

**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 : Recommendation on streets / Recommandation sur rues

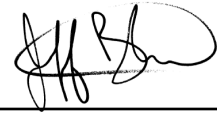
File number / Numéro du fichier 22-0127

From / De :



Phil Robichaud
Planner / Urbaniste

Reviewed by / Révisé par :



Jeff Boudreau
Development Officer / Agent
d'aménagement

General Information / Information générale

Applicant / Requéant :

Daigle Surveys

Landowner / Propriétaire :

Gillian RCL Financial Services Ltd / Services

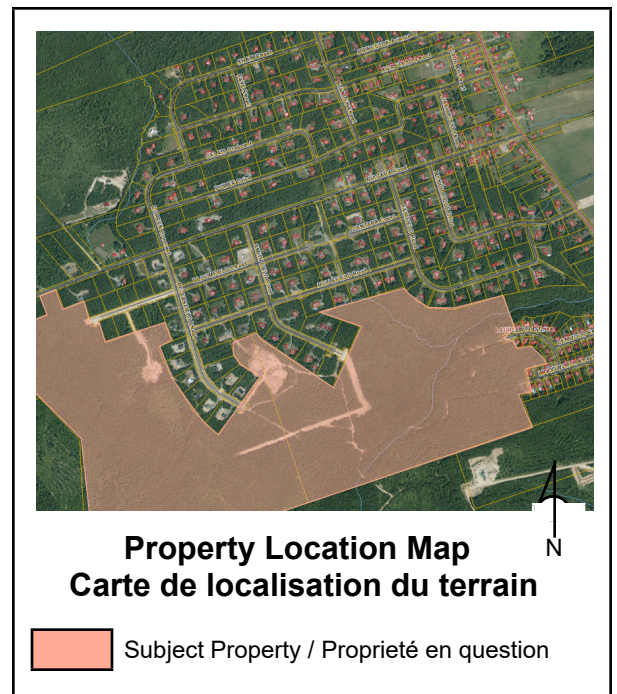
Proposal / Demande :

Recommendation to the Minister of Transportation and Infrastructure related to the location of two street extension and one new street: / *Recommandation au ministre des Transports et de l'Infrastructure concernant l'emplacement de deux prolongements de rues et une nouvelle rue*

* Extension of Smith Field Road / *Prolongement de la rue Smith Field*

* Extension of Petersfield Street / *Prolongement de la rue Petersfield*

* Greenleaf Road / *Chemin Greenleaf*



Site Information / Information du site

PID / NID: 05086699

Lot Size / Grandeur du lot: Total remnant area = 66.66 Hectares

Location / Endroit :

White Birch Estate in Lower Coverdale , LSD Coverdale

Current Use / Usage présent :

Vacant

Zoning / Zonage :

Single-Unit Residential (R1) / *Résidentielle unifamiliale (R1)*

Future Land Use Designation / Désignation de l'utilisation future du sol :

Not applicable / Pas applicable

Surrounding Use & Zoning / Usage des environs & Zonage :

Surrounding uses: single unit dwelling

Surrounding zoning: Single-Unit Residential (R1)

Municipal Servicing / Services municipaux:

None, private well and private on-site septic system required for each lot.

Access-Egress / Accès/Sortie :

rue Petersfield Street, rue Smith Field Road

Policies / Politiques

Residential Uses / Usages résidentiels

Policy / Principe

5 It is a policy to conserve the rural residential nature within the area of the Regulation by considering existing residential uses and historical developments. / *En principe, il faut sauvegarder le caractère résidentiel rural du secteur visé par le règlement, tout en tenant compte des usages résidentiels et des aménagements historiques actuels*

Proposals / Propositions

6(1) It is proposed to provide for residential development in areas suitable for communal or on-site water and septic service systems. / *Il est proposé de prévoir des aménagements résidentiels dans les secteurs où peuvent être installés des systèmes de fosses septiques et d'eau individuels ou collectifs.*

6(2) It is proposed to permit residential development only on lots that have Department of Environment and Local Government and Department of Health and Wellness approvals as required. / *Il est proposé d'autoriser les aménagements résidentiels uniquement sur les lots qui ont été approuvés par le ministère de l'Environnement et des Gouvernements locaux et par le ministère de la Santé et du Mieux-être au besoin.*

