

**Shediac Planning Review and Adjustment Committee /  
Comité de révision de la planification de la Commission du Shediac**

**Staff Report / Rapport du personnel**

**Subject / Objet:** Rezoning from GC to CM

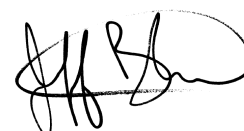
**File Number/ Numéro du fichier :** 19-1569

**From / De :**



Joshua Adams  
Planner / Urbaniste

**Reviewed by / Révisé par**



Jeff Boudreau  
Development Officer / Agent d'aménagement

**General Information / Information générale**

**Applicant / Requérant :**

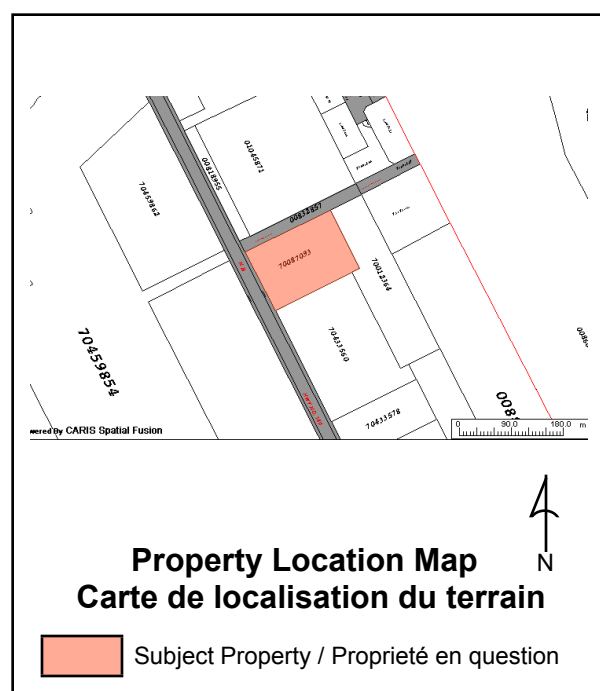
Dan Robichaud

**Landowner / Propriétaire :**

Duc Luong's Holdings Inc

**Proposal /**

Rezone from GC to CM to permit an office building and a distribution facility.



**Site Information / Information du site**

**PID / NID:** 70087093

**Lot Size / Grandeur du lot:** 1.74 hectares

**Location / Endroit :**

815 Bombardier Street, Ville de Shediac / Town of Shediac

**Current Use / Usage présent :**

Offices, Commercial

**Zoning / Zonage :**

General Commercial

**Future Land Use / Usage futur :**

Commercial

**Surrounding Use & Zoning / Usage des environs & Zonage :**

Commercial, institutional, vacant

**Municipal Servicing / Services municipaux:**

Public Water / Private Septic

**Access-Egress / Accès-Sortie :**

Bombardier Street

**Policies / Politiques****3.2.5 Industrial uses**

Since 1994, the Town of Shediac has had an industrial sector on its territory. It has traditionally been located South of Highway 15. Despite the fact that zoning allows light industries, no business has ever been established on that side of town. The fact that municipal services were nonexistent and that there are well-established industrial parks close to Shediac, partly explains why there was an absence of industrial development in the area.

Despite the establishment of municipal services in the area formerly zoned as light industrial, the development of this type of use seems inappropriate within the municipality given the heavy investments in infrastructure in the Scoudouc Industrial Park located near Shediac.

**Policies:**

1. Council's policy is to consider an industrial use on land located South of Highway 15, subject to Section 39 of the Community Planning Act.
2. Council's policy is to be selective in terms of the type of industry, its location, and the operational conditions that will have to be met.
3. Subject to Section 39 of the Community Planning Act, Council must encourage the establishment of low-polluting industries.
4. Council's policy is to maintain a transition zone around industrial uses.

**7.6 Ohio Road Borough****7.6.1 Development concept:**

The Ohio Road borough is another main artery of the Town of Shediac. In fact, this artery ensures the joining of Main Street, at the intersection of Parlee Beach Road, and Highway 15. The heavy flow of traffic on Ohio Road has prompted businesses to set up shop on the outskirts of town. The local detachment of the RCMP is also located on Ohio Road. Given this fact, we anticipate that there is a great potential for commercial development in this sector in the next few years. A more permissive commercial zoning would further favour development. However, development on a section of Ohio Road is constraint

due to a lack of services, such as water and sewer.

Ohio Road is the gateway to the Town of Shediac. Consequently, this borough has the potential for highway commercial development, despite the presence of some single family dwellings in the northern part of the borough, as well as a mini home park. In fact, this type of development requires a large area of land to allow for the construction of big box stores, to accommodate a secure access to the highway, enough space to allow delivery trucks to manoeuvre, and finally, enough parking to meet the needs of a clientele in transit.

Another not inconsiderable advantage of this borough is that the section south of Ohio Road is not developed very much. This will make it easier for the integration of new businesses and it would allow for the establishment of development guidelines, in order to minimize potential nuisances attributed to this type of development on neighbouring residential sectors. This being said, there is a great potential for commercial development over the next few years in this sector.

