



Planning Review Adjustment Committee October 19, 2020

Minutes of the meeting of the Planning Review Adjustment Committee of the Fundy Regional Service Commission held on Monday October 19, 2020 at 10:00 a.m. at Crane Mountain, Saint John.

1. Call to Order

The Chairperson, Dwight Allaby, called the meeting to order at 10:08 a.m.

2. Record of Attendance

BOARD MEMBERS

Dwight Allaby, Chairperson
Joan Seeley, Vice Chairperson **[Absent]**
Glen Baxter, PRAC Member
Donna Murchison, PRAC Member
Ron Bridges, PRAC Member
Walter Pollock, PRAC Member
Brenda Rathburn, PRAC Member
Midge Thompson, PRAC Member **[via teleconference]**

OTHERS

Brian Shannon, Building Inspector/Development Officer, FRSC
Alicia Raynes, Recording Secretary, FRSC
Nick Cameron, Assistant Development Officer **[Absent]**

3. Approval of Order of Business

The Chairperson asked for approval of the agenda as presented.

Motion: To approve the October 19, 2020 Agenda as presented.

Moved: Brenda Rathburn
Seconded: Midge Thompson
Vote: *Motion Carried*

4. Disclosure of Conflict of Interest

None

5. Approval of Minutes

The Chairperson called for a motion to approve the minutes as presented.

Motion: To approve the June 15, 2020 minutes as presented.

Moved: Glen Baxter
Seconded: Walter Pollock
Vote: *Motion Carried*

6. Presentation of Application

Margaret Blount Subdivision with private access

Brian Shannon gave an overview of the presentation on the application for the Margaret Blount Subdivision Proposal

Applicant: Margaret Blount

Request: Subdivision of a portion of the property surrounding civic 1217 Route 825, Gardner Creek – PID 55061907. Create a new private access lane serving as the Right of Way for two (2) new building lots (Lot 2020-4 and 2020-5) and as access to their remaining lands off Route 825. This also enlarges two (2) existing lots (Lot 2020-1 and 2020-2) and creates a new building lot (Lot 2020-3), the three (3) of which abut Route 825.

Requirement for the subdivision:

The proposed lane to access lots 2020-4 and 2020-5 would use an existing driveway access point for PID 55061907 (subject property). The proposed access location is consistent with a reserve access identified on two previously approved plans involving PID 55061907, registered in 1982 and 1986.

Consultation:

Notices were sent to thirteen property owners within 100 meters of PID 55061907. To date (October 14th) no written comments have been received.

Overview of Application:

The proposed subdivision:-

- Lot 2020-1 – Existing dwelling with on-site water and sewerage
- Lots 2020-2, 2020-3, 2020-4 and 2020-5 – Vacant with no current services
- Approval of Right of Way for two proposed lots 2020-4 & 2020-5 as residential building lots

Lot Requirements: - Provincial Subdivision Regulation 80-159

- Minimum Width – 54m (177 ft)
- Minimum Depth – 38m (124 ft)
- Minimum Area – 4000m² (1 acre)

[The proposed lots exceed the minimum dimensions and area and the remnant property is in excess of 10 ha which will easily allow for any future development]

Environment & Location:

- The property is located on the north side of Route 825, behind civic number 1207, 1213 and 1217, and continues north for approximately 515 metres, abutting another vacant woodland property on the western side, and a residential property on the eastern side, as well as another hayfield.
- Land uses in the area are residential lots.
- There are no wetlands, environmentally sensitive areas, or watercourses mapped on the property.

Legal Authority:

Subject to the Provincial Subdivision Regulation 80-159 section 6(1) the PRAC is asked to consider an access other than a public street as being advisable for the development of the proposed lot.

Following is an excerpt from Regulation 80-159, Section 6; Lots, Blocks and Other Parcels

- 6 (1) Every lot, block and other parcel of land in a proposed subdivision shall abut.
- (a) a street owned by the Crown,
 - (b) such other access as may be approved by the Regional Service Commission as being advisable for the development of land.

Recommendation:

Based on the evaluation of the proposal and discussion on its sustainability in Simonds LSD, it is not uncommon for a private access lane to be used as 'Right of Way' to access properties. In some cases, the only way to develop lands is with the use of a Right of Way. To review the request, a site visit of the proposed development was conducted using the *Development Officer & PRAC Guide to Lot Creation on an Access other than a Public Street*. The western sight distance appeared somewhat limited by today's standards but was appropriate under previous standards when the access was originally approved. The sight distance may be a constraint for larger development, but is appropriate for a limited number of building lots on this access. Based on this assessment and the review of existing land uses in the area, it was felt the proposal is acceptable for the development of the proposed lots.

Recommendation to approve the private access lane as 'Right of Way' to the two lots fronting on and using the ROW as access to Route 825.

Motion: To approve the Fundy Regional Service Commission's recommendation to approve the proposed private access lane as 'Right of Way' to the two lots fronting

on and using the ROW as access to Route 825 with appropriate private access note on plan.

Moved: Glen Baxter
Seconded: Walter Pollock
Vote: *Motion Carried*

7. Motion to Adjourn

Motion: The Chair called for a motion to adjourn at 10:56am.

Moved: Brenda Rathburn
Seconded: Donna Murchison
Vote: *Motion Carried*

APPROVED (date) November 30, 2020

Dwight Allaby
Dwight Allaby, Chairperson

Alicia Raynes
Alicia Raynes, Recording Secretary