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

The subdivision plan was submitted to the Department of Transportation. The Department of Transportation responded with a letter dated December 22, 2021 that the subdivision is acceptable subject to certain conditions. A copy of the letter is attached to this report. / *Le plan de lotissement a été soumis au ministère des Transports. Le ministère des Transports a répondu par une lettre datée le 22 décembre 2021 que le lotissement est acceptable et soumis à certaines conditions. Une copie de la lettre est jointe à ce rapport.*

The overall subdivision plan was previously subject to an Environmental Impact Assessment by the Department of Environment and Local Government (DELG). A certificate of determination was issued by the DELG on June 21, 2006. Several conditions were required to be adhered to. A copy of the letter is attached to this report. / *L'ensemble du plan de lotissement était soumis à une étude d'impact sur l'environnement par le ministère de l'Environnement et Gouvernements locaux (MEGL). Un certificat de décision a été délivré par le MEGL le 21 juin 2006. Plusieurs conditions étaient requises d'être remplies. Une copie de la lettre est jointe à ce rapport.*

Discussion

A type 2 subdivision plan named White Birch Estates Subdivision was submitted on September 29, 2021. The purpose of the subdivision is to: / *Un lotissement de type 2 nommé White Birch Estates Subdivision a été soumis le 29 septembre 2021. L'objet du lotissement est de :*

- * create a total of 22 new residential lots / *créer un total de 22 nouveaux lots résidentiels*
- * extend Petersfield Street / *prolonger la rue Petersfield*
- * extend Smith Field Road / *prolonger la rue Smith Field*
- * create Greenleaf Road / *créer le chemin Greenleaf*
- * create future streets / *créer des rues futures*
- * parcel transfer (to configure property lines) / *transférer la parcelle (configuration de la limite de propriété)*

The new street and the street extensions are intended to be vested to the Department of Transportation and Infrastructure as public streets. Before the Minister of Transportation and Infrastructure assents to a Public Street, the Planning Review and Adjustment Committee needs to provide a recommendation in regards to the location of the street. Under the Provincial Subdivision Regulation, the recommendation of the street should consider the topography of the land, if the lots can be used for intended residential purposes, street intersections, provision of convenient access, and the consideration for the future subdivision of adjoining land. The recommendation relates to the location of the streets, and not necessarily the proposed lots. Lots may be subject to small changes or additional processes. / *La nouvelle rue et les nouveaux prolongements de rues sont prévus d'être assignés au ministère des Transports et de l'Infrastructure comme rues publiques. Avant que le ministère des Transports et de l'Infrastructure consente à la rue publique, le Comité de révision de la planification doit fournir une recommandation concernant l'emplacement de la rue. Selon le Règlement provincial sur le lotissement, la recommandation de la rue doit tenir compte de la topographie du terrain, si les lots peuvent être utilisés à des fins résidentielles prévues, les intersections de rue, la disposition d'accès faciles et la considération du lotissement futur des terres adjacentes. La recommandation est liée à l'emplacement des rues, et pas nécessairement les lots proposés. Les lots peuvent être soumis aux modifications mineures ou des processus supplémentaires.*

The proposal is the continuation of an overall subdivision plan that started in 2006 called White Birch Estates. An Environmental Impact Assessment was completed and a total of 9 conditions were imposed on the subdivision. The Environmental Impact Assessment Branch was contacted in regards to the proposal complying with the certificate of determination. The Department mentioned that a hydrogeological assessment (pumping test) would be required before any further development of this project. After the eventual completion of the pumping test, a report will have to be submitted for review and will have to be approved by the Department of Environment and Local Government before the development of the next phase of the project. Furthermore, the Department made mentioned that the lot 21-24 was originally intended as land for a public purpose, but is now proposed to be a residential building lot on the subdivision plan. More clarification is needed on this matter before the Department can confirm that the subdivision plan respects the certification of determination of the Environment Impact Assessment. Again, the purpose of the recommendation is regarding the location of the street. Lots may be subject to changes before the final approval. Is it recommended by staff to clarify these questions before proceeding with the final plan, but they should not impact the location of the street. / *La proposition est la continuation d'un plan d'ensemble de lotissement commencé en 2006 et nommé White Birch Estates. Une étude d'impact sur l'environnement a été terminée et un total de 9 conditions ont été imposées sur le lotissement. La direction d'Étude d'impact sur l'environnement a été contactée concernant la conformité de la proposition au certificat de décision. Le ministre a mentionné qu'une*

