

**Shediac Planning Review and Adjustment Committee /  
Comité de révision de la planification de la Commission du Shediac**  
Monday, June 13, 2022 / Le lundi 13 juin, 2022

**Staff Report / Rapport du personnel**

**Subject / Objet :** Variance Request / Demandes de Dérogation

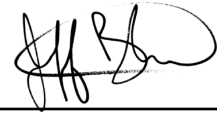
**File number / Numéro du fichier** 22-1108

**From / De :**



Phil Robichaud  
Planner / Urbaniste

**Reviewed by / Révisé par :**



Jeff Boudreau  
Development Officer / Agent  
d'aménagement

**General Information / Information générale**

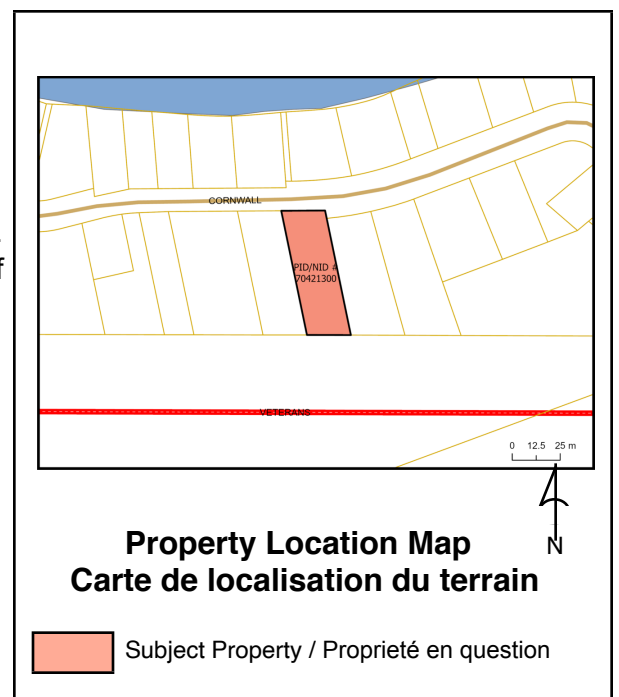
**Applicant / Requérant :**

Luc Boudreau

**Landowner / Propriétaire :**

**Proposal / Demande :**

Increase the maximum height of a garage from 5 meters (16.4 feet) to 6.42 meters (21.1 feet) and increase maximum area of a garage from 84 square meters (904 square feet) to 90 square meters (968 square feet) / *Augmenter la hauteur maximale d'un garage de 5 mètres (16,4 pieds) à 6,42 mètres (21,1 pieds) et augmenter la superficie maximale d'un garage de 84 mètres carrés (904 pieds carrés) à 90 mètres carrés (968 pieds carrés)*



**Site Information / Information du site**

**PID / NID:** 70421300

**Lot Size / Grandeur du lot:** 1482 m<sup>2</sup>

**Location / Endroit :**

375 Cornwall Road, Ville de Shediac / Town of Shediac

**Current Use / Usage présent :**

Single-Unit Dwelling / *Habitation unifamiliale*

**Zoning / Zonage :**

Low Density Residential (R1) / *Résidentielle à faible densité (R1)*

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

Residential / résidentielle

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

Single-unit dwelling / *Habitation unifamiliale*

Low Density Residential (R1) / *Résidentielle à faible densité (R1)*

**Municipal Servicing / Services municipaux:**

Public sewer and water / *Égout public et aqueduc*

## **Access-Egress / Accès/Sortie :**

*chemin Cornwall Road*

## **Policies / Politiques**

### **Shediac Municipal Plan / Plan municipal de Shediac**

#### **3.2.11 Policies related to urban design / Propositions relatives à la design urbain:**

1. Council's policy is to encourage all new residential, commercial, and institutional development to follow the general provisions in terms of design, as shown in the zoning by-law. / *Le Conseil a pour principe d'encourager que tous nouveaux développements résidentiels, commerciaux et institutionnels suivent les dispositions générales en matière de design tel qu'indiqué dans l'arrêté de zonage.*

3. Council's policy is to favour the insertion of buildings in boroughs that will improve the boroughs' appearance thanks to its design. / *Le Conseil a pour principe de favoriser l'insertion de bâtiments dans les arrondissements et dont leur design favorise à rehausser l'image de ces arrondissements. .*

#### **7.9.2 Proposals related to the Cornwall borough: / Propositions relatives à l'arrondissement Cornwall:**

1. It is proposed to maintain the integrity of existing neighbourhood residential units. / *Il est proposé de maintenir l'intégrité des unités de voisinage résidentielles existantes.*

6. It is proposed that the town develop design standards to ensure that new residential developments are properly integrated into the existing environment. / *Il est proposé que la ville élabore des normes de design afin de s'assurer que les nouveaux développements résidentiels seront bien intégrés dans leur environnement.*

