

**Greater Miramichi Regional Service Commission
PLANNING REVIEW AND ADJUSTMENT COMMITTEE (PRAC)**

**Meeting Minutes 2024-2
Tuesday, March 19, 2024 at 12:00 p.m.
GMRSC Boardroom, 1773 Water Street (bottom floor), Miramichi**

MEMBERS PRESENT: William Treadwell, Joe Veriker, Steve Macklin, Kurt Marks, Robert McLeod

Also Present: Nic O'Dette, Planning Manager, Julien Robichaud, Development officer, Nahyssa Rose Rabe Harou, Planner, Sharon Williston Recording Secretary, Nathan DeLong, Press, Kevin Russell, GMRSC Board Member, Dan Arsenault Press (via Zoom)

1. APPROVAL OF AGENDA

Moved by Kurt Marks, Seconded by Joe Veriker

Motion, "that the agenda be approved as presented."

Carried

2. Approval of Minutes (meeting 2024-1 held January 23, 2024)

Moved by Robert McLeod

Seconded by Kurt Marks

Motion, "that the minutes of Meeting 2024-1 be approved."

Carried

3. DECLARATION OF CONFLICT OF INTEREST

None

4. NEW Business

ITEM 2024-2-1: Applicant: Ron Lord

Staff Report and Presentation by: Nicholas O'Dette, RPP, MCIP

A Density variance to the primarily zoned "Highway Commercial (HC)" zoning of the Subject Property described as PID 40106403 located at 10 Douglastown Boulevard in the City of Miramichi has been requested, to enable the development of an additional multi-unit residential 63-unit (5 storeys) apartment building as a second phase to the existing 55-unit building on site (118 units total).

This development has previously been approved for 110 units. Pursuant to Section 55(3) of the *Community Planning Act*, "If an advisory committee or a regional service commission has made a determination with respect to a request for a variance under paragraph (1)(b), a request with respect to the same variance shall not be made to a development officer."

Nic O'Dette, Planning Manager presented the staff report.

Moved by Kurt Marks, Seconded by Robert McLeod

Steve Macklin mentioned on page 5 of the staff report the site plan shows additional amenities included. Why is this stated in the report if they don't have to have those amenities built? Client will have to pay additional fees for water services (\$5000) if an additional line is needed or an extension of services.

Joe Veriker questioned the 30 meter rule in the mailing of letters to local property owners in the area of the subject property. He was concerned the distance seemed rather low.

Steve Macklin referenced the signs are now being posted in development areas and that local neighbours/property owners can contact the GMRSC directly with any questions.

Bill Treadwell asked if the city supplied any requirements for sewage on the property, they did not.

RESOLVED,

"The Planning Review and Adjustment Committee, pursuant to Section 55(1)(b) of the *Community Planning Act*, approves the "Highway Commercial (HC)" density variance to the Zoning By-law (By-law No. 110) for the Subject Property respectively identified as PID 40106403, located at Douglstown Boulevard in the City of Miramichi to enable the development of an additional multi-unit residential 63-unit (5 storeys) apartment building to have on the same lot, 2 buildings with a total of 118 apartment units on the Subject Property, and further, that such density variance be conditional upon and subject to the following terms and conditions:

1. That the proposed development shall be limited to two buildings, with a maximum total of 118 units;
2. Technical documentation, such as a traffic impact statement and drainage/stormwater management plan, prepared by a qualified professional as deemed necessary by the City Engineer or the Development Officer, may be required before the issuance of a Building/Development Permit;
3. That the developer complies with the regulations for the "Flood Overlay (FO)" zoning, including the signing of a Flood Risk Disclaimer (Schedule C of the City of Miramichi Zoning By-law);
4. That the proposed development includes a trail that crosses the edge of the proposed parking lot from east to west on the Subject Property (connecting to the proposed Regional Commercial Riverfront trail), in general accordance with the Applicant's Site Plan drawing (AS101) dated Oct. 23rd, 2023, and subject to the Development Officer approval;
5. That municipal water, sewer collection, stormwater collection, and driveway access (including development over any Municipal Services easement) be provided to the Subject property to the satisfaction of the City Engineer; and
6. That the exterior appearance of the proposed development be in general accordance with the rendering prepared by Powers Brown Architecture, shown on the cover page of plans submitted by the Applicant (February 5th, 2024), to the satisfaction of the development officer."

Carried

ITEM 2024-2-2: Applicant: 647963 N.B. Ltd.

