

**Southeast Planning Review and Adjustment Committee /
Comité de révision de la planification de la Commission du Sud-Est**

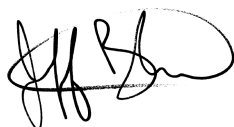
Staff Report / Rapport du personnel

Subject / Objet : extension of existing public street

File number / Numéro du fichier 20-624 & 20-1523

From / De :

Reviewed by / Révisé par :




Jeff Boudreau
Development Officer / Agent d'aménagement

Joshua Adams
Planner / Urbaniste

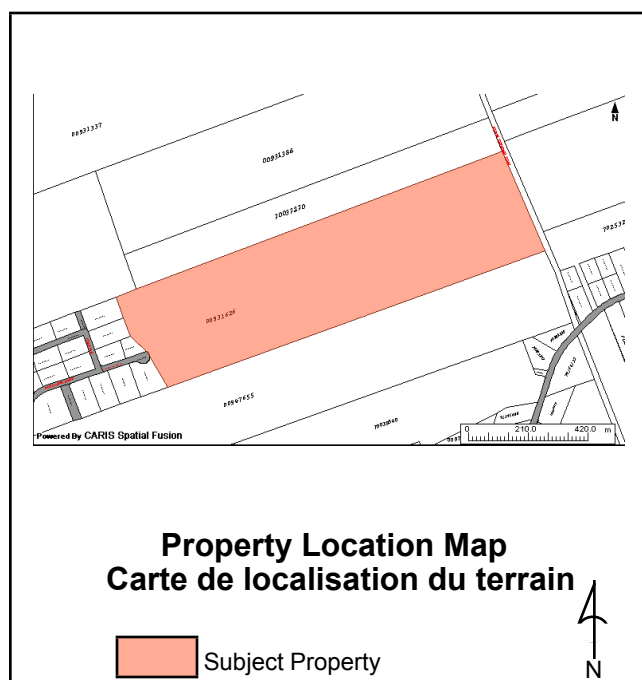
General Information / Information générale

Applicant / Requéant :

Landowner / Propriétaire :
628643 N.B Inc.

Proposal / Demande :

to extend Roy Scenic Drive and create 6 new residential lots / *pour prolonger Roy Scenic Drive et créer 6 nouveaux lots résidentiels*



Site Information / Information du site

PID / NID: 00931626

Lot Size / Grandeur du lot: 48ha

Location / Endroit :

Irishtown

Current Use / Usage présent :

vacant

Zoning / Zonage :

Agricultural

Future Land Use / Usage futur :

N/A

Surrounding Use & Zoning / Usage des environs & Zonage :

Residential, agricultural, and wooded areas

Municipal Servicing / Services municipaux:

Private individual well and septic fields

Access-Egress / Accès/Sortie : Irishtown road (Rt 115)

Policies / Politiques

Resource Uses / Usages des ressources

Proposals / Propositions

12(2) It is proposed to permit residential low density and residential high density uses within the Agricultural zone on lands meeting the requirements for such developments. / *Il est proposé d'autoriser, dans une zone résidentielle à faible densité et à forte densité, des usages de la zone agricole sur les terrains qui répondent aux critères pour de tels aménagements.*

Zoning and/or Subdivision Regulation / Réglementations de zonage et/ou de lotissement

Provincial Sub-division Regulation / Règlement provincial sur le lotissement

Streets / Rues

5(4) In arriving at a decision regarding a recommendation with respect to the location of streets in a proposed subdivision, the commission shall give consideration to; / *Avant de statuer sur une recommandation relative à l'emplacement des rues d'un lotissement proposé, la commission de services régionaux doit*

- (a) the topography of the land, / *tenir compte de la topographie du terrain,*
- (b) the provision of lots suitable for the intended use, / *veiller à la création de lots qui puissent servir à la destination qui leur est attribuée,*
- (c) street intersections and interceptions being as nearly as possible at right angles, / *s'assurer que les intersections de rues sont perpendiculaires dans la mesure du possible,*
- (d) the provision of convenient access to the proposed subdivision and to lots within it, and / *prendre les mesures nécessaires pour assurer un accès aisé au lotissement proposé et aux lots qu'il comporte, et*
- (e) the convenient further subdividing of the land or adjoining land. / *prendre les mesures nécessaires pour rendre aisé le lotissement ultérieur du terrain visé ou des terrains attenants.*

