



PRAC Meeting Minutes

Regular Meeting

Date: September 16, 2024
Location: Kingston Parish Hall
3946 Route 845, Kingston

MEMBERS PRESENT John Cairns, Chair
Ron Bridges
Samara Carvell
Rob Jeffrey
Bernard Brideau

MEMBERS ABSENT Cindy MacCready
Shawn Brown
Vacant Position

STAFF Nikhil Naik, FRSC Development Officer
Scott Borden, FRSC Director of Community Planning

Meeting minutes of the Planning Review and Adjustment Committee.

1. Order of Business

1.a Call to Order

Chair Cairns called the meeting to order at 6:30 p.m.

1.b Record of Attendance

The meeting was recorded for the Recording Secretary who was unable to attend the evening meeting, to be transcribed at a later date.

1.c Approval of Agenda

Chair Cairns called for a motion to approve the September 16, 2024, agenda.

Resolution Number: PRAC-2024-020

Moved by: Bernard Brideau

Seconded by: Ron Bridges

THAT the Committee approve the September 16, 2024, agenda as presented.

Motion Carried

1.d Approval of Minutes

Chair Cairns called for approval of the August 26, 2024, minutes.

Resolution Number: PRAC-2024-021

Moved by: Samara Carvell

Seconded by: Bernard Brideau

THAT the Committee approve the August 24, 2024, meeting minutes as presented.

Motion Carried

1.e Disclosure of Conflict of Interest

Chair Cairns called for acknowledgement of any conflicts of interest, there were none presented.

2. Presentation of Applications

2.a PID#30168272, 1637 Route 845, Clifton Royal, Fundy Rural District

Scott Borden, Director of Community Planning, presented the information from the staff report provided to the Committee. The details presented by Mr. Borden regarding this application are laid out in the staff report, including the photographs presented which were included in the staff report appendices.

Chair Cairns opened the floor for questions from the Committee members to speak, there were several members who requested clarification.

Chair Cairns opened the floor to the applicant to speak, however Shelley Fowlie, one of the owners of the property, noted they are in attendance and are available for answering any questions.

Chair Cairns opened the floor for those in favour to speak, no comments, questions or concerns were brought forward.

Chair Cairns opened the floor for those opposed to speak, no comments, questions or concerns were brought forward.

Chair Cairns opened the floor for questions from the Committee members to speak, one member asked about future development surrounding the private access road.

Chair Cairns called for a motion to approve the recommendation laid out in the staff report.

Resolution Number: PRAC-2024-022

Moved by: Rob Jeffrey

Seconded by: Samara Carvell

WHEREAS the proposed building lot would be accessed by existing Private Access appropriate for the intended use.

AND WHEREAS the dimensions of the proposed lot and remnant meet or exceed the minimum dimensions of the Provincial Subdivision Regulation, except for its width requirement.

THEREFORE, the Planning Review and Advisory Committee approves the existing private access as suitable for Lot 24-1 and a variance for reduced width for the remnant lot as detailed in the tentative subdivision plan of PID 30168272 (prepared by Don-More Surveys and Engineering Ltd. and submitted on July 2, 2024), with the following conditions:

1. Legal right of access, whether by deeded right-of-way, conveyance of right of way or other means, must be assured to subsequent owners, assigns, heirs and successors.
2. The final subdivision plan must include a note, approved by a development officer, advising that lots registered, and subsequently developed, may not receive public services, such as school busing, garbage pick-up and snow plowing, until and unless the access road has been constructed to a standard acceptable to the Department of Transportation and other applicable public authorities. The construction and maintenance of the private right-of-way is the responsibility of the owner, and the private right-of-way is not suitable for a public street.
3. The width of the access strip in the remnant parcel to be increased to at least 24 metres throughout.
4. A turning area should be constructed at the end of the access strip to allow for emergency vehicle turning.
5. The watercourse, wetland, and the 30-metre buffer be identified with the following text on all plans:

“Area subject to the Watercourse and Wetland Alteration Regulation of the Clean Water Act.”

6. The following notes to be included on the final plan:
 - a. "Watercourses, wetlands, and their respective 30-metre buffers are regulated features and any alterations within those areas require a permit issued by the Department of Environment and Local Government such as, but not limited to, soil disturbance, removal of vegetation, placement of a structure, etc. These features are regulated as per their presence on the ground and the representation on this plan may not be accurate. It is the responsibility of the landowner to ensure no alterations take place in those areas without a Watercourse and Wetland Alteration (WAWA) Permit."
 - b. No building or structure, with the exception of fence, shall be constructed within the access strip of the remnant parcel.

