

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

MINUTES OF MEETING # 21-04 (Tuesday, April 27, 2021 at 5:00 pm)
Via Zoom Web Conferencing and Internet Broadcasting

MEMBERS PRESENT: Bernie Hoganson, Bobbi Hartt, Mike Chamberlain, Susan Jonah, Peter Morrison, Peter Dufour, Tom Nisbet, Brian Toole, Gordon Crouse, Peter Corey, Blaine Nason

MEMBERS ABSENT: Eldon Hunter

ALSO PRESENT: Stephen McAlinden, General Manager; Ashley Brown, Development Officer; Mary Stone, Recording Secretary

1. APPROVAL OF THE AGENDA

Moved by P. Morrison; Seconded by B. Hartt

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

Motion Carried

2. APPROVAL OF MINUTES

Moved by M. Chamberlain; Seconded by P. Dufour

MOTION: “that the Minutes of meeting 21-03 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 2021.

5. NEW BUSINESS:

Item 21-04-05:

Applicant: JR Community Builders

JR Community Builders – Similar to or Compatible with Application

Consideration of a six-car garage for personal use as being similar to or compatible with uses permitted in the “Community Centre” zone of the Village of Minto Rural Plan, By-law No. 149.

Moved by S. Jonah; Seconded by B. Toole

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 personal garage as being similar to or compatible with uses permitted in the

"Community Center" zone of the *Village of Minto Rural Plan, By-law No.149*, subject to the following terms and conditions:

- a) that the garage bay doors for the structure front on Queen Street;
- b) that parking be provided for on-site and there be no on-street parking;
- c) that outdoor lighting be located, arranged or shielded as not to interfere with traffic proceeding along Main and Queen Streets or with nearby landowners in the reasonable enjoyment of their properties;
- d) that the personal garage be connected to the Village of Minto sewer services;
- e) that a building permit be obtained from the Planning & Development Division of RSC 11 prior to the construction of the personal garage; and,
- f) that all signs be in accordance with applicable provisions of section 13.20 of *Village of Minto Rural Plan, By-law No.149*, and in accordance with any applicable Department of Transportation and Infrastructure policies.

Motion Carried

Item 21-04-06:

Applicant: JIL Engineering & Construction Ltd.

JIL Engineering & Construction Ltd. – Similar to or compatible with Consideration of a bulk organic sales depot as being similar to or compatible with uses permitted in the Commercial and Light Industrial Zone of the rural community of Hanwell Rural Plan, By-law No. 11-2016.

Moved by B. Toole; Seconded by P. Morrison

MOTION: The Planning Review and Adjustment Committee of the Regional Service Commission 11 as per Section 35 – Community Planning Act; allows the use of a bulk organic sales depot on PID# 75368878 as being similar to or compatible with uses permitted in the Commercial and Light Industrial Zone subject to the following terms and conditions:

1. that any signs adhere to By-Law No. 10-2015 – A By-Law to Regulate Signs;
2. that outdoor lighting be located, arranged, or shielded as not to interfere with traffic or nearby landowners in the reasonable enjoyment of their properties;
3. that parking be in accordance with applicable provisions of section 3.3 of the *rural community of Hanwell Rural Plan, By-law No. 11-2016*;
4. that no materials or structures be located in the DTI setback along Route 640; and,
5. that the bulk organic sales depot adheres to any applicable federal and provincial government regulations.

Motion Carried

Item 21-04-07:

Applicant: Luc McLaughlin

Luc McLaughlin – Terms and Conditions

Consideration of terms and conditions for an automotive repair shop – a permitted use in the “Rural” zone of the Burton-greater Geary Local Service District Planning Area – Community Planning Act.