Internal Consultation & External Consultation / Consultations internes et externes

Request for comments was sent to DTI and the department of environment and local government. DTI letter of acceptance have been provided on August 4, 2020 (see attached document) / *On a envoyé une demande de commentaires au MTI. On a reçu une lettre d'approbation le 4 août, 2020 (voir le document ci-joint).*

Discussion

On July 8, an application to create 6 residential lots, and extend a public street, (Roy Scenic Drive), was received. / *Le 8 juillet, une demande de création de 6 lots résidentiels et d'agrandissement d'une rue publique (promenade Roy Scenic) a été reçue.*

The Plan was sent to the Department of Transportation and Infrastructure and no specific changes to the subdivision plan were requested. A copy of the letter from Mr. Paul Lightfoot to Mr. Jeff Boudreau dated August 4, 2020, is attached to this report. / *Le plan a été envoyé au ministère des Transports et de l'Infrastructure et aucun changement significatif n'a été demandé au plan de la subdivision. Une copie de la lettre de M Paul Lightfoot à M Jeff Boudreau en date du 4 août 2020 est attachée à ce rapport.*

As this subdivision creates a cul-de-sac which is longer than 180m as per the Provincial Subdivision Regulation 80-159 a variance is required to permit a cul-de-sac to be 365m according to the tentative plan

submitted. /

Étant donné que cette subdivision crée un cul-de-sac de plus de 180 m, conformément au Règlement de lotissement provincial 80-159, une dérogation est nécessaire pour permettre à un cul-de-sac de mesurer 365 m selon le plan provisoire soumis.

The plan was also sent to the department of environment and local government as this is an extension of the existing Red Oak subdivision the cumulative number of lots would be considered however as the last section was registered in 1994 this new section is not considered part of the overall development. From this the plan proposes only 6 new lots and is not subject to environmental impact assessments or water supply assessment. / *Le plan a également été envoyé au département de l'environnement et du gouvernement local car il s'agit d'une extension de la subdivision existante de Red Oak, le nombre cumulé de lots serait cependant considéré comme la dernière section a été enregistrée en 1994, cette nouvelle section n'est pas considérée comme faisant partie de la développement global. À partir de là, le plan ne propose que 6 nouveaux lots et n'est pas soumis à des études d'impact environnemental ou à une évaluation de l'approvisionnement en eau.*

A soil assessment report has not yet been submitted by the owner, however, every lot exceeds the New Brunswick Technical Guidelines for Onsite Sewage Disposal Systems. / *Un rapport d'évaluation des sols n'a pas encore été soumis par le propriétaire foncier, toutefois, chaque lot excède les lignes directrices techniques relatives aux systèmes autonomes d'évacuation des eaux usées du Nouveau-Brunswick.*

Public Notice / Avis public

Notice was sent to property owners within 100m of the subject property / *On a distribué des avis publics aux voisins situés à moins 100m de la propriété.*

Legal Authority / Autorité légale

Section **87(2)** of the Community Planning Act states; / *Le paragraphe 87 (2) de la loi sur l'urbanisme stipule:*

The assent of the Minister of Transportation under this section shall not be given until, / *Le ministre des Transports et de l'Infrastructure ne peut donner son assentiment prévu au présent article tant que n'ont pas été remplies les conditions suivantes :*

(a) the commission has recommended the location of the streets mentioned in subsection (1) to the Minister. / *la commission de services régionaux recommande au ministre des Transports et de l'Infrastructure l'emplacement des rues visées au paragraphe (1);*

78(1) *An advisory committee or regional service commission may / Tout comité consultatif ou toute commission de services régionaux peut :*

(a) subject to the terms and conditions it considers fit, permit a reasonable variance from the requirements of a subdivision by-law, if it is of the opinion that the variance is desirable for the development of land and is in keeping with the general intent of the by-law and any plan or scheme under this Act affecting the land, / ou bien, sous réserve des modalités et des conditions qu'il juge indiquées, autoriser toute dérogation raisonnable aux exigences de l'arrêté de lotissement, qui, à son avis, est souhaitable pour l'aménagement d'un terrain et compatible avec l'objectif général de l'arrêté comme de tout plan, toute déclaration ou tout projet prévus par la présente loi touchant le terrain;