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

### **Town of Shediac Zoning By-law / Arrêté de zonage de la Ville de Shediac**

#### **9.6 Accessory Buildings and Structures / Bâtiments et constructions accessoires**

9.6.1 Accessory buildings or structures shall not: / *Les bâtiments ou constructions accessoires ne peuvent pas:*

a) exceed a height of 5 metres; / *avoir une hauteur supérieure à 5 mètres;*

c) have a surface area larger than 84 square metres; / *avoir une superficie supérieure à 84 mètres carrés;*

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

Town of Shediac staff was consulted. / *Le personnel de la Ville de Shediac a été consulté.*

Regional Service Commission staff discussed this file internally. / *Le personnel de la Commission de services régionaux a discuté ce dossier à l'interne.*

## **Discussion**

Le personnel recommande respectueusement au comité d'accepter les deux demandes de dérogations parce qu'elles sont raisonnables et elles respectent l'intention des règlements. / *Staff respectfully recommends that the committee accept the two waiver requests as they are reasonable and meet the intent of the bylaws.*

A request has been received to build an addition on an existing accessory building. The existing accessory building has one floor and a dimension of 28 feet x 16 feet (448 ft<sup>2</sup> / 41.6m<sup>2</sup>). The request is

to add a two-storey addition with a height of 21.1 feet (6.42 meters) and a dimension of 20 feet x 26 feet (520 ft<sup>2</sup> / 48.3 m<sup>2</sup>). The total area of the accessory building after the addition would be 90 m<sup>2</sup> (968 ft<sup>2</sup>).  
*/ Une demande a été reçue pour construire une addition sur un bâtiment accessoire existant. Le bâtiment accessoire existant a un étage et une dimension de 28 pieds x 16 pieds (448 pi<sup>2</sup> / 41,6m<sup>2</sup>). La demande est pour ajouter une addition de deux étages avec une hauteur de 21,1 pieds (6,42 mètres) et une dimension de 20 pieds x 26 pieds (520 pi<sup>2</sup> / 48,3 m<sup>2</sup>). La superficie totale du bâtiment accessoire après l'addition serait de 90 m<sup>2</sup> (968 pi<sup>2</sup>).*

The attached plans show two options. Option A was chosen by the applicant. */ Les plans en annexe démontrent deux options. L'option A a été choisie par le demandeur.*

The following variances are required: */ Les dérogations suivantes sont requises :*

1. Increase the height from 5 meters (16.4 feet) to 6.42 meters (21.1 feet) */ Augmenter la hauteur de 5 mètres (16,4 pieds) à 6,42 mètres (21,1 pieds)*
2. Increase area from 84 square meters (904 square feet) to 90 square meters (968 square feet) */ Augmenter la superficie de 84 mètres carrés (904 pieds carrés) à 90 mètres carrés (968 pieds carrés)*

The garage addition is proposed behind the existing garage and will be further from the street than the existing house. The house is already set back from Cornwall Road and is located approximately 4 times the distance that is required according to the required front yard setbacks. In the back yard of the house are trees and then Highway 15. The increase in the accessory building above the minimum requirements is the result of an expansion on an existing accessory building. */ L'addition sur le garage est proposée derrière le garage existant et va être plus loin de la rue que la maison existante. La maison est déjà éloignée du chemin Cornwall et est située à environ 4 fois la distance qui est requise selon les marges de retrait de la cour avant requis. Dans la cour arrière de la maison se trouvent des arbres et ensuite l'autoroute 15. L'augmentation du bâtiment accessoire au-dessus des exigences minimums est le résultat d'un agrandissement sur un bâtiment accessoire existant.*

The garage roof is proposed in an angle and is not a gable roof. The lower side, which is the side closest to the neighbor to the east, is at an elevation of 12.3 feet (3.75 meters). The pitch of the roof is 4/12 and reaches a height of 21.1 feet (6.42 meters). This section of the building will be hidden behind the house. The house has a higher height than 21.1 feet (6.42 meters). */ La toiture du garage est proposée dans un angle et n'est pas une toiture « gable ». Le côté le moins élevé, qui est le côté plus proche du voisin à l'est, est à une élévation de 12,3 pieds (3,75 mètres). La pente de la toiture est 4/12 et se rend à une hauteur 21,1 pieds (6,42 mètres). Cette section du bâtiment sera cachée derrière la maison. La maison a une hauteur plus élevée que 21,1 pieds (6,42 mètres).*

The intent of the Accessory Building Dimensions By-law is: */ L'intention du règlement sur les dimensions des bâtiments accessoires est :*

- ensure that the accessory building is secondary to the dwelling, */ assurer que le bâtiment accessoire est secondaire à l'habitation,*
- ensure that the accessory building is not converted into a secondary dwelling, */ assurer que le bâtiment accessoire ne se convertit pas dans une habitation secondaire,*
- assurer que la grosseur des bâtiments soit proportionnelle et s'encadre bien avec le quartier / *ensure that the size of the buildings is proportional and fits well with the neighborhood*

Staff are of the opinion that variances should be accepted because: */ Le personnel est de l'opinion que les dérogations devraient être acceptées parce que :*

