

**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 for location of a Future Street

File number / Numéro du fichier : 16-1817

From / De :

Reviewed by / Révisé par :

Jeff Boudreau

Development Officer / Agent d'aménagement

Development Officer / Agent d'aménagement

General Information / Information générale

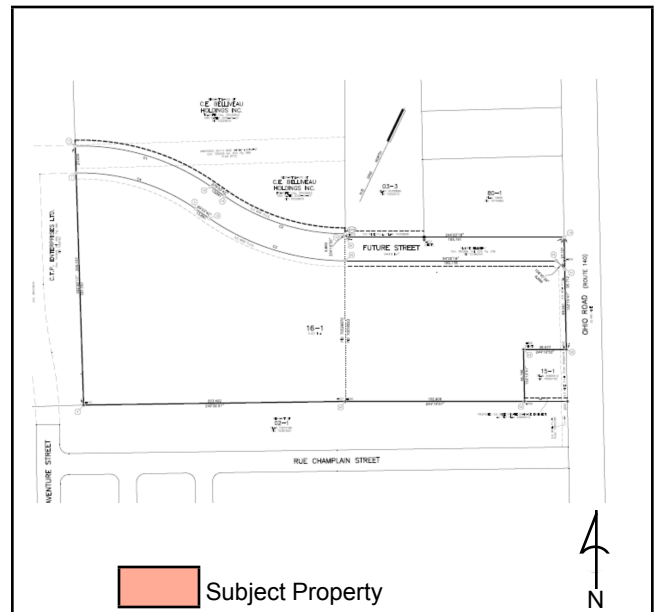
Applicant / Requéant :

Landowner / Propriétaire :

J.D Irving Limited

Proposal / Demande :

To create a new lot for commercial purposes and a future street.



Site Information /Information du site

PID / NID: 70529870 and 70018023

Lot Size / Grandeur du lot: 5.67ha

Location / Endroit :

Ohio Road

Current Use / Usage présent :

Vacant land

Zoning / Zonage :

General Commercial

Future Land Use / Usage futur :

comertial

Surrounding Use & Zoning / Usage des environs & Zonage :

General Commercial

Municipal Servicing / Services municipaux:

Public Water and Sewer

Access-Egress / Accès/Sortie : Ohio Road

Policies / Politiques

3.2.4 Commercial sectors and uses

6. Council's policy is to encourage continued growth in commercial developments in the Town of Shediac.
8. Council's policy is for every new commercial and institutional development to contribute to the improvement of municipal services such as roads, sidewalks, bicycle paths, and hiking trails.
9. Council's policy is to consider localizing businesses with a regional outreach and that need large parking lots close to Highway 15 and/or Highway 11, or close to the municipality's main arteries, such as Ohio Road and Main Street, up to the intersection with Cornwall Road.

3.2.10 Municipal services (infrastructure, health and emergency services) and public utilities/ facilities

11. The Map of Streets and Future Streets (Schedule-B) shall be referred to during the subdivision and development review process to guide the approval of new road locations in the town and to safeguard the location of future roads.

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

2. General Provisions

2.02 Pursuant to Section 42(3(i) of the *Community Planning Act*, a person proposing to subdivide land shall provide within the subdivision, or contribute to the cost thereof, such facilities as streets, curbing, sidewalks, culverts, drainage ditches, water and sewer lines, and others as may be required by the municipality.

2.03 When the land to be subdivided utilizes infrastructure paid for by the municipality or a person other than the current or previous owner or tenant of such land, the person proposing to subdivide shall contribute to the cost of such facilities and infrastructure.

3. Streets & Services

(4) In making a decision regarding a recommendation with respect to the location of streets in a subdivision, the Commission shall give consideration to the relationship between such location and

- (a) the topography of the land;
- (b) the provision of lots suitable for the intended use;
- (c) street intersections and interceptions being as nearly as possible at right angles;
- (d) the provision of convenient access to the proposed subdivision and to lots within it; and,
- (e) the convenient further subdividing of the land or adjoining land.

4. Drainage

4.01 The overall drainage of a subdivision, including the location of municipal services easements must be shown on the subdivision plan. A survey and drainage plan prepared and approved by a certified engineer shall be submitted to the Director of Public Works for approval. Wherever the installation of a storm sewer, curb and gutter is required on land in a proposed subdivision in order to ensure adequate drainage, it must be designed and approved by a member in good standing of the Association of Professional Engineers and Geoscientists of New Brunswick.

6. Land for Public Purposes

6.04 This section does not apply

- (a) in the case of a parcel of land that is being created for the purpose of being added to and forming part of an adjoining parcel;

7. Subdivision Agreements

7.01 In any subdivision where services are required, the person proposing to subdivide shall provide within that subdivision such services as deemed required by the municipality, and the development officer shall not approve the plan unless the person proposing the subdivision enters into an agreement with the municipality that is binding upon his heirs, successors and assigns to construct and pay the cost of services required within the subdivision, and deposit a sum of money or an irrevocable letter of credit with the municipality, sufficient to guarantee the faithful performance of said agreement.

7.02 Where any subdivision being proposed benefits from services previously constructed, whether by the municipality or another person, the development officer shall not approve the plan unless the person proposing the subdivision pays or agrees to pay to the municipality or another person an amount equal to his proportional share, calculated as a percentage of the area benefiting from said previously installed services.

Internal Consultation & External Consultation / Consultations internes et externes

Staff from the Town of Shediac and the Greater Shediac Sewer Commission were contacted and had no objections to the proposed subdivision.

Discussion

On November 8th a tentative subdivision plan was received showing a proposed lot which would include the PID 70018023 (old sandspit location) and a portion of PID 70529870 (C.E. Belliveau) to create a new lot for commercial development. A revised plan was submitted on November 10 following the future alignment of Breau-Bridge street. After consideration the Town of Shediac requested that the alignment of Breau-Bridge be included on the tentative subdivision plan and be vested to the town as a future street. This plan was submitted on November 25th and is hereto attached.

The proposed street location falls within the alignment identified on the future streets map in the Town of Shediac Municipal Plan.

As this is a future street no road construction is required at this time however, section 3.2.4 of the municipal plan would encourage the Town of Shediac to negotiate some form of cost recovery or infrastructure contribution for the amount of road frontage that the proposed lot will benefit from.

Public Notice / Avis public

No public notice is required for this application.

Legal Authority / Autorité légale

56(1) of the Community Planning Act

Where a subdivision plan of land in a municipality provides for the laying out of public or future streets, or the setting aside of land for public purposes, approval thereof by the development officer shall not

(a) be given, if the land is not in a integrated survey are,

Until the plan has been assented to by council.

56(2)

An assent under this section shall not be given until

(a) the advisory committee or regional service commission, subject to subsection (4.1), has recommended the location of the streets mentioned in subsection (1), or the land for public purposes mentioned therein, or both, as the case may be, or such recommendation has been rejected by majority vote of the whole council.

(b) any provision pursuant to paragraph 42(3)(i) has been complied with.

Recommendation / Recommandation

Staff of the South East Regional Service Commission respectfully recommend that the Planning Review and Adjustment Committee **recommend that the Town of Shediac Council approve the location of the future street** identified on the subdivision plan J.D. Irving Limited

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.*