#### 7.6.2 Proposals related to the Ohio Road borough:

6. It is proposed to promote the diversification of commercial uses in order to create a hub of economic development.
7. It is proposed that the town develops design standards in order to guarantee that businesses will be well-integrated into this environment.
8. It is proposed to maintain a transition zone around developments with uses that are not commercial and those with neighbouring uses

### **7.7 Borough South of Route 15**

#### 7.7.1 Development concept:

The South of Highway 15 borough has traditionally been defined as an industrial zone. However, there hasn't been any initiative from the municipality to develop an industrial park in this part of town. It is important to note that portions of this sector is not serviced by the water and sewer systems, which greatly limits any type of development. Furthermore, the appeal of industrial parks in neighbouring municipalities like Moncton, Dieppe, as well as the Scoudouc Local Service District, leads us to believe that this borough should be reserved for a different vocation. Finally, let us mention the presence of a new correction centre in this borough.

The geographic location of this borough appears to be an ideal location for a non-polluting industrial development, as well as for large institutional facilities requiring large lots and generating heavy highway traffic. Bordering Highway 15, this borough's radius is undeniably desirable for businesses wanting to take advantage of this high-traffic provincial artery. Furthermore, Highway 15 creates a buffer zone that isolates developments with special fittings that could cause a nuisance to other mainly residential boroughs. Given the partial absence of municipal infrastructure in this area, it is essential that the town carefully study the economic impact of each new development proposal in this borough in order to maximize municipal infrastructure costs.

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

### **16. Commercial and Manufacturing Zone (CM)**

#### 16.1 Permitted uses

No land, building or structure shall be used for any purpose other than:

a) one or several of the following main uses:

- (i) a retail store and/or service shop;
- (ii) a service station, public garage and/or car wash;
- (iii) one or several warehouses;
- (iv) a wholesale business and/or big box retail store;
- (v) a manufacturing facility, subject to Section 34.4.c) of the Community Planning Act;
- (vi) *a distribution and/or handling facility;*
- (vii) *an office or office building.*

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

Staff consulted internally, as well as with the Department of Environment and the Town Engineer.

### **Discussion**

Best Buy Medical Supplies is currently located at 509 Main Street, which is in the General Commercial (GC) Zone. Its functions include offices and a distribution center. Currently, the company is seeking a new facility to expand their operations. After discussions with Town staff, the applicant, Dan Robichaud, put an offer on the building located at 815 Bombardier Street, which is in the GC Zone. However, a distribution center is not permitted at that site, and is currently only permitted in the Commercial and Manufacturing (CM) Zone. Therefore, a rezoning is required before the company can begin to operate.

There are policies and proposals in the municipal plan which speak to the Ohio Road corridor as an area that is intended for retail and big-box uses. As Ohio Road is a main corridor connecting Highway 15 with major tourist destinations, such as Parlee Beach and the Pointe-du-Chêne Wharf, the vision for the area is to encourage more services and retail that can serve the travelling public. A rezoning to the CM Zone along that corridor is not consistent with that vision.

The *South of Route 15* Borough is particularly dedicated for industrial uses. This is due to the proximity to Route 15 and the fact that the highway acts as a buffer, separating this area from residential uses north of Route 15. This is the only land in the Town which is zoned CM, and it has been zoned for industrial uses for many years. Despite this, there are currently no industries located there. Recent investments in infrastructure upgrades along Lino Road, including water and sewer, has made this area more accessible to development. The intent described in the municipal plan is to promote industrial uses, including distribution facilities, to establish exclusively along Lino Road.

The distribution aspect of Best Buy Medical is relatively low impact today, with minimal daily truck traffic. However, if the zoning is modified to allow a distribution center on this site, then this will also allow a large-scale distribution center or manufacturing facility if the property is sold to another company.

These uses can contain lots of truck traffic and is inconsistent with the vision in the plan to establish retail uses along this important tourism corridor. Furthermore, there are residential uses located approximately 100 meters of the site that may be negatively affected by the noise and air quality of such a use. This is the primary reason why industrial uses are encouraged along the south side of Lino Road, where there is a greater separation of residential uses from the industrial zoning. At a minimum, if Council decides to proceed with the rezoning, conditions should be placed on the property which limits the scope of uses on the property to an office and a distribution facility, which would prevent heavier uses, such as manufacturing facilities, from setting up on site.

Staff also note that this property is in the Parlee Beach Policy Area. Comments from the department of environment have confirmed that no Environmental Impact Assessment (EIA) is required for the rezoning request. However, the department will need to be contacted if any expansion is done to the facility, and an EIA may be required in the future.

Further, this property is also located in a preliminary wellfield area. The department of environment did not have a comment on this, as they only deal with regulated wellfields.

The Town engineer was also contacted and had no comments for this request.

**Disclaimer:** The building in question currently houses one of the Southeast Regional Service Commission's offices. The rezoning application has no effect on the Commission's activities, as offices are permitted in both the GC and CM zones.

### **Legal Authority / Autorité légale**

The Planning Review and Adjustment Committee receive their authority to make their views regarding the by-laws through the following sections of the Community Planning Act:

**"110(1)** Before making a by-law under this Act, a council shall request in writing the written views of the advisory committee or regional service commission on

**(a)** a proposed by-law in respect of which the views have not been given previously

### **Recommendation / Recommandation**

Staff recommends that the Shediac Planning Review and Adjustment Committee recommends to Shediac Council to refuse the rezoning application of 815, Bombardier Street in Shediac, bearing PID 70087093, to rezone from GC: General Commercial to CM: Commercial and Manufacturing in order to permit an office building and distribution facility because:

a) The proposal is inconsistent with the intent of the municipal plan, in terms of promoting retail uses along Ohio Road and promoting industrial uses along Lino Road.

**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.*