- The increases are not significant and reasonable */ Les augmentations ne sont pas significatives et raisonnable*
- The second floor is too small to be converted into a dwelling */ Le deuxième étage est trop petit pour être converti dans une habitation*
- The height and area are small compared to the house and are hidden behind the house */ La hauteur et la superficie sont de petite taille comparer à la maison et sont cachées derrière la maison*

## **Public Notice / Avis public**

Notices were sent out on May 30, 2022 to all surrounding properties within 60 meters. */ Des avis ont été envoyés le 30 mai 2022 à toutes les propriétés voisines à moins de 60 mètres*

**53(2)**For greater certainty and without limiting subsection (1), a zoning by-law shall divide the municipality into zones, prescribe the purposes for which land, buildings and structures in a zone may be used and prohibit the use of land, buildings and structures for any other purpose, and may / *Pour plus de certitude et sans que soit limitée la portée du paragraphe (1), l'arrêté de zonage répartit la municipalité en zones, prescrit les fins auxquelles les terrains, les bâtiments et les constructions dans une zone peuvent être affectés et interdit toute autre affectation des terrains, des bâtiments et des constructions et peut:*

**(a)** with respect to a zone, regulate: / *réglementer pour toute zone:*

**(iii)** the height, number of storeys, ground area, floor area and bulk of buildings and structures, / *la hauteur, le nombre d'étages, la superficie au sol, la surface de plancher et l'encombrement des bâtiments et des constructions,*

**55(1)**Subject to the terms and conditions it considers fit, the advisory committee or regional service commission may permit: / *Sous réserve des modalités et des conditions qu'il juge indiquées, le comité consultatif ou la commission de services régionaux peut autoriser:*

**(b)** a reasonable variance from the requirements referred to in paragraph 53(2)(a) of a zoning by-law if it is of the opinion that the variance is desirable for the development of a parcel of land or a building or structure and is in keeping with the general intent of the by-law and any plan under this Act affecting the development. / *soit toute dérogation raisonnable aux prescriptions de l'arrêté de zonage visées à l'alinéa 53(2)a qu'il estime souhaitable pour l'aménagement d'une parcelle de terrain, d'un bâtiment ou d'une construction et qui est compatible avec l'objectif général de l'arrêté ainsi qu'avec tout plan adopté en vertu de la présente loi et touchant l'aménagement.*

### **Recommendation / Recommandation**

Le personnel recommande respectueusement au comité d'accepter les deux demandes de dérogations parce qu'elles sont raisonnables et elles respectent l'intention des règlements. / *Staff respectfully recommends that the committee accept the two waiver requests as they are reasonable and meet the intent of the bylaws.*

**Note:** This report was written in French 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 français et traduit en version bilingue. En cas de conflit entre les deux langues, la langue dans laquelle le rapport a été rédigé a préséance.*

375 chemin Cornwall Road (PID/NID 70421300)

Shediac

Date: 5/30/2022



**Main Office**

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

**Beaubassin Office**

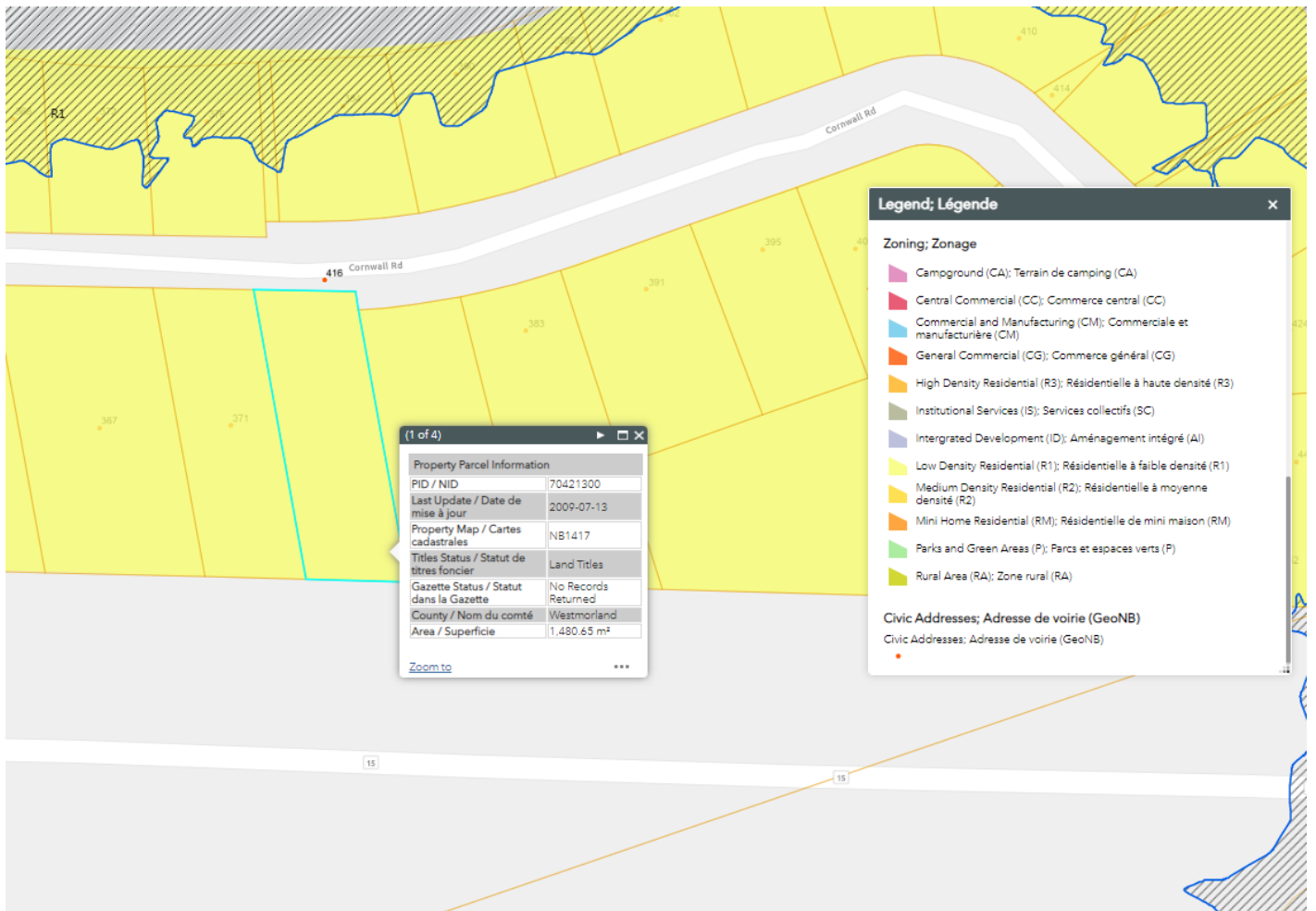
815A rue Bombardier Street  
Route 15, Exit/sortie 37  
Shediac, NB E4P 1H9  
Tel/tél : 506-533-3637