Recommendation / Recommandation

Staff respectfully recommends that the Southeast Planning Review & Adjustment Committee **approve** the variance to exceed the maximum length of a cul-de-sac from 180m to 365m for the Red Oak subdivision Unit 2 / *Le personnel recommande respectueusement que le Comité de révision de la planification de Sud-est **approuve** la dérogation visant à dépasser la longueur maximale d'un cul-de-sac de 180 mètres à 365*

mètres pour le plan de lotissement Red Oak Unité 2

The Southeast Planning Review and Adjustment Committee **recommends** that the Minister of Transportation and Infrastructure / *Le Comité de révision de la planification de Sud-est recommande* que le ministre des Transports et de l'Infrastructure :

-assent to the location of Roy Scenic Drive, and / *approuve l'emplacement de la promenade Roy Scenic;*

subject to the following conditions: / *Sous réserve des conditions suivantes :*

1. The development officer shall not approve the final subdivision plan until all conditions as outlined by the Provincial Department of Transportation and Infrastructure letter from Mr. Paul Lightfoot to Mr. Jeff Boudreau Dated August 4, 2020, have been satisfied. / *L'agent de développement ne doit pas approuver le plan de lotissement définitif avant le respect de toutes les conditions décrites par le ministère provincial des Transports et de l'Infrastructure dans la lettre de M. Paul Lightfoot à M. Jeff Boudreau (envoyée le 4 Aout 2020).*

2. A soil aseesement report shall be sent to the development officer prior to the final plan endorsement. / *Il faut envoyer un rapport d'évaluation du sol à l'agent de développement avant l'approbation du plan définitif.*

Note: This report was written in english and translated to a bilingual document. Where a conflict exists between the two languages, the language the report was written shall prevail. / **Note:** *ce rapport a été rédigé en anglais et traduit en version bilingue. En cas de conflit entre les deux langues, la langue dans laquelle le rapport a été rédigé a préséance.*



File No: 78-R-600
August 4, 2020

Mr. Jeff Boudreau
Regional Service Commission 7
Moncton Office, Terminal Plaza
1234 Main Street, Unit 200
Moncton, NB E1C 1H7

Subject: Tentative Red Oak Unit 2 Subdivision, Parish of Moncton, Westmorland County.

Dear Mr. Boudreau,

The location of the proposed street(s) shown on the tentative subdivision plan mentioned above is acceptable to the Department of Transportation and Infrastructure.

When the Regional Service Commission 7 recommends the proposed public street(s) to the Minister of Transportation and Infrastructure and the Development Officer approves the tentative plan, then the proposed public street(s) will be acceptable to the Department of Transportation and Infrastructure when the following conditions are met:

- The developer is required to submit a street design including a plan and profile and cross sections showing top and bottom of foreslopes and backslopes, direction of ditch flow, pipe sizes, Municipal Services Easements and street right-of-way width for the proposed streets. The design drawings must be prepared and stamped by a registered Professional Engineer of New Brunswick **and submitted to the Department prior to the Minister signing the final plan.**
- The drainage system shall be designed to consider the drainage basin as a whole and must accommodate not only runoff water from the subdivision area but also, where applicable, the system shall be designed to accommodate the runoff water from those areas adjacent to and upstream from the subdivision itself, as well as its effects on lands downstream. It is the developer's responsibility to determine how the run-off water from the lots and the proposed public streets will be carried away to ensure that it does not have a negative effect on the proposed lots and the existing properties in the area. **A detailed drainage report must accompany the drainage plan in order to evaluate the drainage pattern. Where environmental permits are required, copies should be forwarded to the Department of Transportation and Infrastructure. Prior to the Minister signing the final plan, stamped copies of the engineered drainage study and design shall be forwarded to the Department.**
- The proposed street name(s) must be submitted to the Department of Public Safety NB 911 Services Section and approved to ensure compliance with the NB 911 Civic Addressing Standards. **The street name approval must be forwarded to this Department before the Minister can approve the final subdivision plan.**