Staff Report and Presentation by: Nahyssa Rose Rabé Harou, B.Sc., Planner

Pursuant to Section 110(1) of the *Community Planning Act (C-19)*, the City of Miramichi has requested the views of the Greater Miramichi Regional Service Commission – Planning Review and Adjustment Committee on an Application to amend Schedule A: Zoning Map of the City of Miramichi Zoning By-law (By-law No. 110) to change the zoning from "Single or Two Unit Dwelling (R-2)" to "Medium Density B (R-4)" for a portion (~4.24 acres) of the Subject Property described as PID 40386997, located off Percy Kelly Dr (no civic address assigned) in the City of Miramichi, to allow the construction of 5 (8-unit) rowhouses.

Nahyssa Rose Rabé Harou, Planner presented the staff report.

Moved by Joe Veriker, Seconded by Lynn Gregan

Steve Macklin asked if the property will be divided for the 4.2 acres for the project? The property is almost 30 acres. The property currently is zoned three ways. Nic O'Dette stated that no S/D is required.

Steve also stated that he is not approving this item as problems have occurred in the past with the last project with the said applicant.

(1) Nay – S. Macklin

(4) Yay

RESOLVED,

"Pursuant to Section 110(1) of the *Community Planning Act (C-19)*, it is the view of the Planning Review and Adjustment Committee (PRAC) of the Greater Miramichi Regional Service Commission that the City of Miramichi amend the Zoning By-law (By-law No. 110) to change the zoning from "Single-or Two-Unit Dwelling (R-2)" to "Medium Density B (R-4)" for ~4.24 acres portion of the Subject Property described as PID 40386997 (no civic address assigned), Off Percy Kelly Dr, in the City of Miramichi, to enable the development of 5 (8-unit) rowhouses, and further, that such rezoning be conditional upon and subject to the following terms and conditions pursuant to Section 59 of the *Community Planning Act (C-19)*:

1. That main uses allowed on the portion of Subject Property be limited to one or more rowhouse dwelling containing not more than 16 dwelling units;
2. When the Applicant applies for a Building Permit, a detailed site plan shall be required by the Development Officer to fully assess zoning compliance with "Medium Density B" (R-4) and other applicable zoning regulations; if the Applicant requires any variances, they can be applied for and considered at that time;
3. In furtherance of Municipal Plan proposals to implement policy related to Gathering Places & Trail Linkages (Section 5(C)(3) and (5)), a minimum 1m wide hard surfaced (brick, concrete, cement, or the like) pedestrian walkway shall run alongside the private driveway (either one or both sides) and connect to the street line of the abutting public street right-of-way (Percy Kelly Drive);

4. Prior to the issuance of any building permit for any one or more rowhouse dwelling, that the Applicant/Property Owner enter into a development agreement with the City which may set out the terms and conditions for construction, acceptance, and warranty of all new public and private infrastructure;

5. Notwithstanding condition d, that municipal water, sewer collection, stormwater services, and driveway access be provided to the Subject Property to the satisfaction of the Director of Engineering and/or Director of Public Works, City of Miramichi; and

6. The completion of the Environmental Impact Assessment review process to the satisfaction of the Department of Environment and Local Government.”

Carried

ITEM 2024-2-3: Applicant: New Brunswick Housing Corporation

**Staff Report and Presentation by: Nahyssa Rose Rabé Harou, B.Sc.,
Planner**

Pursuant to Section 53(2)(i) of the NB *Community Planning Act*, and Section 2.9.4 (2) of the City of Miramichi Zoning By-law, a request for a “Temporary Use” approval has been received regarding a portion (5220m²) of the subject Property described as PID 40409112, located at (no civic address), General Manson Way in the City of Miramichi. This approval is required for the Applicant to construct a 10-unit (single storey) building.

Pursuant to Section 110(1) of the *Community Planning Act* (C-19), the City of Miramichi has requested the views of the Greater Miramichi Regional Service Commission – Planning Review and Adjustment Committee on an Application regarding the Property described as PID 40409112, located at (no civic address), General Manson Way in the City of Miramichi, to amend:

Schedule A: Future Land use Map of the City of Miramichi’s Municipal Plan (By-law No. 109) to change the designation from "Industrial" to "Residential", and Schedule A: Zoning Map of the City of Miramichi Zoning By-law (By-law No. 110) to change the zoning from "Airport-Compatible Business (ACB)" to “Medium Density A (R-3)” for a portion (5220m²) of the subject property and “Medium Density B (R-4)” for the balance of the (24.2 ha) subject property, to allow the construction of a 10-unit apartment building.

Nahyssa Rose Rabé Harou, Planner presented the staff report.

Moved by Bob McLeod, Seconded by Joe Veriker

Steve Macklin questioned why are they applying for a” Temporary Use” approval and would there not be some risk there?

A request was made for a condition to be added that the property will be subdivided prior to any building permit issued.