**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















**Outline Specifications**

These Outline Specifications are hereby made a part of the contract for construction between the contractor and the owner. These Outline Specifications apply to the Contractor, to all subcontractors and to the aggregate of their duties which will sometimes be referred to herein as "The Work". The drawing takes precedence should a conflict arise between the drawings and these Outline Specifications.

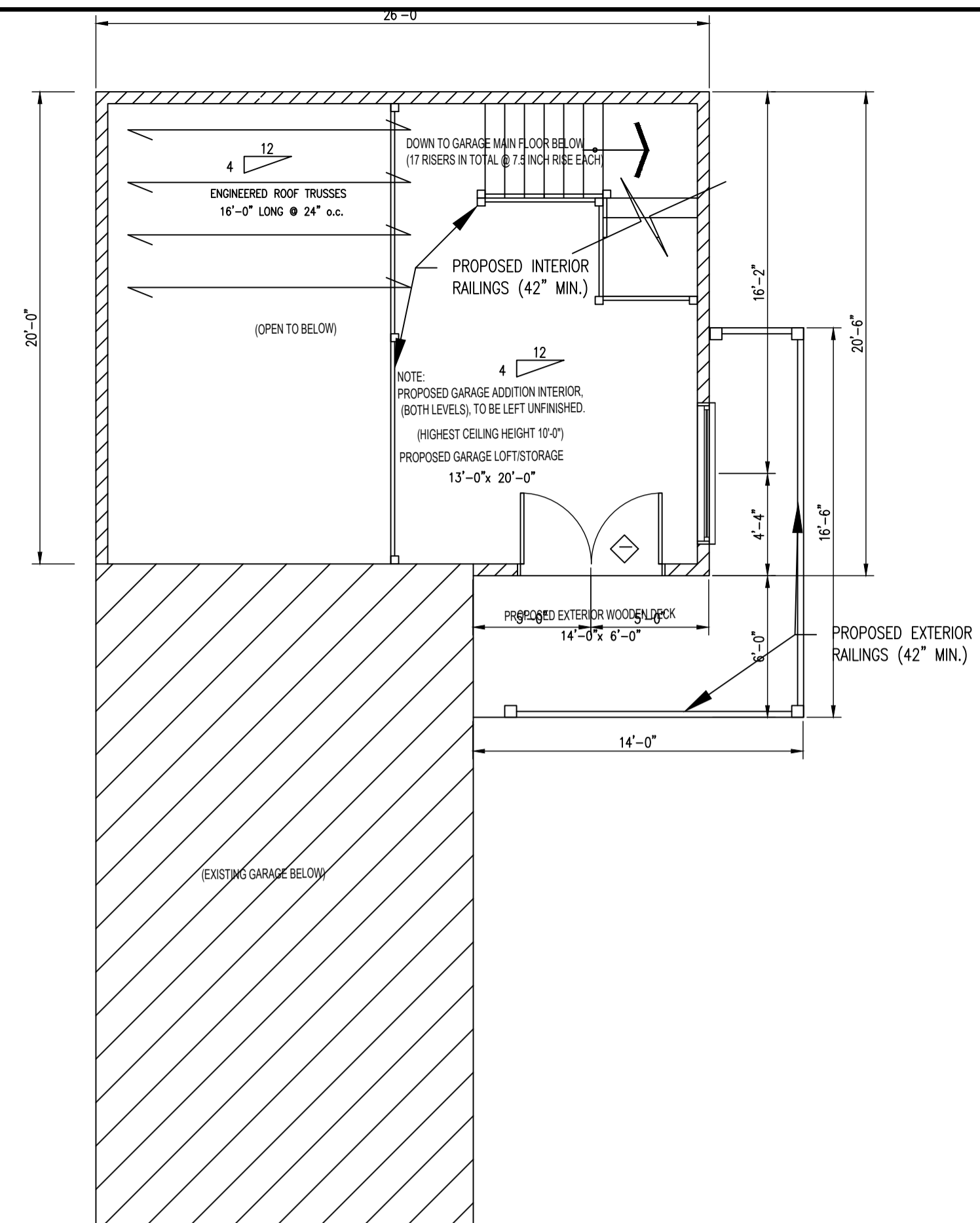
**General Conditions**

**A. General Notes:**

- The Contractor shall review the General Notes and Contract Documents before commencing the work.
- The Work shall conform to the contract documents which include the Owner/Contractor Agreement, these Outline Specifications, the Drawings and all Addenda and modifications which may be issued.
- The Contractor shall review the contract documents and verify dimensions and field conditions; any conflicts, omissions or discrepancies shall be reported in writing to the Owner within three (3) calendar days. The contractor warrants by proceeding with the Work that is buildable as depicted by the documents.
- The Contractor shall arrange for all governmental inspections necessary to obtain an Occupancy Permit.
- The Contractor shall comply with the building codes and other regulations enforced by the local municipality and shall comply with the requirements of all county, province and federal agencies having jurisdiction over the Work.
- The Contractor shall be responsible for adequately bracing and protecting work during construction against damage, breakage, collapse, distortion, and/or misalignment in accordance with all applicable codes, standards and good practices.
- The Contractor shall maintain a safe and orderly work site for the length of his contract. The Contractor shall provide appropriate interim lighting, protective railings and/or barriers, signage, fire extinguishing devices and first aid supplies for the length of his contract.
- The Contractor shall verify that the drawings are the latest issue prior to commencing the Work.
- The Contractor shall provide an experienced, full-time superintendent or representative at the job site at all times the Work is underway. The superintendent shall supervise and direct the Work according to the specified quality standards.
- The Contractor shall apply, install, connect, erect, clean and/or condition all manufactured articles, materials and/or equipment per manufacturer's instructions. In case of conflict between manufacturer's instructions and the contract documents the Contractor shall obtain written clarification from the Owner before proceeding with that portion of the Work.
- The Contractor is responsible for construction means, methods, techniques, sequences, coordination and procedures for his work and for the work performed by his Sub Contractors.
- The Contractor shall properly prepare all surfaces in accordance with finish manufacturer's specifications. The Contractor shall ensure all surfaces to receive finishes are clean, true and free of irregularities.
- "Typical" or "Typ." means that the condition is representative of similar conditions throughout, unless noted otherwise.