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- The developer will be required to pay the Department of Transportation and Infrastructure for the costs of the supply and installation of all the traffic control signs that are required along the new streets in this subdivision. The District Transportation Engineer will determine the number of signs and their associated cost.
- The developer shall construct the proposed street(s) to meet or exceed the provincial standards specified in the "**Minimum Standards for the Construction of Subdivision Roads and Streets.**". The Standard can be viewed on the Internet sites www2.gnb.ca/content/gnb/en/departments/dti/publications.html or www2.gnb.ca/content/gnb/fr/ministeres/mti/publications.html or at the Property Services Branch, Department of Transportation and Infrastructure in Fredericton. The developer will be required to construct the street(s) to the top of the subbase including ditching, cross-culverts, and the turnaround area before the Minister of Transportation and Infrastructure will accept a surety for any remaining construction work. The grade on the new street(s) shall not exceed the maximum allowable grade of 8% and the grade on the turning area shall not exceed the maximum allowable grade of 3%. The normal street construction season is from June 1 to November 30. Street construction work performed during the off-season must be pre-approved by the District Transportation Engineer.
- The developer shall provide "**Local Government Services Easements**" with a 10-m minimum width for all drainage ditches crossing the proposed lots and the remnant property that are intended to drain water to and away from the street ditches in the proposed development. The minimum grade for drainage ditches is 1.0%.
- The developer will have the option of being directly responsible for the chip sealing or having the work performed by the Department of Transportation and Infrastructure. In either case, the developer will be required to deposit a surety with the Department of Transportation and Infrastructure for the costs associated with the chip sealing of the proposed new street. The chip sealing will be performed to the specifications established by the Department of Transportation and Infrastructure.
- The right-of-way limits at the proposed street intersection(s) shall be laid out as shown on "**Figure A10**" of the Minimum Standards.
- Any temporary turnaround must meet the requirements shown in "**Figures A3, A4 or A5**" of the Minimum Standards.
- The right-of-way limits of the proposed street(s) must be properly posted with standard survey markers to identify the property to be vested in the Crown as (a) public street(s).
- Additional street right-of-way allowance will be necessary where the topography of the land or the soil type requires extra width for deeper or wider ditches. The street right-of-way may have to be widened to more than the standard 24 metres in some areas to ensure that the ditch and the backslope/foreslope are within the area to be vested in the Crown as a public street. The additional street right-of-way width will be necessary for future street maintenance activities. Standard survey markers shall not be placed in the ditches.

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- The street(s) shall be constructed so that there are acceptable sight distances at all driveway accesses to the lots and at all street intersections.
- The turn(s) along the proposed street(s) shall be designed as curves as specified in "**Section 5.2.1**" of the Minimum Standards. The back-to-back curves shall be separated by a minimum tangent length of 15 m as specified in the Urban Supplement to the Geometric Design Guide for Canadian Roads produced by the Transportation Association of Canada.
- A suitable turning area must be constructed at the end of any temporary dead end street created by developing the subdivision proposal in phases.

It is the responsibility of people building, upgrading, or repairing highway facilities to ensure that the environment is protected and that legislative requirements are met. It is important to prevent erosion and sedimentation from occurring by having erosion and sediment control measures in place before and during roadway construction and maintenance.

The District Transportation Engineer must be notified prior to the beginning of the street construction work, as periodic inspections will be carried out during construction to assess construction methods and/or additional engineering requirements.

It should be noted that a draft copy of the final plan must be sent to both the Regional Services Commission and the Department of Transportation and Infrastructure, Property Services Branch in Fredericton, for final inspection before the registration plan is prepared and sent to the Development Officer. The Development Officer will forward the final plan to the Department of Transportation and Infrastructure for the assent of the Minister of Transportation and Infrastructure.

Please give a copy of this letter to the developer and the surveyor.

Sincerely,



Paul Lightfoot, P.Eng
Rural Subdivisions Coordinator

c.c. Norm Coté, Assistant Director, Property Services Branch, NBDTI, sent via E-mail
Charles Boudreau, District 3 (Moncton), sent via E-mail.
Morency-Cormier, Renee (DTI/MTI), District 3 (Moncton), sent via E-mail.

