

**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 :** Variance Request / Demande de dérogation

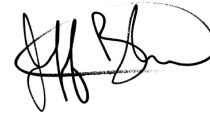
**File number / Numéro du fichier** 26-0351

**From / De :**



Patrick Gaudet  
Development Officer / Agent d'aménagement

**Reviewed by / Révisé par :**



Jeff Boudreau  
Manager of Subdivision Approval / Gestionnaire  
d'approbation des lotissements

**General Information / Information générale**

**Applicant / Requéant :**

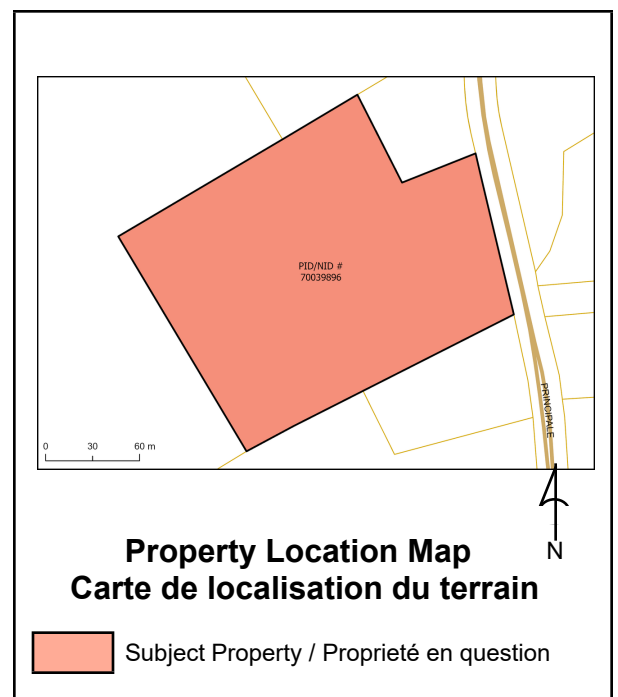
Hub Surveys

**Landowner / Propriétaire :**

Jean Bourque

**Proposal / Demande :**

Variance to reduce the minimum required width of a remnant lot from 54m to 48.77m / *Dérogation pour réduire la largeur d'un lot restant de 54m à 48.77m*



**Site Information / Information du site**

**PID / NID:** 70039896

**Lot Size / Grandeur du lot:** 3.2 hectares

**Location / Endroit :**

rue Principale, Village of Memramcook / Village de Memramcook

**Current Use / Usage présent :**

Vacant

**Zoning / Zonage :**

Rural Residential (RR) & Resource Development (RD) / *Résidentielle rurale (RR) & Développement*

**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 family dwellings, farm lands / *Usages avoisinants: Maisons unifamiliales, terres agricoles*

Surrounding Zoning : Rural Residential (RR), Resource Development (RD) / *Zonage environnant: Résidentielle rurale (RR) et Développement des ressources (DR)*

**Municipal Servicing / Services municipaux:**

None / *aucun*

**Access-Egress / Accès/Sortie :**

rue Principale

**Policies / Politiques**

**Rural Plan of the Village of Memramcook / Plan rural du Village de Memramcook**

**1.1 RESIDENTIAL SECTOR / SECTEUR RÉSIDENTIEL**

**Policies / Principes**

1.1.1 It is Council's policy is to encourage new residential development within the residential areas and the center of the village. / *Le Conseil a pour principe d'encourager les nouveaux aménagements résidentiels à l'intérieur des secteurs résidentiels et du centre du village.*

**5.1 AGRICULTURAL ACTIVITY / ACTIVITÉ AGRICOLE**

**Propositions / Propositions**

5.1.3 It is proposed to reserve sufficient land for these types of activities, without compromising the quality of life of residents or the environment. / *Il est proposé de réserver suffisamment de territoire pour ces types d'activités, sans pour autant nuire à la qualité de vie des résidents ou à l'environnement.*

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

**Village of Memramcook Subdivision By-Law / Arrêté de lotissement du Village de Memramcook**

6. Lots, blocks and other parcels / *Lots, îlots et autres parcelles*

6.2 Lot sizes are set by the Rural Plan of the Village of Memramcook / *Les dimensions des lots sont fixées par le Plan rural du Village de Memramcook*