- The Contractor shall submit manufacturer's operational and maintenance (O&M) literature to Owner upon completion and prior to close out for each product, appliances or piece of equipment. The Contractor shall also submit a manufacturer's warranty for each applicable item.
- All electrical work shall be performed in strict accordance with the National Electrical Code and all other local codes and authorities having jurisdiction.
- The drawings do not indicate the location of electrical receptacles (outlets), switches and fixtures. All other electrical items, not specifically mentioned herein, which are necessary to make a complete, working installation, shall be furnished and installed by the contractor.
- All electrical materials shall be listed by the Underwriters Laboratories, inc. (UL).
- The electrical, HVAC and plumbing sub contractor(s) shall leave their respective systems installed under this contract in proper working order and shall, without charge, replace any work or materials which develop defects, except from ordinary wear and tear, within one year from the date of final completion. Beneficial use by the Owner shall not be construed as final completion.
- The electrical, HVAC and plumbing sub contractor(s) shall, during the above referenced one year guarantee period, be responsible for the proper repair and adjustment of their respective systems and equipment, apparatus, devices, etc., and shall do all work necessary to ensure their efficient and proper functioning.
- Prior to the expiration of the guarantee period, and approximately eleven months after final completion of this project, a post construction review of the project will be made. The electrical, HVAC and plumbing Sub Contractor(s) shall furnish personnel to assist the Owner in this review. Any adjustments, repairs, or replacements found necessary during this review shall be made by the Sub Contractor(s), to their respective system(s), at no additional cost to the Owner.
- Do not scale drawings, written dimensions govern. Wall locations, dimensions and door & window types and locations shall be as shown on the construction drawings. In case of conflict, notify Owner for clarification prior to proceeding with the work. The Architectural Designer floor plan supersedes other plans.
- Walls are dimensioned from exterior wall face to interior wall, unless indicated otherwise. Dimensions marked "clear" shall be maintained. Contractor shall not adjust dimensions without written instruction by the Owner.
- Centerline alignments shown on the drawings are to be strictly maintained. The Contractor shall not deviate from stipulated alignments without written instruction by the Owner.
- The Contractor shall layout walls for Owner to review for design intent. Do not proceed with installation of studs without this review approval. Contractor shall coordinate and verify conditions to ensure proper fit. Review for design intent does not release Contractor from the responsibility to maintain critical dimensions and clearances.
- The Contractor shall coordinate placement of blocking for millwork, fixtures, hardware or equipment prior to closing walls.

