lincoln Local Service District Rural Plan Regulation*, subject to the following terms and conditions:

- a) that all signs be in accordance with applicable provisions of section 3.8 of the *Lincoln Local Service District 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 3.7 of the *Lincoln Local Service District Rural Plan Regulation*;
- c) that outdoor lighting be located, arranged or shielded as not to interfere with traffic proceeding along Route 102 or with nearby landowners in the reasonable enjoyment of their properties; and,
- d) that the cemetery adheres to requirements of applicable Acts and Regulations.

Motion Carried

Item 19-10-06:

Applicant: Fredericton Islamic Association

MacDougall's Farm Ltd. Subdivision 2019-1

Consideration of the creation of one lot on a 10-metre wide private right-of-way.

Sayed Ismail was in attendance for this item.

Moved by P. Milburn; Seconded by S. Jonah

MOTION: The Planning Review and Adjustment Committee of the Regional Service Commission 11 as Subsection 6(1) - *Provincial Subdivision Regulation*; approves a 10-metre wide private right-of-way for the development of land as shown on plan "MacDougall's Farm Ltd Subdivision 2019-1 Subdivision" subject to:

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

Motion Carried

Item 19-10-07:

Applicant: Mike Sorenson

Nashwaak Valley Farm – Similar to or Compatible with

Consideration of winter festival activities as being similar to or Compatible with uses permitted in the "Rural" zone of the Nashwaak Valley Planning Area Rural Plan Regulation.

Moved by M. Chamberlain; Seconded by B. Hartt

MOTION: The Planning Review and Adjustment Committee of the Regional Service Commission 11 as per Subsection 55(1)(a) – *Community Planning Act*; allows the use of winter festival activities as being similar to or compatible with uses permitted in the "Rural" zone of the *Nashwaak Valley Planning Area Rural Plan Regulation*, subject to the following terms and conditions:

1. 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;
2. that parking be provided for on-site (PID# 75523522) and there be no on-street parking;
3. that outdoor lighting be located, arranged or shielded as not to interfere with traffic proceeding along Canada Street or with nearby landowners in the reasonable enjoyment of their properties;
4. that the winter festival activities adhere to all applicable government regulations;
5. that the hours of operation for the winter festival activities be from 10:00 am to 11:00 pm, with the exception of New Year's Eve, December 31st; and,
6. no more than 4 events per year.

Motion Carried

Item 19-10-08:

Applicant: 708818 NB Ltd.

Meadow Valley Subdivision 19-3

Consideration of the creation of six lots on a private access. Consideration of variances in the width of a lot.

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

- 1) approves a future street and a private access for the development of land as shown on plan "Meadow Valley Subdivision 19-3" subject to:
 - a. a road association being created which will own and maintain the private access;
 - b. the final plan of subdivision being stamped with the "Private Access" note; 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*";
- 2) approves a 25.22-metre variance in the width of a lot to create lot 14 with a width of 28.78 metres at a minimum setback from the private access; and,
- 3) approves a 34-metre variance in the width of a lot to create the private access with a width of 20 metres at a minimum setback from the future street.

Motion Carried

Item 19-10-09:

Applicant: Don-More Surveys & Engineering

Marr Subdivision 19-1

Consideration of the creation of a lot on a 20-metre wide private right-of-way.
Consideration of a variance in the width of a lot.

Moved by P. Milburn; Seconded by B. Toole

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 20-metre wide private right-of-way for the development of land as shown on plan "Marr Subdivision 19-1" subject to the final plan of subdivision being stamped with the "Private Right-of-Way" note; and,

2) approves a 20-metre variance in the width of a lot to create lot 19-1 with a width of 34 metres at a minimum setback from the private right-of-way.

Motion Carried

Item 19-10-10:

Applicant: Don-More Surveys & Engineering

Fradsham Subdivision

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

Moved by B. Toole; Seconded by E. Hunter

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 "Fradsham 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 PIDs #45176393 and 45176252 being presented with the final plan of subdivision.

Motion Carried

Item 19-10-11:

Applicant: Rural Community of Hanwell

Hanwell School – Rezoning

Consideration of the recommendation to the council of the rural community of Hanwell regarding the proposed new Institutional Zone and rezoning from Resources and Conservation to the new Institutional Zone.

Moved by S. Jonah; Seconded by B. Toole

MOTION: The Planning Review and Adjustment Committee of the Regional Service Commission 11 recommend that the Council of the Rural Community of Hanwell adopt the By-Law, as proposed.

Motion Carried

6. ADJOURNMENT

Moved by E. Hunter

MOTION: "That there being no further business, the meeting adjourned at 5:38 pm."

Motion Carried

Tom Nisbet, Chairperson

Mary Stone, Recording Secretary