**Rural Plan of the Village of Memramcook / Plan rural du Village de Memramcook**

10.2(5) A lot serviced by a private wastewater system must be approved or exempted by the Minister of Health or Environment and must have / *Les lots desservis par un réseau privé d'eaux usées doivent être approuvés ou exemptés par le ministère de la Santé ou de l'Environnement et doivent avoir*

a) in the case of a single-family dwelling or a building or structure not used for residential purposes: / *dans le cas d'une habitation unifamiliale ou d'un bâtiment ou d'une construction ne servant pas à des fins résidentielles*

i) a minimum width of 54 meters abutting a public street; / *une largeur minimale de 54 mètres donnant sur une rue publique*

ii) a minimum depth of 38 meters; and / *une profondeur minimale de 38 mètres; et*

iii) a minimum area of 4,000 square meters; / *une superficie minimale de 4 000 mètres carrés*

**Internal Consultation & External Consultation / Consultations internes et externes**

This request was discussed amongst SERSC planning and development staff. / *Cette demande a été discutée entre le personnel de planification et d'aménagement de la CSRSE.*

The staff of the Village of Memramcook was consulted. / Le personnel du Village de Memramcook a été consulté.

*No comments were received at the time of writing this report. / Aucun commentaire ne fut reçu au*

*moment de la rédaction du rapport.*

The Department of Environment and Local Government was consulted / Le Département d'Environnement et Gouvernements locaux a été consultés

*No comments were received at the time of writing this report. / Aucun commentaire ne fut reçu au moment de la rédaction du rapport.*

## **Discussion**

A tentative subdivision plan was received by the Southeast Regional Service Commission on March 16, 2026, to create a lot for residential building purposes from PID 70039896. The proposed subdivision is located along rue Principale in the Village of Memramcook, specifically within the Belliveau Village area, where municipal water and sewer services are not available, and where a minimum lot width of 54m is required. The proposed lot meets the dimensional requirements of the Rural Plan of Memramcook, however, the remnant of PID 70039896 has a cumulative width of 48.77m. As a result, the applicant is seeking a variance to reduce the required minimum width for the remnant lot from 54m to 48.77m. / *Un plan provisoire de lotissement a été reçu par la Commission de services régionaux du Sud-Est le 16 mars 2026 afin de créer un lot à des fins de construction résidentielle à partir du NID 70039896. Le lotissement proposé est situé le long de la rue Principale dans le village de Memramcook, plus précisément dans le secteur de Belliveau Village, où les services municipaux d'eau et d'égout ne sont pas disponibles, et où une largeur minimale de lot de 54m est requise. Le lot proposé respecte les exigences dimensionnelles du Plan rural de Memramcook; toutefois, le restant du NID 70039896 présente une largeur cumulative de 48,77m. Par conséquent, le demandeur sollicite une dérogation afin de réduire la largeur minimale requise du lot résiduel de 54m à 48,77m.*

### Site Context: / Contexte du site

The layout of the tentative subdivision plan proposes an access of 24m located on the north side of the property to access the larger portion of the property which is approximately 2.8 hectares in size. The landowner communicated that he wants to maintain an adequate access to the remnant land in the rear which is intended for agricultural uses. / *L'aménagement du plan provisoire de lotissement prévoit un accès d'une largeur de 24 m situé du côté nord de la propriété afin de desservir la plus grande portion du terrain, d'une superficie d'environ 2,8 hectares. Le propriétaire a indiqué qu'il souhaite maintenir un accès adéquat aux terrains résiduels situés à l'arrière, lesquels sont destinés à des usages agricoles.*

The land slopes significantly in the southern portion of the property, where a watercourse is present. Due to the steep topography and associated environmental constraints, this area is likely undevelopable. As such, the proposed lot is situated in the central portion of the property, between the 24m access to the remnant and the watercourse. / *Le terrain présente une pente importante dans sa portion sud, où se trouve un cours d'eau. En raison de la topographie abrupte et des contraintes environnementales associées, cette zone est possiblement non aménageable. Ainsi, le lot proposé est situé dans la partie centrale de la propriété, entre l'accès de 24m au terrain restant et le cours d'eau.*  
*The proposed subdivision plan can be found in the schedules. / Le plan de lotissement proposé se trouve dans les annexes.*