From: Doucet, Pierre (ELG/EGL) Pierre.Doucet@gnb.ca
Subject: RE: Frederick Fitsimmonds Subdivision
Date: June 5, 2020 at 10:20 AM
To: JULIEN DEVEAU thedealership@hotmail.com, Jeff Boudreau Jeff.boudreau@nbse.ca
Cc: Souma, Gerard (ELG/EGL) Gerard.Souma@gnb.ca

PD

Hi Trevor and Jeff,

Trevor, thanks once again for the additional information. Based on all the information you have provided, it is understood that your proposed project has no connection to the existing 42-lot Red Oak subdivision, the last lot of which was developed in 1994. Furthermore, you have indicated that your project will never involve the development of 50 or more residential lots, nor will it involve the development of 40 hectares (100 acres) or more, in part because over 31 acres of the parent lot (PID 00931626) are going to be set aside as "green space" and no lots will be developed on this area. Based on this information, the New Brunswick Department of Environment and Local Government's (NBDELG) Environmental Impact Assessment (EIA) Branch has determined that your project does not fall under any of the categories of *Schedule A* of the *EIA Regulation*, therefore the project does not have to be registered for an EIA review before it can proceed. Please note that if ever there are any changes to the proposed project, these must be provided to NBDELG's EIA Branch in order to determine if they affect this decision.

Furthermore, according to GeoNB mapping, there is a regulated watercourse on the lot identified by PID 00931626. Please note that a *Watercourse and Wetland Alteration (WAWA) Permit* must be obtained from NBDELG prior to any ground disturbance activities within 30 m of a regulated watercourse or wetland. More information on the WAWA process, including a link to the online application program, can be found here:

https://www2.gnb.ca/content/gnb/en/services/services_renderer.2935.Watercourse_and_Wetland_Alteration_Permit_.html.

Regarding groundwater, the following comments were provided by NBDELG's Source and Surface Water Management Branch following a desktop study for water supply availability data:

Water quantity:

- A 500 m radius search from the proposed property in the NBDELG database returned 17 usable well logs indicating groundwater yields ranging from 1.5 to 10 igpm (median yield is 5 igpm) from wells with total depths ranging from 102 to 330 ft (median depth is 200 ft). All wells in the area had extended casing installed ranging from 20 to 100 ft (median 25 ft) due to presence of topsoil, overburden, fill, clay, sand, gravel, and broken shale layers which can sometimes increase the risk of collapse. The bedrock in the area is generally shale, clay, limestone, conglomerate, granite and sandstone. Major water-bearing fractures supplying groundwater to 13 out of 17 wells were noted at depths ranging from 100 to 290 ft. We may note that 15 out of the 17 wells have their water bearing zone in the shale layers.

The water requirements for a single lot with a 3-bedroom house are 0.275 igpm on a daily basis, based on a value of 450 L/day/person with 4 people per house (3 bedrooms + 1). The peak demand is 3.3 igpm during 2 hours per day to supply a 4-person house. According to the depth and yield information obtained from the NBDELG database, wells are developed in the shale, granite, limestone and sandstone bedrock units, which generally supply adequate yields for domestic requirements in this area. However, if low well yield is experienced in the area, homeowners should be made aware of options to undertake additional storage conservation methods (deepen the well or in house storage tank).

Water quality:

- A 500 m radius search around the property of the NBDELG well chemistry database provided 8 samples for microbiology, general water chemistry, and trace metals. Up to 9 parameters exceeded Maximum Acceptable Concentrations (MAC) or Aesthetic Objectives (AO) of the Canadian Drinking Water Quality (CDWQ) Guidelines including: aluminum (1 result > 0.1 mg/L), arsenic (2 > 10 µg/L), fluoride (3 > 1.5 mg/L), iron (4 > 0.3 mg/L), hardness (3 > 200 mg/L), manganese (0.12 mg/L > 5 results > 0.05 mg/L and 1 result > 0.12 mg/L), antimony (1 > 6 mg/L), total coliforms (4 presence) and turbidity (6 > 1 NTU). Records provided by NBDELG represent the well water quality at the time of well completion and in many cases prior to adequate development. In general, many of these parameters noted to exceed MAC or AO could decrease when the well is in use, i.e. as the

turbidity decreases. The presence of total coliforms may indicate influences from surface or near surface water infiltration into wells. However, if wells are properly constructed and minimum setback distances are maintained as indicated in the *Water Well Regulation - Clean Water Act*, the possible risk of contamination could be mitigated.

