



Planning Review Adjustment Committee
February 11, 2016

Minutes of the meeting of the Planning Review Adjustment Committee of the Fundy Regional Service Commission held on Thursday, February 11, 2016 at 1:00 p.m. at Crane Mountain, Saint John.

1. Call to Order

The Chairperson, Dwight Allaby, called the meeting to order at 1:00 p.m.

2. Record of Attendance

BOARD MEMBERS

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

OTHERS

Brian Shannon, Fundy Regional Service Commission
Gay Dresher – Dillon Consulting
Sean O'Brien – Brunswick Engineering

3. Approval of Order of Business

The Chairperson asked for approval of the agenda as presented.

Motion: To approve the agenda February 11, 2016 as presented.

Moved: Joan Seeley
Seconded: Paul Gordon
Vote: Motion Carried

4. Disclosure of Conflict of Interest

None

5. Approval of Minutes

The Chairperson asked for approval of the minutes as presented.

Motion: To approve the minutes of December 9th as circulated.

Moved: Glen Baxter
Seconded: Joan Seeley
Vote: Motion Carried

6. Presentation – Application for Rezoning

Contract Planner, Gay Drescher advised that in order to proceed with the request to establish a Construction and Demolition (C&D) Waste Disposal site at PID 55071070 a rezoning is required as the current language in the Simonds Rural Plan does not include an industrial zone for a C&D site.

The property is zoned for Mixed Use (M), which allows for residential uses, commercial uses such as neighbourhood stores, convenience stores and service stations, institutional use, resources uses, government uses, recreational use and mining uses.

An overview of the application was provided by Ms. Drescher and Mr. Brian Shannon.

Applicant: Brunswick Engineering & Consulting Inc.

Request: Rezoning Application for consideration of the proposal to operate a Construction and Demolition Waste Disposal site, accessible to the public. The proposed operation, industrial in nature, will be open to the public, accepting construction and demolition wastes in volumes of smaller scale reflective of residential uses.

Overview: The proposed 0.97-hectare C&D site is located in the southern corner of PID 55071070 (20.23-hectare parcel) which is geographically located between Taylor Lake Road and Braydon Road and approximately 1.2 kilometres east of Haynes Lake. Site access is facilitated by a 1.8 kilometres driveway connecting to Taylor Lake Road that predates the purchase of the land. The site slopes from north with an approximate elevation difference of 3 metres from its highest to lowest point. The parcels of land surrounding the site are heavily wooded and undeveloped as well as providing both visual and noise buffets for the site. The depth to bedrock and the seasonal high groundwater table both are greater than 1.5 metres, as required in the Dept. of Environment Construction and Demolition Debris Disposal Site Siting Standard and Application Requirements (the Siting Standard). Also, the native soil on the proposed site is a silty sand and gravel which will be able to function as an ideal material to employ as the 150-millimetre-thick weekly cover material for the disposal cell.

Public Consultation: As specified in Section 6.2 of the FRSC PRAC By-law, property owners within 100m of the property must be notified of the application. In this case, the applicant owns all property around the proposed site with the nearest non-applicant owned property being a distance of over 300m. The PRAC may direct staff to advise residential property owners on the Braydon Road within a distance of 500m from the entrance of the driveway of the proposed land use.

Legal Authority: The PRAC, under the Regional Services Act, has the authority to consider any land use application in its region. To consider this activity as a use in compliance with the Plan, a number of options are available:

- 1) Conduct a review of the Plan in its entirety, addressing uses as the one under review as well as considering current uses. This process could take over 18 months to complete and the legislation would be met through a detailed and extensive public process. It should be noted that this would permit a complete revision of the existing plan which is over 15 years old.
- 2) Prepare an amendment to the existing plan for consideration of an industrial use. This process would follow the procedures set out in the legislation and would involve public consultation. The policy statement would be vetted through the public hearing process. The permitted uses in the zoning provision would be established at the same time.
- 3) Permit the operation on a temporary basis for one year in accordance with Section 34(3)(h)(i)&(i.1) of the Community Planning Act under the authority of Section 24(1)(a)(i) of the Regional Service Delivery Act.
- 4) Permit the operation as a similar to or compatible with other uses in the by-law.

Recommendations:

- 1) It is recommended that staff be directed to draft language to support option 2 for the potential rezoning of the property identified as PID 55071070, to permit a Construction and Demolition Waste Site open to the public to be developed and operated; and,
- 2) It is recommended that staff be directed to inform land owners within 500m of the entrance of the driveway of the application for the proposed rezoning to permit a Construction and Demolition Waste site open to the public to be developed and operated at the property identified as PID 55071070.

Motion: To approve staff recommendation one.

Moved: Joan Seeley
Seconded: Robert Buck
Vote: Motion Carried

Motion: To approve staff recommendation two.

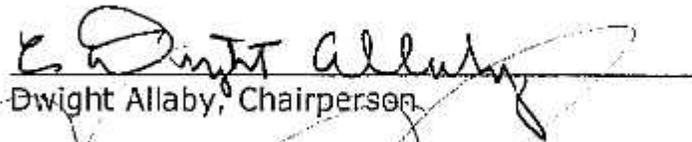
Moved: Glen Baxter
Seconded: Joan Seeley
Vote: Motion Carried

7. Motion to Adjourn

Motion: The Chair called for a motion to adjourn at 1:40 pm.

Moved: Joan Seeley
Seconded: Paul Gordon
Vote: Motion Carried

APPROVED (date) May 11, 2016


Dwight Allaby, Chairperson


Jeanne DeCourville, Recording Secretary