While evaluating a subdivision application, it is important to assess if new and remnant lots can be used for their intended purposes and that the subdivision is not prejudicial to future development. When assessing the basis of a variance, the Community Planning Act established the following criteria, or test: / *Lors de l'évaluation d'une demande de lotissement, il est important de vérifier si les nouveaux lots et les lots restant peuvent être utilisés aux fins prévues et que le lotissement ne porte pas préjudice au développement futur. Dans l'analyse d'une demande de dérogation, la Loi sur l'urbanisme établit les critères suivants :*

### Is it reasonable? / Est-ce raisonnable?

The minimum width of 54m is required for lots without municipal water and sewer services in the Village of Memramcook. The purpose of these dimensional requirements is to ensure that there is sufficient space for onsite septic and well without impeding neighboring properties and to provide

separation between dwellings in a rural setting. In this case, the reduced width of 48.77m (cumulative width along rue Principale) represents only the portion of the remnant that serves as an access to the remnant, and the portion bordering the watercourse. Past the “flagpole” portions of the lot, it opens to a much wider area at the back, which would be the developable portion, being about 2.8 hectares. This area would allow for the installation of services mentioned above. / *Une largeur minimale de 54m est requise pour les lots sans services municipaux d’eau et d’égout dans le village de Memramcook. L’objectif de cette exigence est de s’assurer qu’il y a suffisamment d’espace pour l’installation d’un système septique et d’un puits sans nuire aux propriétés voisines, tout en assurant une séparation adéquate entre les habitations en milieu rural. Dans le présent cas, la largeur réduite de 48,77m (largeur cumulative le long de la rue Principale) correspond uniquement à la portion du lot restant servant d’accès ainsi qu’à la partie longeant le cours d’eau. Au-delà de ces portions en « flag-pole », le terrain s’élargit considérablement à l’arrière, où se trouve la partie aménageable d’environ 2,8 hectares. Cette superficie permettrait l’installation des services mentionnés ci-dessus.*

Is it desirable for the development of the property? / Est-ce souhaitable pour l’aménagement du terrain?

Reducing lot width is generally considered undesirable. However, granting the proposed variance would allow for the creation of a new residential lot while maintaining a 24m wide access to the remnant of PID 70039896, where there is sufficient space to accommodate a primary use. Furthermore, while this location is not considered ideal to extend the municipal road network as the location of the proposal is well outside the village center, the 24m width access still provides adequate space to accommodate a future public street. / *La réduction de la largeur d’un lot est généralement considérée comme indésirable. Toutefois, l’autorisation de la dérogation proposée permettrait la création d’un nouveau lot résidentiel tout en maintenant un accès de 24m de largeur au terrain restant du NID 70039896, où il existe suffisamment d’espace pour accueillir un usage principal. De plus, bien que cet emplacement ne soit pas considéré idéal pour l’extension du réseau routier municipal, puisqu’il est situé à l’extérieur du noyau villageois, l’accès de 24m offre tout de même un espace suffisant pour permettre l’aménagement éventuel d’une rue publique.*

Is it within the intent of the Rural Plan? / Est-ce conforme à l’intention du Plan rural?

The Rural Plan aims to permit residential development and subdivisions in areas with appropriate infrastructure for their intended purposes. As the remnant is large enough to accommodate services, an access, and a main use, staff is of the opinion that the variance meets the intent of the regulation, is reasonable and desirable for the development of the land. / *Le Plan rural vise à permettre le développement résidentiel et les lotissements dans des secteurs disposant d’infrastructures adéquates pour les usages prévus. Étant donné que le terrain résiduel est suffisamment grand pour accueillir des services, un accès et un usage principal, le personnel est d’avis que la dérogation respecte l’intention de la réglementation, et qu’elle est raisonnable et souhaitable pour l’aménagement du terrain.*