évaluation hydrogéologique (test de pompage) sera requise avant de poursuivre l'élaboration de ce projet. À la suite du test de pompage, un rapport devrait être soumis pour examen et nécessitera l'approbation du ministère de l'Environnement et Gouvernements locaux avant l'élaboration de la prochaine phase du projet. Par ailleurs, le ministre a mentionné que le lot 21-24 était initialement prévu comme la terre à des fins publiques, mais est actuellement proposé en tant que terrain à bâtir résidentiel sur le plan de lotissement. Plus d'éclaircissements est requis sur cette question avant que le ministre puisse confirmer que le plan de lotissement respecte le certificat de décision de l'étude d'impact sur l'environnement. Encore une fois, l'objet de la recommandation est concernant l'emplacement de la rue. Les lots peuvent être soumis aux modifications avant l'approbation finale. Il est recommandé par le personnel de préciser ces questions avant de procéder avec le plan final, mais ne devrait avoir aucun impact sur l'emplacement de la rue.

The Department of Transportation and Infrastructure was contacted. The Department had no specific concerns to the proposal and listed a set of conditions that the applicant must follow before vesting the street to the Minister. The proposed conditions are standard procedure for a type 2 subdivision. Staff proposes that the conditions from the Department be satisfied before final approval of the subdivision plan. / *Le ministère des Transports et de l'Infrastructure a été contacté. Le ministère n'avait aucune préoccupation précise concernant la proposition et il a énuméré un ensemble de conditions que le requérant doit suivre avant d'assigner la rue au ministre. Les conditions proposées sont une procédure normale pour un lotissement de type 2. Le personnel propose que les conditions du ministère soient satisfaites avant l'approbation finale du plan de lotissement.*

A soil assessment was conducted by the surveyor dated Dec 16, 2021. The purpose of the soil assessment is to determine if the properties are suitable for an onsite septic system. The surveyor commented that the soil was found to have sandy clay soil, silty clay soil, or clay soil and that the type of septic system to be installed shall be determined by the septic installer. All proposed lots are over 4000 m² and are typically deemed acceptable for residential purposes. / *Une étude du sol a été réalisée par l'arpenteur le 16 décembre 2021. L'objectif de l'étude du sol est de déterminer si les propriétés sont acceptables pour un système septique sur place. L'arpenteur a commenté que le sol est argile sableuse, argile limoneuse ou argile et que le type de système septique à être installé sera déterminé par l'installateur de septique. Tous les lots proposés sont plus de 4000 m² et sont généralement jugés acceptables à des fins résidentielles.*

The name of the new street Greenleaf was circulated to the Bureau NB 9-1-1 of the Department of Public Safety. The purpose of circulating the plan to this Department is to ensure that the proposed street name is safe. They should not be located in proximity to another street with the same name or with a name that is similar. The name Greenleaf does not exist anywhere else in the province. The Department confirmed that the name "checks out". / *Le nom de la nouvelle rue, Greenleaf, a été circulé au Bureau du service d'urgence NB 911 du ministère de la Sécurité publique. L'objet de circuler le plan à ce ministère est afin d'assurer que le nom de rue proposé est sûr. Les rues ne devraient pas être situées en proximité à une autre rue du même nom ou d'un nom similaire. On ne retrouve pas le nom Greenleaf ailleurs dans la province. Le ministère a confirmé que le nom est convenable.*

Finally, the proposal is meeting street requirements under Provincial Subdivision Regulation, such as: / *Enfin, la proposition satisfait les exigences de rues selon le Règlement Provincial sur le lotissement :*

- * The street has a gradient of less than eight percent, / Une rue a une déclivité inférieure à huit pour cent,*
- * The street is not a dead-end and instead closes a loop. / La rue est un chemin fermé et n'est pas un cul-de-sac,*
- * The proposed streets are sufficiently wide (minimum of 24 meters proposed). / Les rues proposées sont larges assez (minimum de 24 mètres proposés)*
- * Future streets are proposed to allow the possibility for the future development on the remnant property. / Les rues futures sont proposées pour permettre la possibilité pour le développement futur sur la propriété restante.*

No Public Notice was sent as there are no variances for this subdivision/ *Aucun avis ne fut envoyé, car ce lotissement ne contient aucune dérogation.*