- There are no significant high-risk sources of contamination located within 500 m around the site. There are no documented dumpsites upgradient of the proposed subdivision.

Potential homeowners should be reminded that any wells should be properly constructed according to *Water Well Regulation - Clean Water Act* with minimum setback distances maintained, minimum casing and grouting requirements, and tested prior to consumption to determine if any specific parameters require water treatment. In addition, although it is not included in the Regulation, it is recommended that a good casing length be extended into well competent bedrock, and that the entire annular space be grouted. Future residents should be advised to regularly have their water tested (i.e. twice a year, in spring and fall) to ensure it is safe and to monitor their water quantity and quality to be aware of any changes to the groundwater resource.

Conclusion:

It is recommended that the proposed subdivision be approved with a disclosure from the developer to any potential homeowner about the possible need for water treatment so that they are fully aware of the issue and can plan for the expense. In general, from a water quantity point of view, the data indicate that most well yields in the area appear to be adequate to support the peak water demand of 3.3 igpm for a single family home within a 2-hour peak demand per day. However, low well yields might be possible but do not appear to be an issue. With respect to water quality, the exceeding values of the CDWQ guidelines for identified parameters can be treated with standard methods.

Please note that, from a water quality perspective, 15 out of 17 wells with water bearing fracture zones within the shale layers for their water supply might contain naturally occurring dissolved gases including methane in the water. Homeowners should be informed that when water turbulence or water temperature increases, methane gas might be released from the water either in the well, or in the pressure tank, or at different points of the residential water distribution system. Measures for releasing the gas at the well, at the pressure tank, or along the distribution system might be undertaken.

Please don't hesitate to contact me if you have any questions or if you would like to further discuss.

Thanks,

Pierre Doucet

Project Manager/Gestionnaire de projets

Environmental Impact Assessment Branch/Direction des Études d'impact sur l'environnement

New Brunswick Department of Environment and Local Government/Ministère de l'Environnement et des Gouvernements locaux du Nouveau-Brunswick

Tel: 506-457-6757

Fax: 506-453-2627

From: JULIEN DEVEAU <thedealership@hotmail.com>

Sent: Wednesday, June 3, 2020 4:22 PM

To: Doucet, Pierre (ELG/EGL) <Pierre.Doucet@gnb.ca>

Subject: Re: Frederick Fitsimmonds Subdivision

The development area at its maximum is under 100 acres, the 2 "remnant" lots at the back exceed 31 acres and are being used for "green space". The surveying company has marked out the green space already.

From: JULIEN DEVEAU <thedealership@hotmail.com>

Sent: Wednesday, June 3, 2020 4:10:41 PM

Sent: Wednesday, June 3, 2020 4:19:41 PM
To: Doucet, Pierre (ELG/EGL) <Pierre.Doucet@gnb.ca>
Subject: Re: Frederick Fitsimmonds Subdivision

That is correct, there will never be a time where there would exceed 50 building lots in the total parcel, ever.

From: Doucet, Pierre (ELG/EGL) <Pierre.Doucet@gnb.ca>
Sent: Wednesday, June 3, 2020 2:14:55 PM
To: JULIEN DEVEAU <thedealership@hotmail.com>
Subject: RE: Frederick Fitsimmonds Subdivision

Hi Trevor,

Thanks for the additional information. I just need some additional clarification on one of your statements. You indicated in your first message below that "In my opinion, the proposed lots do not trigger an EIA registration and there will never be a time in the future where I will meet the threshold that will trigger one." Please note that the threshold for an EIA registration is the development of 50 separate dwelling units or the development of an area greater than 40 hectares (100 acres). A quick measurement of the lot in question (PID 00931626) shows that it is approximately 53 hectares (131 acres). Are you in fact stating that you will never develop a total of 50 lots and/or more than 40 hectares of the remaining lot as part of this project?