RESOLVED,

"Pursuant to Section 110(1) of the Community Planning Act (C-19), it is the view of the Planning Review and Adjustment Committee (PRAC) of the Greater Miramichi Regional Service Commission that the City of Miramichi amends:

1. Schedule A: Municipal Plan of the City of Miramichi (By-law No. 109) to change the designation from "Industrial" to "Residential"; and
2. Schedule A: Zoning By-law of the City of Miramichi (By-law No. 110) to change the zoning from "Airport-Compatible Business (ACB)" to "Medium Density A (R-3)" for a 5220m² portion of the subject portion of the property and to "Medium Density B (R-4)" for the remainder area of the property;

For the subject property described as PID 40409112, located at General Manson Way (no civic address), in the City of Miramichi, to allow the construction of a 10-unit apartment building; Subject to the following condition pursuant to Section 59 of the Community Planning Act:

1. That the property be subdivided in accordance with the tentative plan submitted to GMRSC Planning Services, to the satisfaction of the Development Officer, prior to any required building permit being issued."

Carried

ITEM 2024-2-4: Applicant: New Brunswick Housing Corporation

Staff Report and Presentation by: Nicholas O'Dette, RPP, MCIP

Pursuant to Section 53(2)(i) of the NB *Community Planning Act*, and Section 2.9.4 (2) of the City of Miramichi Zoning By-law, a request for a "Temporary Use" approval has been received regarding a portion (8566m²) of the subject Property described as PID 40204984, located at (no civic address), Henderson Street in the City of Miramichi. This approval is required for the Applicant to construct two 10-unit (3 bedrooms each) 2-storey buildings.

Pursuant to Section 110(1) of the *Community Planning Act (C-19)*, the City of Miramichi has requested the views of the Greater Miramichi Regional Service Commission – Planning Review and Adjustment Committee on an Application regarding a portion (8566m²) of the Subject Property described as PID 40204984, located at (no civic address), Henderson Street in the City of Miramichi, to amend:

Schedule A: Future Land use Map of the City of Miramichi's Municipal Plan (By-law No. 109) to change the designation from "Recreation and Greenspace" to "Residential" and Schedule A: Zoning Map of the City of Miramichi Zoning By-law (By-law No. 110) to change the zoning from "Passive Recreation/Greenspace (PR)" to "Medium Density B (R-4)", to allow the construction of two 10-unit (3 bedrooms each) 2-storey buildings.

Nicholas O'Dette, presented the staff report.

One Delegation was present for this item, Colin Williston.

Carried

RESOLVED,

"Pursuant to Section 110(1) of the Community Planning Act (C-19), it is the view of the Planning Review and Adjustment Committee (PRAC) of the Greater Miramichi Regional Service Commission that the City of Miramichi amends:

1. Schedule A: Municipal Plan of the City of Miramichi (By-law No. 109) to change the designation from "Recreation and Greenspace" to "Residential"; and
2. Schedule A: Zoning Map of the City of Miramichi Zoning By-law (By-law No. 110) to change the zoning from "Passive Recreation/Greenspace (PR)" to "Medium Density B (R-4)";

For a 8566m² portion of the Subject Property described as PID 40204984, located at Henderson St in the City of Miramichi, to enable the construction of two 10-unit apartment buildings; Subject to the following condition pursuant to Section 59 of the Community Planning Act:

1. That the property be subdivided in accordance with the tentative plan submitted to GMRSC Planning Services, to the satisfaction of the Development Officer, prior to any required building permit being issued."

Carried

ITEM 2024-2-5: Applicant: Brent Baisley

Staff Report and Presentation by: Nicholas O'Dette, RPP, MCIP

Pursuant to Section 110(1) of the *Community Planning Act* (C-19), the City of Miramichi has requested the views of the Greater Miramichi Regional Service Commission – Planning Review and Adjustment Committee on an Application to amend **Schedule A**: Zoning Map of the City of Miramichi Zoning By-law (By-law No. 110) to change the zoning from "Medium Density A (R-3)" to "Medium Density B (R-4)" for the Subject Property described as PID 40552937, located at Creaghan Avenue in the City of Miramichi, to allow a 14-unit apartment building.

Nicholas O'Dette, Planning Services Manager presented the staff report.

Moved by: Steve Macklin, Seconded by: Joe Veriker

RESOLVED,

"Pursuant to Section 110(1) of the *Community Planning Act* (C-19), it is the view of the Planning Review and Adjustment Committee (PRAC) of the Greater Miramichi Regional Service Commission that the City of Miramichi amend the Zoning By-law (By-law No. 110) to change the zoning from "Medium Density A (R-3)" to "Medium Density B (R-4)" for the Subject Property described as PID 40552937 (no civic address assigned), Creaghan Ave, in the City of Miramichi, to enable the development of a 14-unit apartment building, and further, that such rezoning be conditional upon and subject to the following terms and conditions pursuant to Section 59 of the Community Planning Act (C-19):

1. That a 4.21m variance be granted to the rear yard requirement of the R-4 zone, a 0.57m variance to the side yard requirement of the R-4 zone (each side yard), and a 10% variance to requirement for maximum coverage by open parking areas, driveways and vehicle movement areas of the R-4 zone.”