**Public Notice / Avis public**

Public Notice has been circulated to neighbouring landowners within 100m of the property on April 8, 2026. / *Un avis public a été envoyé aux propriétaires fonciers à l’intérieur de 100 mètres de la propriété le 8 avril 2026.*

**Legal Authority / Autorité légale**

**Community Planning Act / Loi sur l’urbanisme**

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;*

(b) require that a subdivision plan include any terms and conditions attached to the variance, or / *ou bien exiger que le plan de lotissement comporte l'une quelconque des modalités et des conditions auxquelles est subordonnée la dérogation;*

(c) withdraw any or all of the terms and conditions attached to the variance under paragraph (b), by resolution, effective on the filing of an approved amending subdivision plan in the land registration office. / *ou bien lever tout ou partie des modalités et des conditions auxquelles est subordonnée la dérogation conformément à l'alinéa b) par voie de résolution, la levée ne prenant effet qu'au moment du dépôt, au bureau d'enregistrement des biens-fonds, d'un plan modificateur de lotissement approuvé.*

### **Recommendation / Recommandation**

Staff respectfully recommends that the Southeast Planning Review and Adjustment Committee **APPROVES** the variance to reduce the required width of remnant PID 70039896 on the Tentative Subdivision Plan Bourque Subdivision with Job Number 26-049 by Hub Surveys from 54 meters to 48.77 meters subject to the following condition : / *Le personnel recommande respectueusement que le Comité de révision de la planification du Sud-Est approuve la dérogation visant à réduire la largeur requise du NID restant 70039896 sur le plan de lotissement provisoire Bourque Subdivision avec le numéro de dossier 26-049 de Hub Surveys de 54 mètres à 48.77 mètres, et sous réserve de la condition suivante :*

- The portions of the lot having less than 54 meters shall be identified as a « no build zone » / *Les parties ayant moins de 54 mètres soit identifiées une « zone de non-construction ».*

**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.*

PLANNING APPROVAL

REGISTRATION



LOCATION MAP  
NOT TO SCALE

NOTES:

1. ALL COMPUTATIONS PERFORMED AND COORDINATES SHOWN ON THIS PLAN ARE BASED ON THE NEW BRUNSWICK STEREOGRAPHIC DOUBLE PROJECTION AND THE NAD83 (CSRS) ELLIPSOID AS REALIZED BY SERVICE NEW BRUNSWICK'S ACTIVE CONTROL SYSTEM
2. ALL DISTANCES SHOWN ARE GRID DISTANCES CALCULATED USING A COMBINED SCALE FACTOR UTILIZING GEOID MODEL HT2.0.
3. DIRECTIONS ARE N.B. GRID AZIMUTHS ESTABLISHED USING GNSS.
4. CERTIFICATIONS IS NOT MADE AS TO LEGAL TITLE, NOR TO ZONING
5. THE PLAN NUMBERS AND DOCUMENT NUMBERS REFERRED TO ON THIS PLAN ARE THOSE OF THE COUNTY REGISTRY OFFICE.
6. FIELD SURVEY WAS COMPLETED ON #### ##, 2026.

LEGEND:

LAND DEALT WITH BY THIS PLAN SHOWN THUS	_____
UTILITY EASEMENT	-----
STANDARD SURVEY MARKER PLACED (SMPL)	⊙
STANDARD SURVEY MARKER FOUND (SMFD)	⊙
CALCULATED COORDINATE POINT	○
IRON PIPE FOUND	⊙
TABULATED COORDINATE REFERENCE	④ 48
PROPERTY IDENTIFICATION NUMBER	PID
REGISTRATION	REG.
DOCUMENT	DOC.

PROPERTY INFORMATION:

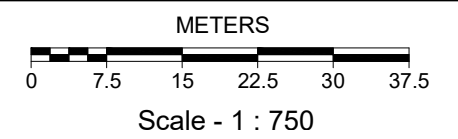
PID 70039896  
 REGISTERED OWNERS: JEAN & SUZANNE BOURQUE  
 LAND TITLES: 2004-05-21  
 DOC. 40332281  
 REGISTERED: 2020-08-10  
 PLAN 40258098

PURPOSE OF PLAN

- TO CREATE LOT 26-1 FOR RESIDENTIAL BUILDING PURPOSES.
- TO CREATE 5m PUBLIC UTILITY EASEMENT AS SHOWN, PURSUANT TO SECTION 5, REGULATION 2021-83, OF THE COMMUNITY PLANNING ACT.