Moved by S. Jonah; Seconded by B. Hartt

MOTION: The Planning Review and Adjustment Committee of the Regional Service Commission 11 as per subsection *Community Planning Act: 53(3)(c)(i)*; permits an automotive repair shop on PID #60056587 in the “Rural” zone of the *Burton-Greater Geary Local Service District Planning Area Rural Plan Regulation*, subject to the following terms and conditions:

- a) that all signs be in accordance with applicable provisions of section 3.15(1) of the *Burton-Greater Geary Local Service District Planning Area Rural Plan Regulation*;
- b) that parking be in accordance with applicable provisions of section 3.14(1) of the *Burton-Greater Geary Local Service District Planning Area Rural Plan Regulation*, and in accordance with any applicable Department of Transportation and Infrastructure policies;
- c) that outdoor lighting be located, arranged or shielded as not to interfere with traffic proceeding along the public street or with nearby landowners in the reasonable enjoyment of their properties;
- d) that the operation of the automotive repair shop adheres to all applicable government regulations;
- e) that where possible, existing trees and shrubs are maintained around the perimeter of the property;
- f) that there be no on-site disposal of hazardous materials and that all hazardous materials be disposed of off-site by a waste management company; and that no derelict vehicles be stored on the property.

Motion Carried

Item 21-04-08:

Applicant: Eastern Land Surveys

Mowrey Side Subdivision 2021-1

Consideration of the creation of six lots on a private right-of-way to be owned and maintained by a Road Association.

Consideration of variances in the width of lots.

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*, Subsection 55(1) - *Community Planning Act*;

- 1) approves lots 2021-2 through lot 2021-6 on a private right-of-way to be owned and maintained by a Road Association subject to:

- a) the final plan of subdivision being stamped with the "Private Right-of-Way" note;
 - b) the thirty-metre buffer from the watercourse 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 the following variances in the width of a lot:
- a) a 21.88-metre variance to create lot 2021-1 with a width of 32.12 metres;
 - b) a 21.6-metre variance to create lot 2021-2 with a width of 32.40 metres; and
 - c) a 44-metre variance to create the private access with a width of 10-metres at minimum setback from Route 655.

Motion Carried

Item 21-04-09:

Applicant: Eastern Land Surveys

Wildwoods Subdivision 2020-1

Consideration of the recommendation of a new public street to the Minister of Transportation and Infrastructure for her assent.

Consideration of variances in the wide of lots.

Moved by S. Jonah; 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*; Section 87(2)(a) – *Community Planning Act*; Subsection 55(1) - *Community Planning Act*.

- 1) recommends the creation of one new public street as shown on plan "Wildwoods Subdivision 2020-1" to the Minister of Transportation and Infrastructure for her assent subject to:
 - a) the street name being approved and registered with NB911 prior to stamping the final plan;
 - b) the final plan of subdivision bearing a water quality advisory note for arsenic, chloride, chromium, sodium and lead; and,
- 2) approves the following variances in the width of a lot:
 - a) a 10-metre variance to create lot 20-21 with a width of 44 metres; and,
 - b) 2.6-metre variance to create lot 20-22 with a width of 51.4 metres

Motion Carried

Item 21-04-10:

Applicant: WSP

Joseph Leo McSorley Subdivision

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

Moved by S. Jonah; Seconded by B. Hartt

MOTION: The Planning Review and Adjustment Committee of the Regional Service Commission 11 as per Subsection 6(1) – *Provincial Subdivision Regulation*; approves a 6-metre wide private right-of-way for the development of land as shown on tentative plan "Joseph Leo McSorley

Subdivision” subject to the final plan of subdivision being stamped with the “Private Right-of-Way” note.

Motion Carried

Item 21-04-11:

Applicant: Central NB Surveys Ltd.

JD Timber Holdings Ltd. Subdivision 2021-1
Consideration of the creation of a lot on a private right-of-way.

Moved by M. Chamberlain; 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 20-metre wide access right-of-way for the development of land as shown on tentative plan “J.D. TIMBER HOLDINGS LTD Subdivision 2021-1” subject to:

- a. the final plan of subdivision being stamped with the “Private Access” note; and,
- b. the 30-metre buffer from the watercourse and wetland 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

6. ADJOURNMENT

Moved by B. Hartt; Seconded by S. Jonah

MOTION: “That there being no further business, the meeting adjourned at 5:40 pm.”

Motion Carried

Tom Nisbet, Chairperson

Mary Stone, Recording Secretary