Carried

5. TENTATIVE SUBDIVISION PLANS

ITEM 2024-2-6: Applicant: Randy Waye, T.G. Williston Surveys Ltd.

Staff Report and Presentation by: Julien Robichaud

Kevin MacDonald Subdivision - Plan 2023–1 - Miramichi Bay - Parish of Hardwicke

Pursuant to Section 6(1) of the New Brunswick Regulation 80-159 under the *Community Planning Act* (c.19), the advice of the Greater Miramichi Regional Service Commission – Planning Review and Adjustment Committee (PRAC) is required in order to approve a private access proposed from this subdivision plan.

Julien Robichaud, Development Officer presented the staff report.

Moved by Steve Macklin, Seconded by Joe Veriker

RESOLVED,

As per Section 6(1) of the New Brunswick Regulation 80-159 under *Community Planning Act* (c.19), it is recommended that the Planning Review and Adjustment Committee (PRAC) of the Greater Miramichi Regional Service Commission approves *Kevin MacDonald Subdivision - Plan 2023–1 - Miramichi Bay - Parish of Hardwicke* subject to:

1. the submission of a subdivision assessment report for Lot 2024–1;
2. the consolidation of PIDs 40247751, 40247843, and 40249443;

and provided that the following notes be inserted on the final plan:

“The private access shown on this plan is not suitable for a public street. The Department of Transportation and Infrastructure will not upgrade or maintain this private access and all maintenance services and improvements to the private access are the responsibility of the property owner”; and

“The Planning Review and Adjustment Committee (PRAC) does not carry on-site inspections of the private access shown on this plan. Construction of a private access on this parcel of land in accordance with all relevant regulations, if any, is the strict and sole responsibility of the property owner or developer. The PRAC expressly makes neither representations nor warranties of any nature whatsoever that the condition and construction of the access is suitable for safe movement of vehicle traffic. The PRAC only approves the location of the access shown on this plan and not its condition and makes no representation nor warranties whatsoever with respect to the condition of the access.”

Carried

ITEM 2024-2-7: Applicant: Philippe Breau, Jules J. Breau and Son Ltd.

Staff Report and Presentation by: Julien Robichaud

Subdivision Plan No.2024-3 of George McCallum Subdivision at Alnwick (Tabusintac - Straight Brook Road) - Parish of Alnwick - County of Northumberland - Province of New Brunswick

Pursuant to Section 6(1) of the New Brunswick Regulation 80-159 under the *Community Planning Act* (c.19), the advice of the Greater Miramichi Regional Service Commission – Planning Review and Adjustment Committee (PRAC) is required in order to approve a private access extension proposed from this subdivision plan.

Julien Robichaud, Development Officer presented the staff report.

Moved by Bob McLeod, Seconded by Lynn Gregan

RESOLVED,

As per Section 6(1) of the New Brunswick Regulation 80-159 under *Community Planning Act* (c.19), it is recommended that the Planning Review and Adjustment Committee (PRAC) of the Greater Miramichi Regional Service Commission approves *Subdivision Plan No.2024-3 of George McCallum Subdivision at Alnwick (Tabusintac - Straight Brook Road) - Parish of Alnwick - County of Northumberland - Province of New Brunswick*, provided that the following notes be inserted on the final plan:

“The private access shown on this plan is not suitable for a public street. The Department of Transportation and Infrastructure will not upgrade or maintain this private access and all maintenance services and improvements to the private access are the responsibility of the property owner”; and

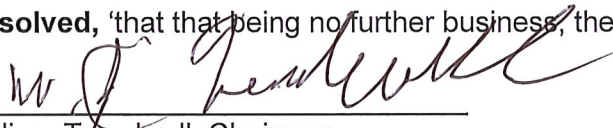
“The Planning Review and Adjustment Committee (PRAC) does not carry on-site inspections of the private access shown on this plan. Construction of a private access on this parcel of land in accordance with all relevant regulations, if any, is the strict and sole responsibility of the property owner or developer. The PRAC expressly makes neither representations nor warranties of any nature whatsoever that the condition and construction of the access is suitable for safe movement of vehicle traffic. The PRAC only approves the location of the access shown on this plan and not its condition and makes no representation nor warranties whatsoever with respect to the condition of the access.”

Carried

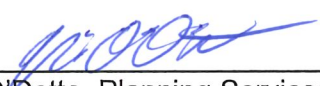
6. ADJOURNMENT

Moved by Kurt Marks

Resolved, that that being no further business, the meeting adjourned at 2:18 PM.



William Treadwell, Chairman



Nic O'Dette, Planning Services Manager



Sharon Williston, Recording Secretary