

Planning Review Adjustment Committee
May 13, 2015

Minutes of the meeting of the Planning Review Adjustment Committee of the Fundy Regional Service Commission held on Wednesday, May 13, 2015 at 1:02 p.m. at Crane Mountain, Saint John.

1. Call to Order

The Chairperson, Dwight Allaby, called the meeting to order at 1:02 p.m.

2. Record of Attendance

BOARD MEMBERS

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

OTHERS

Brian Shannon, Fundy Regional Service Commission
Jill Galbraith, Applicant

3. Approval of Order of Business

The Chairperson asked for approval of the agenda as presented.

Motion: To approve the agenda May 13, 2015 as presented.

Moved: Brenda Rathburn
Seconded: Walter Pollock
Vote: Motion Carried

4. Disclosure of Conflict of Interest

None

5. Presentation of Brian and Jill Galbraith 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: Bill and Jill Galbraith

Request: Subdivision of property located at 7678, Route 102, Lower Greenwich, PID 136945 into two residential building lots fronting on and using a Right of Way to access to Route 102.

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 two proposed lots do not have frontage on the public Route 102. 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 Regulation 80-159, a requirement consistent with Section 42(3)(c)(ii) Community Planning Act Section.

Excerpt from Provincial Subdivision Regulation 80-159: Lots, Blocks & 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 lots would use the previously approved D.T.I. existing driveway access (the flag stem) of existing Lot 14-1 as access to Route 102. The "Right of Way" for proposed Lot 15-2 would be over Lot 15-1 and Lot 14-1 to the Route 102, and access for proposed Lot 15-1 would be over Lot 14-1 to the Route 102.

The proposed lots 15-1 and 15-2 meet the remaining requirements of the Provincial Subdivision Regulations 80-159. The proposed lots exceed the minimum lot dimension in length and width and exceed the required minimum area.

Required Lot: 54m W x min 38m D and at least 4000 sq. m.

Proposed Lots: 131 W x 74.20m D having 10,000 sq. m. (or 2.4 acres)

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

Consultation: As required notices were sent to neighbors within 100 metres of the address, a total of 8, no responses were received within the 10-day requirement or to date.

Motion: To approve the Right of Way and the two lots fronting on and using the Right of Way as access to Route 102 with the stipulation the applicant provide proof of legal access over the driveway stem of 'Flag Lot' 14-1.

Moved: Paul Gordon
Seconded: Brenda Rathburn
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 members to review the document provided regarding Lot Creation on Private Roads for discussion at the June meeting.

10. Motion to Adjourn

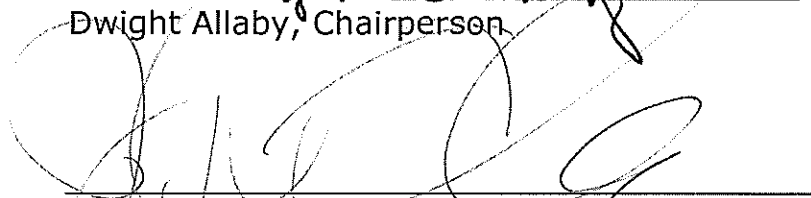
Motion: The Chair called for a motion to adjourn at 1:50 pm.

Moved: Paul Gordon
Seconded: Walter Pollock
Vote: Motion Carried

APPROVED (date) December 9, 2015



Dwight Allaby, Chairperson



Jeanne DeCourville, Recording Secretary