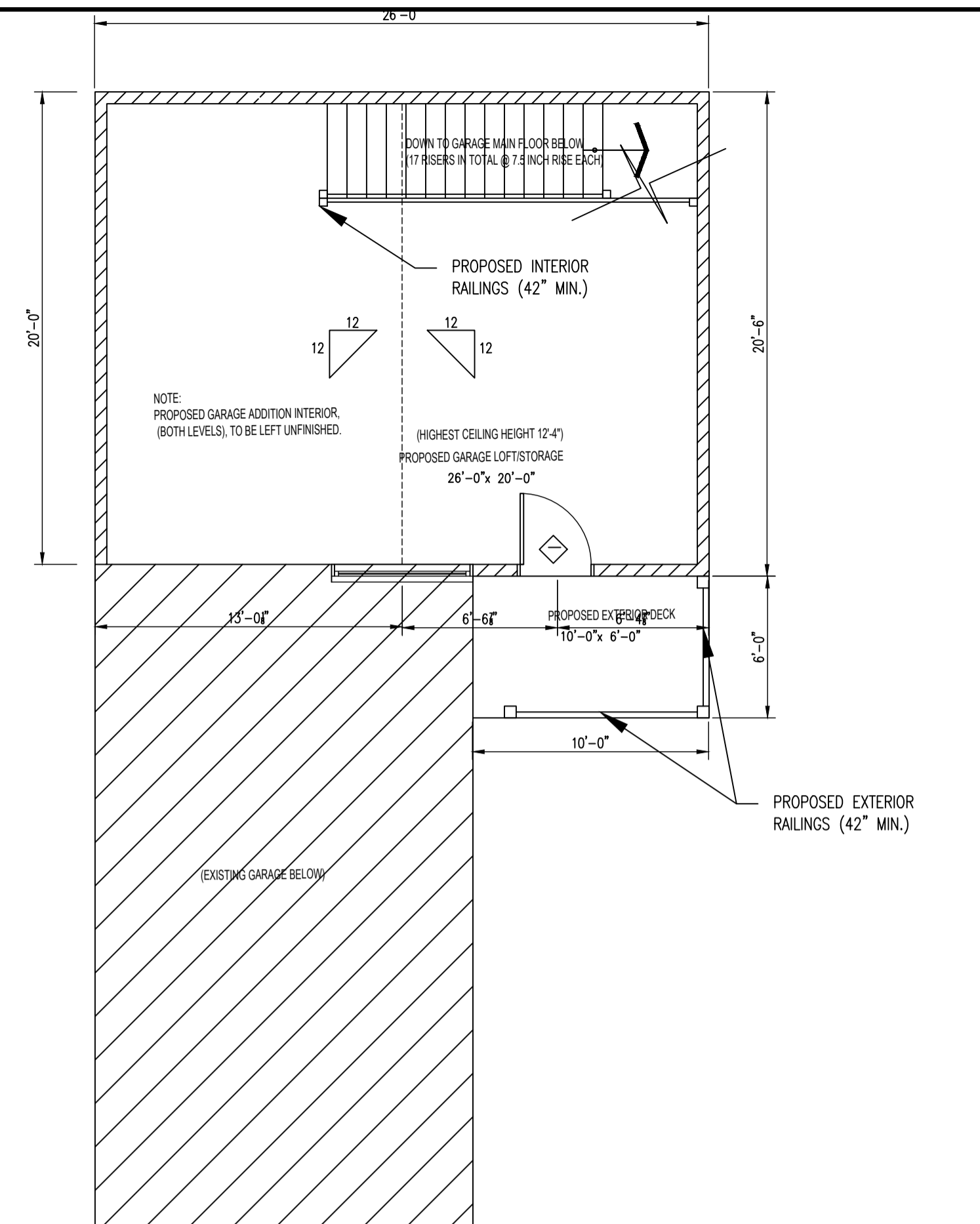
**B. Workmanship:**

- The Contractor shall perform the Work in a good and workmanlike manner, in conformity with generally accepted trade practices of the National Association of Home Builders and in accordance with all applicable building codes. Workmanship shall meet or exceed the quality levels specified by residential Construction Performance Guidelines.



