

**Planning Review Adjustment Committee  
December 9, 2015**

Minutes of the meeting of the Planning Review Adjustment Committee of the Fundy Regional Service Commission held on Wednesday, December 9, 2015 at 1:30 p.m. at Crane Mountain, Saint John.

**1. Call to Order**

The Vice Chairperson, Joan Seeley, called the meeting to order at 1:30 p.m.

**2. Record of Attendance**

**BOARD MEMBERS**

Dwight Allaby, Chairperson [*Absent*]  
Joan Seeley, Vice Chairperson  
Glen Baxter, PRAC Member  
Robert Buck, PRAC Member  
Paul Gordon, PRAC Member  
Ron Bridges, PRAC Member  
Walter Pollock, PRAC Member  
Brenda Rathburn, PRAC Member

**OTHERS**

Brian Shannon, Fundy Regional Service Commission  
Jaret Guimond, Altus Geomatics

**3. Approval of Order of Business**

The Chairperson asked for approval of the agenda as presented.

**Motion:** To approve the agenda December 9, 2015 as presented.

Moved: Walter Pollock  
Seconded: Robert Buck  
Vote: Motion Carried

**4. Disclosure of Conflict of Interest**

None

## **5. Presentation of Altus Geomatics Application**

Brian Shannon gave an overview of the presentation on the application for the subdivision and access, which included the Committees function and legal authority.

*Applicant:* Altus Geomatics

*Request:* Subdivision of property located at the northwest side of Route 845 at Clifton Royal (Durning property), PID 00161091 to create a lot for utility purposes, fronting on and using a 'Right of Way' to access Route 845.

*Requirement for the subdivision:*

The proposed 'Right of Way' requires Planning Review Adjustment Committee approval as being a suitable access to the proposed lots.

*Overview of Application:*

The proposed lot does not abut the existing 'Right of Way' to the nearby Bell Aliant Communications Tower Lot 05-1. In order to subdivide the property an approval must be requested from the PRAC to the conditions of Article 6(1)(b) of the Subdivision Regulations 80-159, a requirement consistent with Section 42(3)(c)(ii) Community Planning Act Section.

*Excerpt from Provincial Subdivision Regulation 80-159:*

### ***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, or*

*(b) such other access as may be approved by the Regional Service Commission as being advisable for the development of land.*

The proposed lot would use the existing access and ROW from Route 845 (*previously approved by the Royal District Planning Commission*) along with the additional extended ROW being considered with this submission. The existing access intersection with Route 845 has been previously approved by DTI.

The proposed Lot 15-1 meets the remaining requirements of the Provincial Subdivision Regulation 80-159. The proposed lots exceed the minimum lot dimensions in length and width and exceed the required minimum area.

Required lot: 54m width x minimum 38m depth and at least 4000 square meters.

Proposed lots: 120 width x 110-meter depth having 13,20 sq. m (or 3 acres)

The proposed development is a 'use' consistent with item 8.7 within the 'Guide to Lot Creation on an access Other than a Public Street'. Item 8.7 suggests a use such as a 'Conservation or Utility use' as being a suitable use on an access other than a public street. The proposed development meets the legal access conditions of the guide and 'Right of Way' conditions and the suggested note is to be placed on the final subdivision plan.

- The adjacent neighbouring residential properties are more than 400 meters away from the proposed lot.
- Neighbouring properties on the north side of Route 845 are predominately large timberland properties.
- Since the proposed use is for a communications tower there will be not significant increase in traffic other than during construction.

There is no Rural Plan or Basic Planning Statement in place in the LSD, therefore there are no zoning restrictions.

*Consultation:* CRINS an independent NGO body has conducted the consultation with adjacent land owners. No notices were required as there were no residents within the 400 meters.

**Motion:** To approve the Right of Way as access for the proposed lot fronting on and using the ROW as access to Route 845.

Moved: Ron Bridges  
Seconded: Robert Buck  
Vote: Motion Carried

#### *Legal Authority*

Excerpt from Provincial subdivision regulation 80-159, Section 6- Lots Bocks 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.

### **6. Other Business**

The Chair asked to have a motion to approve the minutes from the May 13, 2015 meeting.

**Motion:** To approve minutes of the May 13, 2015 as circulated.


Moved: Glen Baxter  
Seconded: Brenda Rathburn  
Vote: Motion Carried

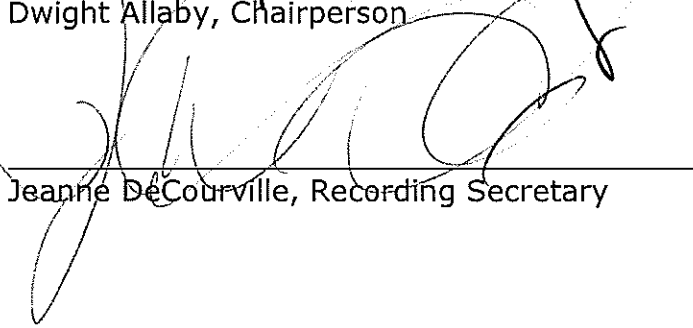
**10. Motion to Adjourn**

**Motion:** The Chair called for a motion to adjourn at 1:50 pm.

Moved: Ron Bridges  
Seconded: Paul Gordon  
Vote: Motion Carried

APPROVED (date) Feb 11 2016

  
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Dwight Allaby, Chairperson

  
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Jeanne DeCourville, Recording Secretary