Thanks,
Pierre

From: JULIEN DEVEAU <thedealership@hotmail.com>
Sent: Tuesday, June 2, 2020 12:26 PM
To: Doucet, Pierre (ELG/EGL) <Pierre.Doucet@gnb.ca>
Subject: Re: Frederick Fitsimmonds Subdivision

Yes no problem. Forwarding it now

From: Doucet, Pierre (ELG/EGL) <Pierre.Doucet@gnb.ca>
Sent: Tuesday, June 2, 2020 10:54:54 AM
To: JULIEN DEVEAU <thedealership@hotmail.com>
Subject: RE: Frederick Fitsimmonds Subdivision

Hi Trevor,

Thanks for your message below. As mentioned yesterday, I will discuss it with my colleagues and superiors and get back to you as soon as possible. However, would it be possible for you to forward the Guideline for the Review of Subdivisions Serviced by Individual Private Wells that Fisher Engineering had shared with you? We would likely be able to find a copy internally, but it would be much easier if you could just share it with me so that I can more easily share it with others who will be reviewing your request.

Thanks in advance,

Pierre Doucet

Project Manager/Gestionnaire de projets

Environmental Impact Assessment Branch/Direction des Études d'impact sur l'environnement

New Brunswick Department of Environment and Local Government/Ministère de l'Environnement et des Gouvernements locaux du Nouveau-Brunswick

Tel: 506-457-6757

Fax: 506-453-2627

From: JULIEN DEVEAU <thedealership@hotmail.com>
Sent: Monday, June 1, 2020 8:12 PM
To: Doucet, Pierre (ELG/EGL) <Pierre.Doucet@gnb.ca>
Subject: Frederick Fitsimmonds Subdivision

Hey Pierre,

As per our discussion, i wanted to outline a few things that are relevant to your departments review process for this matter. I spoke with the Engineering company that has been involved with preparing some of the required documents for this subdivision, Fisher Engineering, and this is what they have provided to me....

"As discussed please find attached the Guideline for the Review of Subdivisions Serviced by Individual Private Wells that was issued by the Provincial Planning Director Sustainable Planning Branch Department of Environment, Dated July 15, 2009.

Within this document it outlines when planning departments should request water assessment for proposed subdivisions. The document stipulates a date from which the amount of lots created from a parent parcel should be accounted for. That date is September 1, 1998. Since September 1, 1998, the parent parcel for your subdivision (PID 00931626) has not been subdivided at all. The last parcel created from the subject parcel was in 1994. Therefore this small proposed 6 lot subdivision should not trigger a water study.

If this subdivision were to expand, future expansions may require a Water Supply Source Assessment (WSSA). "Those guidelines have been developed to assist both the public and private sectors engaging in projects requiring a Water Supply Source Assessment (WSSA) through the Environmental Impact Assessment (EIA) process. Projects typically requiring a WSSA include the construction and/or modification of municipal, industrial or communal water supply sources, large scale subdivision developments in unincorporated areas, and open loop earth energy systems using more than 120 m3 of water/day. At this time, the proposed 6 lot subdivision would not be considered a "large" subdivision. The developer does understand that if future plans do arise than a WSSA would more than likely be required."

It is to be noted that the subdivision that I am developing has no affiliation whatsoever with the "Red Oak subdivision" that has already developed 42 homes. Prior to the purchase of the land in question, I had the lawyers do an extensive search in PLANET and also the older registry search to insure that there was no covenants or conditions or anything noted by the province that would restrict any development or cause any problems.

Also, Fisher Engineering was the company to do the engineering work for the neighbouring subdivision on Safron drive and they were not able to identify any barriers or issues with the water supply.

Since 1998 and as outlined in the Guideline for Review of Subdivisions Services by Individual Private Wells, on page 5, Section A (iii), there would not be a calmative total of 10 or more lots from a parent property since September 1st 1998. I would respectfully submit that the 42 lots previously developed from Red Oak Subdivision has no relevance in the process before us.

In any event, I share your concern to make sure that there is a proper amount of water for any future, larger development. I would suggest that we move forward with the tentative plan proposal for the development of the 6 building lots, although I would be willing to commit to drilling 3 wells and initiate the process for the next level of water testing at a future date. For the record, at this time, in light of this new information that has come to light, there is no plans to develop further than 6 lots and for the purpose of moving forward I propose that our focus should only be on the tentative plan that has been submitted. Any potential future tentative plans can be assessed if and when they are brought forward.

In my opinion, the proposed lots do not trigger an EIA registration and there will never be a time in the future where I will meet the threshold that will trigger one.

Let me know if you have any questions or need anything further from me. I can be reached via email or telephone at (506)988-2385

Thank you

Trevor Dow