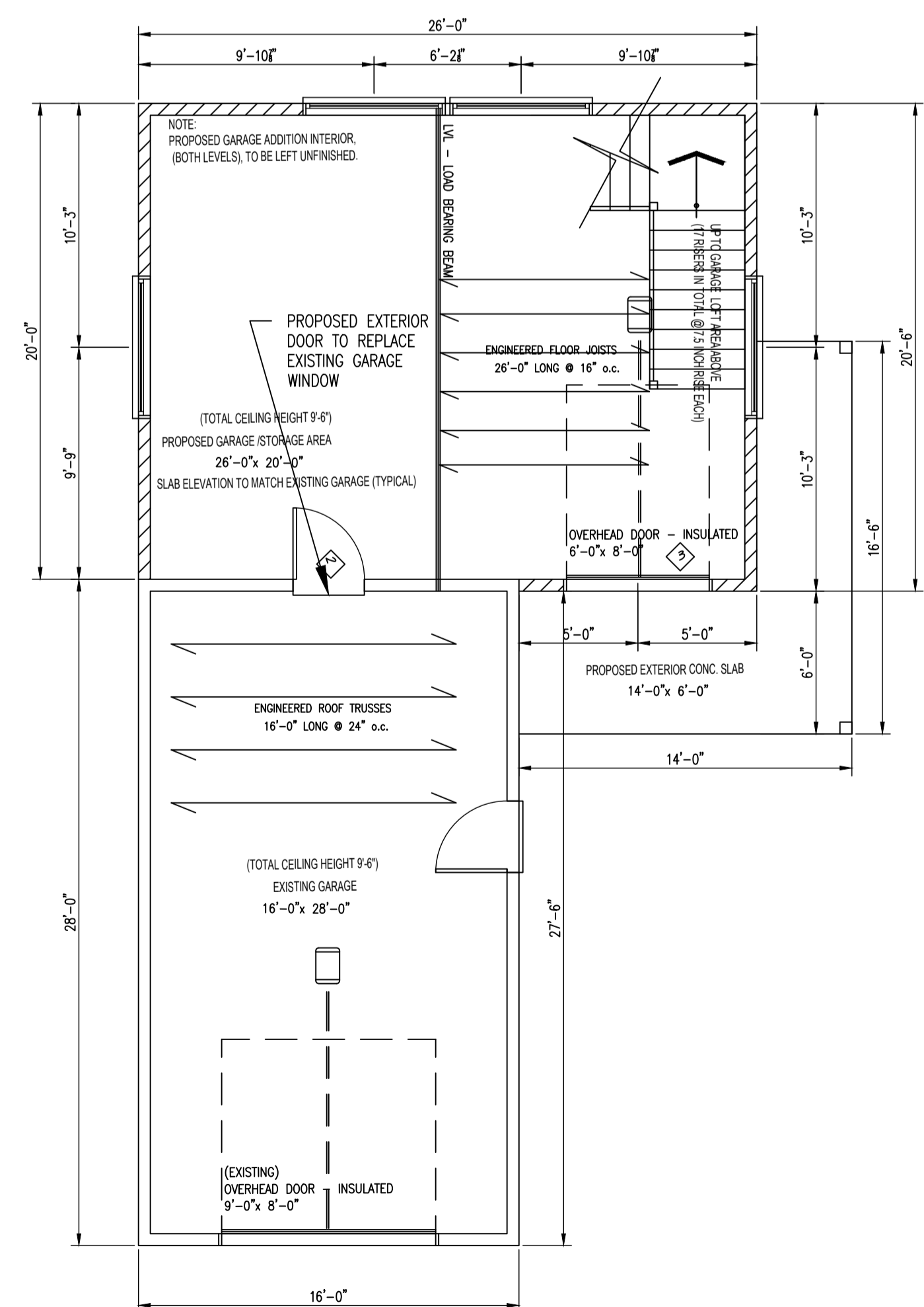
**Second Floor Plan (Option A)**

SCALE: 3/16"=1'-0"  
0' 5' 10' 20'