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)*

Recommendation / Recommandation

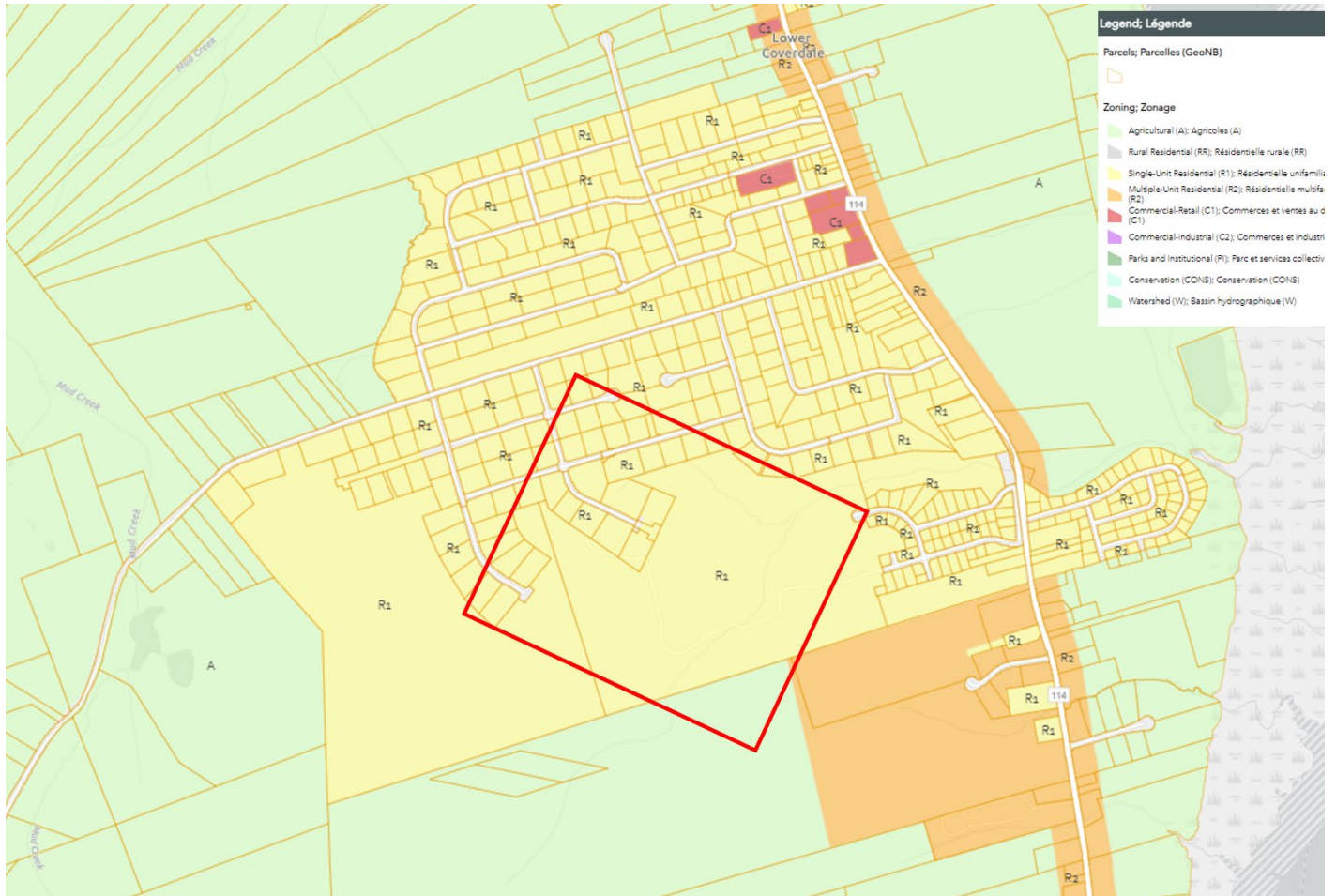
Staff respectfully recommends that the Southeast Planning Review and Adjustment Committee recommend to the Minister the location of the Petersfield Street extension, Smith Field Road Extension as well as Greenleaf Road as shown on the White Birch Estates Phase 12 Subdivision plan dated December 16, 2021, subject to the following conditions: / *Le personnel recommande respectueusement que le Comité de révision de la planification du Sud-Est recommande au ministre l'emplacement du prolongement de la rue Petersfield, le prolongement de la rue Smith Field, ainsi que la rue Greenleaf comme montré sur le plan de lotissement White Birch Estates Phase 12 daté le 16 décembre 2021, soumis aux conditions suivantes :*

1. That 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 November 12 2021, have been satisfied. / *Que l'agent d'aménagement n'approuve pas le plan final de lotissement avant que toutes conditions décrites soient satisfaites dans la lettre envoyée par M. Paul Lightfoot du ministère provincial des Transports et de l'Infrastructure à M. Jeff Boudreau le 16 décembre 2021.*

2. That the Development Officer shall not approve the final subdivision plan until Provincial Department of Environment and Local Government confirms that the proposal is respecting the letter of determination for the registered Environmental Impact Assessment. / *Que l'agent d'aménagement n'approuve pas le plan final de lotissement avant que le ministère provincial de l'Environnement et les Gouvernements locaux confirme que la proposition respecte la lettre de décision pour l'étude d'impact sur l'environnement enregistrée.*

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.