6 TRITES ROAD  
 RIVERVIEW, NB  
 (506) 857 0022

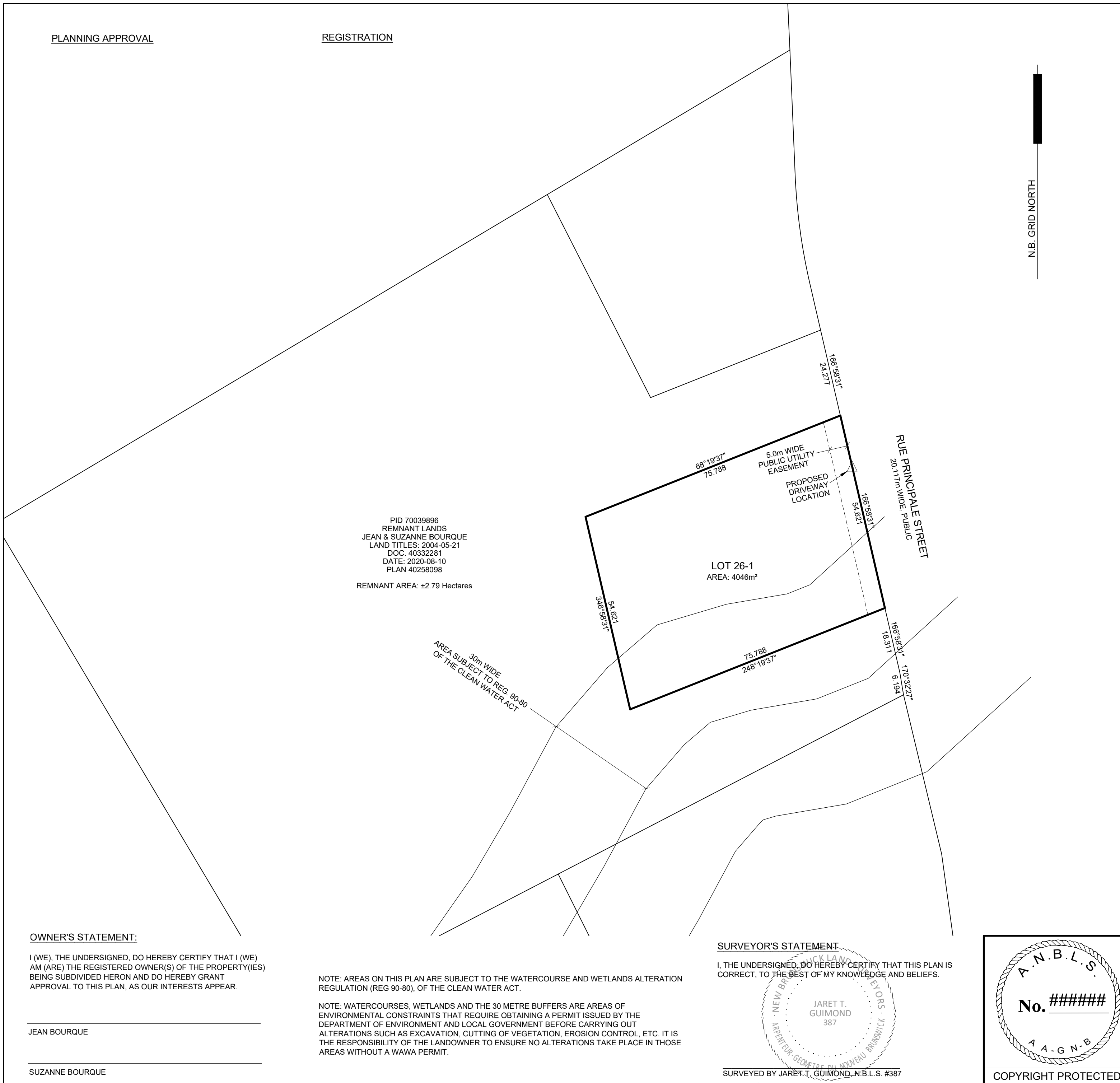


TENTATIVE SUBDIVISION PLAN

# BOURQUE SUBDIVISION

WEST SIDE OF RUE PRINCIPALE STREET  
 VILLAGE OF MEMRAMCOOK  
 PARISH OF DORCHESTER  
 COUNTY OF WESTMORLAND  
 PROVINCE OF NEW BRUNSWICK