Motion Carried

2.b PID#00097303, Route 845, Kingston, Fundy Rural District

Scott Borden, Director of Community Planning, presented the information from the staff report provided to the Committee. The details presented by Mr. Borden regarding this application are laid out in the staff report, including the photographs presented which were included in the staff report appendices. It was noted by Mr. Borden that the applicant sent a revised application after the PRAC agenda package had gone out, but the changes to the application did not significantly impact the staff recommendation.

Chair Cairns opened the floor to the applicant to speak, no comments, questions or concerns were brought forward.

Chair Cairns opened the floor for questions from the Committee members several members asked clarifying questions about the land and possible future development to Mr. Borden.

Chair Cairns opened the floor for those opposed to speak, no direct opposing comments, questions or concerns were brought forward.

Jennifer Townsend, a neighbour abutting the property, who did not state opposition or support, asked questions about the future development of the properties being discussed, and how that may affect the neighbouring properties regarding the classification of the land. Mr. Borden clarified to Ms. Townsend that there is no Land Use Plan for the entire Peninsula, which means there is nothing regulating land use at this point in time, and that there is a plan to create a land use plan for the Rural District at some point in the near future which will include public consultation.

Chair Cairns opened the floor for those in favour to speak.

Garret Keirstead, Surveyor from Donmore Surveys, spoke about the application and the considerations of the area subject to the Watercourse and Wetland Alteration Regulation of the Clean Water Act.

Chair Cairns opened the floor for questions from the Committee members to speak, however, no comments, questions or concerns were brought forward.

Chair Cairns called for a motion to approve the recommendation laid out in the staff report, with the addition of the lot 24-5 as discussed in Mr. Borden's verbal report.

Resolution Number: PRAC-2024-023

Moved by: Bernard Brideau

Seconded by: Rob Jeffrey

WHEREAS the proposed building lot would be accessed by existing Private Access appropriate for the intended use.

WHEREAS the dimensions of the proposed lot and remnant meet or exceed the minimum dimensions of the Provincial Subdivision Regulation.

WHEREAS the proposed private access intersects Route 845 at a right-angle.

AND WHEREAS the proposed subdivision is not expected to prejudice further subdividing of adjoining land.

THEREFORE the Planning Review and Advisory Committee deems Mackay Lane in the Tentative Subdivision Plan as suitable access for the development of the proposed Lots 24-2, 24-3, 24-4, 24-5 located off Route 845, Kingston (PID# 00097303), subject to the following conditions:

1. Legal right of access, whether by deeded right-of-way, conveyance of right of way or other means, shall be assured to subsequent owners, assigns, heirs and successors.
2. The final subdivision plan must include a note, approved by a development officer, advising that lots registered, and subsequently developed, may not receive public services, such as school busing, garbage pick-up and snow plowing, until and unless the access road has been constructed to a standard acceptable to the Department of Transportation and other applicable public authorities. The construction and maintenance of the private right-of-way is the responsibility of the owner, and the private right-of-way is not suitable for a public street.

In the final subdivision plan, the watercourse and the 30-metre buffer (measured from the shoulder of the bank of the watercourse) be identified with the following text:

“Area subject to the Watercourse and Wetland Alteration Regulation of the Clean Water Act.”

3. The final subdivision plan must include the following note to inform potential purchasers of environmental constraints in these areas:

“Watercourses, wetlands, and their respective 30-metre buffers are regulated features and any alterations within those areas require a permit issued by the Department of Environment and Local Government such as, but not limited to, soil disturbance, removal of vegetation, placement of a structure, etc. These features are regulated as per their presence on the ground and the representation on this plan may not be accurate. It is the responsibility of the landowner to ensure no alterations take place in those areas without a Watercourse and Wetland Alteration (WAWA) Permit. ”

Motion Carried

3. Other Business

3.a Vacant Position

Mr. Borden noted to the committee that the vacant position needs to be filled, and while not required to be from a specific community at this time since representation requirements have been met, someone the Fundy Rural District would be ideal for the position.

Resolution Number: PRAC-2024-024

Moved by: Rob Jeffrey

Seconded by: Bernard Brideau

THAT the Planning Review and Adjustment Committee recommends the FRSC promote the vacant position for PRAC with a priority focus on the Fundy Rural District.

Motion Carried

4. Next Meeting

October 21, 2024 is the anticipated date of the next meeting.

5. Adjournment

Chair Cairns called for a motion to adjourn at 7:24 p.m.

Resolution Number: PRAC-2024-025

Moved by: Bernard Brideau

THAT the Committee adjourn the meeting at 7:24 p.m.

Motion Carried

ORIGINAL SIGNED

John Cairns, Chairperson

ORIGINAL SIGNED

Cassie Silhanek, Recording Secretary

October 21, 2024

Date