Zoning map / Carte de zonage



Main Office
 1234 rue Main Street
 2nd Floor, Unit/unité 200
 Moncton, NB E1C 1H7
 Tel/tél : 506-382-5386

Beaubassin Office
 815A rue Bombardier Street
 Route 15, Exit/sortie 37
 Shediac, NB E4P 1H9
 Tel/tél : 506-533-3637

Tantramar Office
 112 rue Main Street
 Unit/unité C
 Sackville, NB E4L 0C3
 Tel/tél : 506-364-4701

Riverview Office
 Operations Centre
 300, rue Roberston Street
 Riverview, NB E1B 0T8
 Tel/tél : 506 382 3574

DOCUMENT “A”

MINISTER’S DETERMINATION CONDITIONS OF APPROVAL

Pursuant to Regulation 87-83 under the Clean Environment Act

June 21, 2006

File Number: 4561-3-1066

1. In accordance with section 6(6) of the Regulation, it has been determined that the undertaking may proceed following approval under all other applicable acts and regulations.
2. Commencement of this undertaking must occur within three years of the date of this determination. Should commencement not be possible within this time period, the undertaking must be re-evaluated under the *Environmental Impact Assessment Regulation (87-83)* – Clean Environment Act, unless otherwise stated by the Minister of the Environment and Local Government.
3. The proponent shall adhere to all obligations, commitments, monitoring and mitigation measures presented in the EIA registration document (dated January 9, 2006), as well as all those identified in all subsequent correspondence during the registration review. Additionally, the proponent shall submit a summary table detailing the status of each Condition listed in this Determination to the Director of the Project Assessment Branch of the Department of the Environment and Local Government (DELG) every 6 months from the date of this Determination until such a time as all the Conditions have been met.
4. If it is suspected that remains of archaeological significance are found during construction, all activity shall be stopped near the find and the Resource Manager of the Archaeological Services Unit, Heritage Branch of the Culture and Sport Secretariat, shall be contacted at (506) 453-2756.
5. The proponent must complete a “Background Report on the Establishment of the White Birch Wastewater Commission” and make immediate subsequent application to the Minister of Environment and Local Government for the establishment of the Commission. The Background Report must be completed to the satisfaction of DELG no later than one year after the date of this Determination.
6. Prospective buyers of the lots on the extension to Fairfield Drive must be informed of the possible need for water quality treatment due to the occurrence of arsenic, fluoride, manganese, pH and turbidity outside of the Canadian Drinking Water Quality Guidelines.
7. A dedicated static water level logger shall be installed in TW06-04 in order to monitor and record static groundwater levels continuously as the development progresses. Should the level logger malfunction, monthly water level readings shall be collected and recorded by hand until such time as the level logger can be repaired or replaced.

8. A subdivision plan and summary of groundwater level monitoring results shall be submitted to the

Subdivision Review Coordinator, Sustainable Planning Branch, DELG, for each new phase prior to development.

9. This determination is based on current groundwater and climatological conditions. Should water quantity and/or quality problems arise in the future, further groundwater investigation may be required, as well as a possible modification of the development plan for the remaining lots.

File No. : 78-W-044

December 22, 2021

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

Subject: Tentative White Birch Estates Phase 12 Subdivision, Parish of Coverdale, Albert County.

Dear Mr. Robichaud,

The location of the proposed street(s) shown on the tentative subdivision plan mentioned above are 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 then 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, Local Government 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 any 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.
- A suitable turning area must be constructed at the end of any temporary dead-end street created by developing the subdivision proposal in phases. The temporary turnaround must meet the requirements shown in "Figures 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 minimum 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.

Mr. Phil Robichaud
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- The street(s) shall be constructed so that there are acceptable sight distances at all driveway accesses and street intersections as per 4.3.7 of the Minimum Standards.
- 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.

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. Camilla Chown, Property Services Branch, NBDTI, sent via E-mail
Vincent Rousell, District 3 (Moncton), sent via E-mail.
Lisa Parsons, District 3 (Moncton), sent via E-mail.
Morency-Cormier, Renee, District 3 (Moncton), sent via E-mail.