REV.	Revision:	Job No.:
0	Date: ???? ##, 202#	26-049
	File: 26049SD	Initials: NCB /???



PID 70039896  
 REMNANT LANDS  
 JEAN & SUZANNE BOURQUE  
 LAND TITLES: 2004-05-21  
 DOC. 40332281  
 DATE: 2020-08-10  
 PLAN 40258098  
 REMNANT AREA: ±2.79 Hectares

OWNER'S STATEMENT:

I (WE), THE UNDERSIGNED, DO HEREBY CERTIFY THAT I (WE) AM (ARE) THE REGISTERED OWNER(S) OF THE PROPERTY(IES) BEING SUBDIVIDED HERON AND DO HEREBY GRANT APPROVAL TO THIS PLAN, AS OUR INTERESTS APPEAR.

JEAN BOURQUE

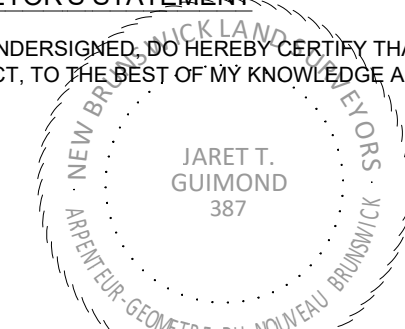
SUZANNE BOURQUE

NOTE: AREAS ON THIS PLAN ARE SUBJECT TO THE WATERCOURSE AND WETLANDS ALTERATION REGULATION (REG 90-80), OF THE CLEAN WATER ACT.

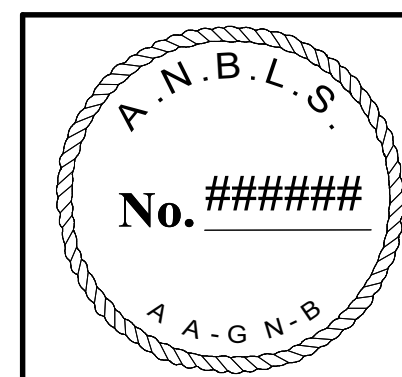
NOTE: WATERCOURSES, WETLANDS AND THE 30 METRE BUFFERS ARE AREAS OF ENVIRONMENTAL CONSTRAINTS THAT REQUIRE OBTAINING A PERMIT ISSUED BY THE DEPARTMENT OF ENVIRONMENT AND LOCAL GOVERNMENT BEFORE CARRYING OUT ALTERATIONS SUCH AS EXCAVATION, CUTTING OF VEGETATION, EROSION CONTROL, ETC. IT IS THE RESPONSIBILITY OF THE LANDOWNER TO ENSURE NO ALTERATIONS TAKE PLACE IN THOSE AREAS WITHOUT A WAWA PERMIT.

SURVEYOR'S STATEMENT

I, THE UNDERSIGNED, DO HEREBY CERTIFY THAT THIS PLAN IS CORRECT, TO THE BEST OF MY KNOWLEDGE AND BELIEFS.