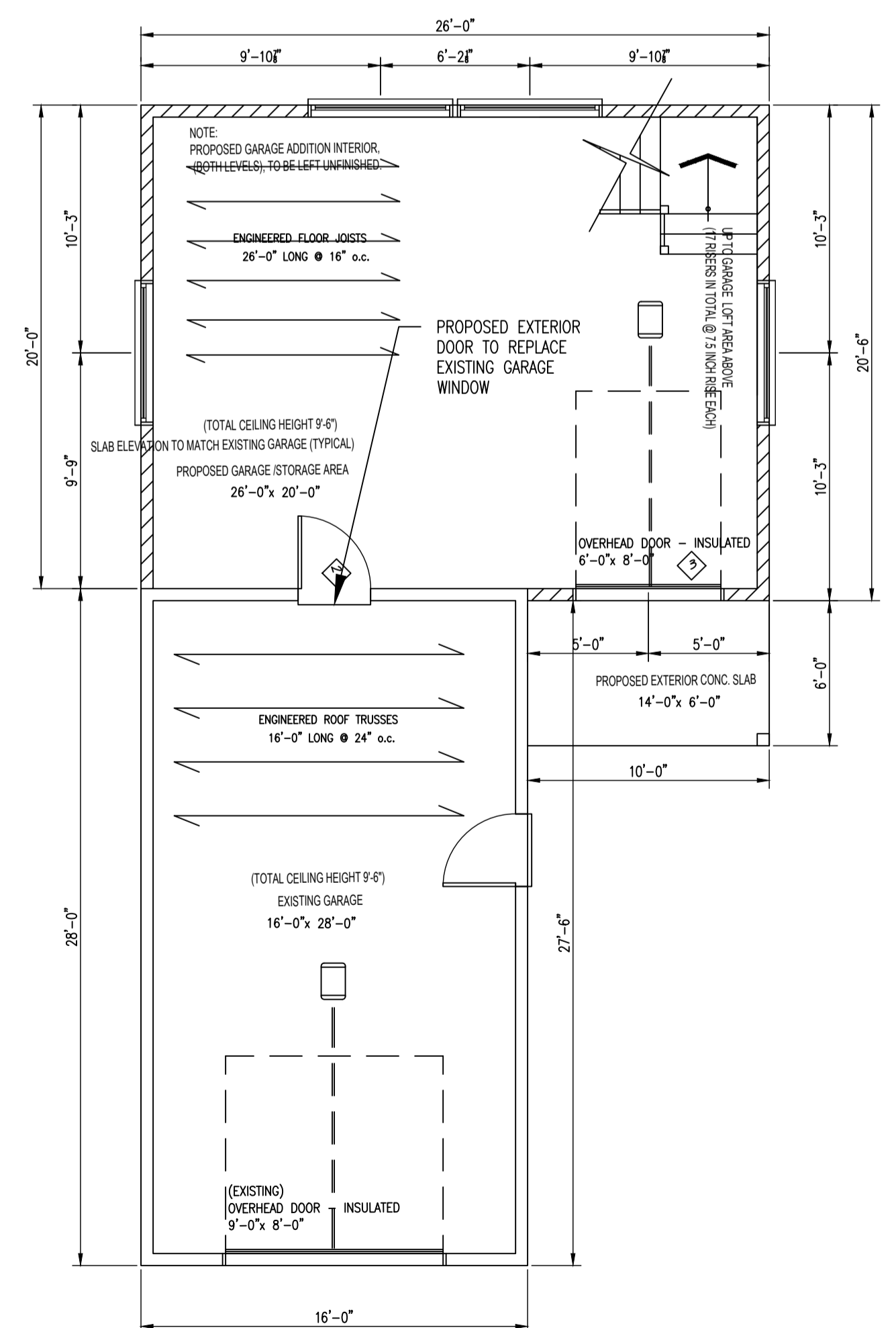
**Second Floor Plan (Option B)**

SCALE: 3/16"=1'-0"  
0' 5' 10' 20'



**Main Floor Plan (Option A)**

SCALE: 3/16"=1'-0"  
0' 5' 10' 20'



**Main Floor Plan (Option B)**

SCALE: 3/16"=1'-0"  
0' 5' 10' 20'

**General Notes:**

The purchaser of these plans is responsible for compliance with all local building codes and for ensuring that these plans are correctly adapted to accommodate local site conditions. Before construction begins, the purchaser should thoroughly review these plans with the contractor, verify all dimensions and report to the designer of the plans any errors, omissions or questions for clarification. Before construction begins, the purchaser should verify all structural elements for the plans and site with a local engineer. The exact size, reinforcement and depth of all concrete footings must be determined by local soil conditions and acceptable practices for construction. The bottom of all footing should extend below frostline. Before construction begins, the purchaser or contractor should verify the design with a local engineer. The purchaser of these plans assumes all risks associated with adapting the plans to local sites affected by regional variations in climate, local site conditions, design needs and building codes. The city or municipal building inspection may require confirmation of beam size and framing details by a certified structural engineer which is the responsibility of the owner or builder. McGraw Designs does not provide on site supervision over the actual construction and assumes no responsibility for any damage due to any errors or omissions in these plans. The general contractor is responsible to check all drawings, details and dimensions and report any discrepancies or inadequacies to McGraw Designs so that revised drawings can be prepared prior to construction.

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**McGraw Designs**  
ARCHITECTURAL  
CIVIL ENGINEERING TECHNOLOGY

Revisions	Date	Init.

Project Title:  
**PROPOSED DETACHED GARAGE ADDITION FOR LUC BOUDREAU**

Drawing Title:  
**MAIN FLOOR PLAN**

Location: 375 Cornwall Road, Shediac New-Brunswick		
Scale: AS SHOWN	Drawn: L.R. MCGRAW	
Checked: L.R. MCGRAW	Date: MAY 03, 2022	
Approved: L.R. MCGRAW	Sheet 6 of 12	
Drawing No: 22014	Sheet Number A6	Rev. No: 00