SURVEYED BY JARET T. GUIMOND, N.B.L.S. #387



COPYRIGHT PROTECTED

**Location Map / Map de localisation**



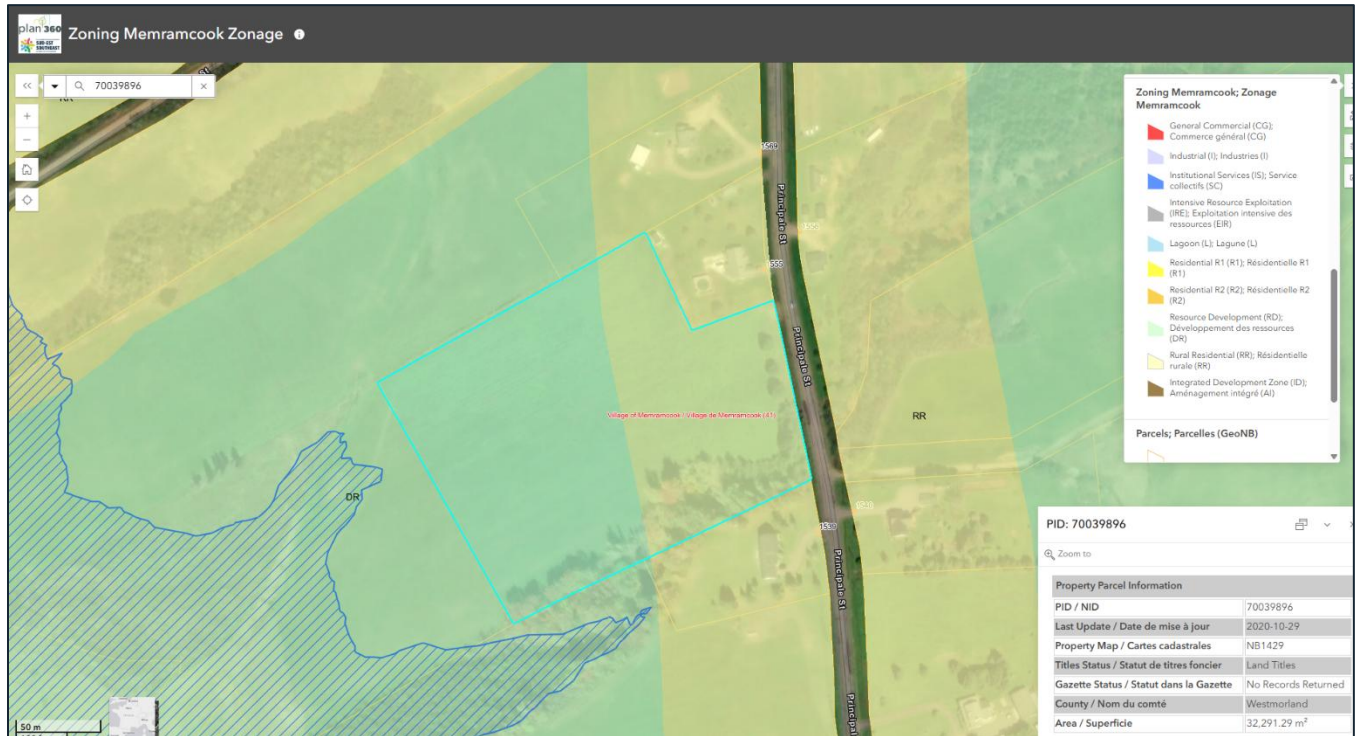
**Main / Principal**  
 1234 rue Main Street, Suite 200  
 Moncton, NB E1C 1H7  
 (506) 238-5386

**Shediac**  
 815A rue Bombardier Street  
 Shediac, NB E4P 1H9  
 (506) 533-3637

**Tantramar**  
 112C rue Main Street  
 Sackville, NB E4L 0C3  
 (506) 364-4701

**Riverview**  
 Operations Centre d'opérations  
 300 rue Robertson Street  
 Riverview, NB E1B 0T8  
 (506) 382-3574

## Zoning / Zonage



Rural Residential (RR) & Resource Development (RD) / *Résidentielle rurale (RR) & Développement des ressources (DR)*

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Riverview, NB E1B 0T8  
(506) 382-3574

**Watercourse shown on GeoNB (southern portion of lot) / Cour d'eau indiqué sur GeoNB (partie sud du terrain)**

Parcel: 70039896

Zoom to

Parcel Identification Number (PID)	70039896
Additional Information (Fee-based) **	<a href="#">RPOL: 70039896</a>
Date Updated	2020-10-29
County Name	Westmorland
Property Map	NB1429
Titles Status	Land Titles
Gazette Status	No Records Returned

\*\* Real Property Online (RPOL) provides fee-based, real property information to the public in real-time, including **property owner information**.

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 (506) 382-3574

Site photo / Photo du site – PID/NID 70039896



PID 70039896  
(Vacant)

Photo taken on April 10, 2026 / Photo prise le 10 avril 2026

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April 14, 2026

**Subject:** Bourque Subdivision Plan

The Watercourse and Wetland Alteration (WAWA) Branch with the Department of Environmental and Local Government (DELG) has reviewed the Bourque Subdivision plan dated submitted to DELG for review on April 9, 2026. During the review, the [WAWA Reference Map](#), aerial imagery and other available desktop tools were utilized to assess the potential for wetlands and watercourses in or near the proposed subdivision. This information serves as guidance during the planning phase for regional service commissions, property owners, development officers, land surveyors, local governments, etc., to ensure proposals are reviewed for potential environmental constraints and are designed in a sustainable manner.

1. The WAWA Reference Map indicates that the 30 m buffer of a watercourse is present on proposed lot 26-1 and that a watercourse and its respective 30 metre (m) buffer is present on remnant lot PD 70039896. However, this map is a reference tool only and it is possible that there is a watercourse or a wetland that is not depicted on the WAWA Reference Map on or within 30 m of the property. Any alteration in or within 30 m of a watercourse or a wetland based on DELG's [definitions](#) **will WAWA permit**.
2. Additionally, our assessment indicates the potential for the boundaries of the mapped watercourse in and within 30 meters of the Bourque Subdivision (proposed lot and remnant lot) to have a visible channel that differs from what is depicted on the WAWA reference map. Further there is the potential for an unmapped watercourse to be within 30 m of remnant lot and the potential for unmapped wetlands in the riparian areas of the mapped watercourse in or within 30 m of Lot 26-1 and the remnant lot. Prior to any development on the property, the WAWA Branch recommends that the presence and boundaries of wetlands and watercourses be assessed on the ground by a [qualified wetland delineator](#).
3. The WAWA Branch recommends all watercourses, wetlands and their respective 30 m buffers (measured from the shoulder of the bank of the watercourse)]be identified with the following text on all plans:
  - “Area subject to the *Watercourse and Wetland Alteration Regulation of the Clean Water Act*.”
4. The WAWA Branch recommends the following note also be included on all plans to inform potential buyers of environmental constraints in these areas:
  - “Watercourses, wetlands, and their respective 30-metre buffers are regulated features and any alterations within those areas require a permit issued by the Department of Environment and Local Government such as, but not limited to, soil disturbance, removal of vegetation, placement of a structure, etc. These features are regulated as per their presence on the ground and the representation on this plan may not be accurate. It is the responsibility of the landowner to ensure no alterations take place in those areas without a Watercourse and Wetland Alteration (WAWA) Permit.”
5. Refer to DELG's [Guidelines for Development within 30 m of a Watercourse](#) for information on the WAWA application review process for conducting alterations in or within 30 m of a watercourse.

6. A three-step mitigation approach is required when proposing an alteration in or within 30 m of a wetland. These steps include, in sequential order, avoidance at the planning stage, minimization of impacts to the extent possible, and, finally, compensation for any permanent wetland impacts that cannot be avoided, granted the project is approved. Therefore, all lots should have sufficient buildable area outside of regulated features (i.e., wetlands and their 30 m buffers) to ensure wetland impacts are minimized during the planning phase. Please refer to DELG's [Wetland Compensation Guidelines](#) for more information on the compensation process.

The WAWA Branch has reviewed the provided information and has no apparent concerns; however, it is the responsibility of planning authorities to determine if a property is suited for the intended development.

This review and associated recommendations are based on current regulations and guidelines which are subject to change. The comments herein are valid for a period of 24 months following the date of this correspondence. If development has not commenced by this time, the proponent will be required to re-submit documentation for review.

For additional information on the above, please refer to the documentation available on DELG's [Website](#).

Please provide a copy of this letter to all applicable parties for their records.

Should you have any questions or require additional information, don't hesitate to contact me directly.

Sincerely,



**Elizabeth Walsh**  
**Wetland Biologist**

Watercourse and Wetland Alteration Branch  
Department of Environment and Local Government