

Southwest New Brunswick Service Commission

November 14, 2018

ITEM 18-11-03

Applicant: Dwayne Cook
40 Quarry Road, Canal

Property: Route 778, Beaver Harbour
Parish of Pennfield, Charlotte County
PID# 15158199

Subject: Consideration of a terms and conditions for a commercial garage – a permitted use in the “Mixed Use” zone of the *Pennfield Planning Area Rural Plan – Community Planning Act*.

Request:

This is an application by Dwayne Cook to permit a commercial garage for fishing equipment and supplies and a bait freezer with terms and conditions.

Recommendation:

Staff recommends that the Planning Review and Adjustment Committee of the Southwest New Brunswick Service Commission (SNBSC) as per Community Planning Act: 53(3)(c)(i); permits a commercial garage for the storage of fishing equipment and supplies and a bait freezer on PID #15158199 in the “Mixed Use” zone of the *Pennfield Planning Area Rural Plan*, subject to the following terms and conditions:

- 1) That location of the proposed commercial garage be located no closer than five (5) meters to the shared property line with PID# 15024359;
- 2) That the entire property be kept in a reasonably clean and orderly appearance;
- 3) That no rotten bait be left outside on the property and that any bait is to be stored in a working freezer;
- 4) That prior to the commencing of construction upon said lands, that all development and activities shall comply with all applicable acts, permits and approvals as required, including but may not be limited to the *Watercourse and Wetland Alteration Regulation*.

Planning Office

21 River Street, Suite A
St. Stephen NB E3L 3H2
Telephone: (506) 466-7369

Background:

The property is located Route 778, Beaver Harbour. The property is smaller with only a quarter of an acre. The property to the North West is residential and the property to North East is vacant land. The northern boundary is marked by a small watercourse. The lot is a corner lot and bounded on three sides by public roads.

The property is zoned Mixed Use “MU” under the *Pennfield Planning Area Rural Plan Regulation – Community Planning Act*. This zone permits commercial uses, subject to such terms and conditions as may be applied by the Commission.

The applicant has proposed to build a 30’X30’ steel-sided garage to store fishing gear, lobster traps and other supplies related to the fishing industry. The applicant would like to install a 12’X14’ walk in freezer in the garage for bait.

Any non-residential use located adjacent to a residential use shall have, at or near the boundary of the lot on which it is situated, a 5-metre wide landscaped buffer, including a fence, or hedge or shelter belt of trees.

Interdepartmental Consultation:

There were no interdepartmental consultations.

External Consultations:

There were no external consultations.

Discussion:

Staff recommends that the Planning Review and Adjustment Committee of the Southwest New Brunswick Service Commission (SNBSC) as per Community Planning Act: 53(3)(c)(i); permits a commercial garage for the storage of fishing equipment and supplies and a bait freezer on PID #15158199 in the “Mixed Use” zone of the *Pennfield Planning Area Rural Plan*, subject to the terms and conditions to ensure a five (5) meter buffer is maintained, that the site be kept reasonably clean and orderly, that bait is not left outside of freezers to rot, and that the application is subject to a Watercourse and Wetland Alteration (WAWA) permit.

The terms and conditions recommended by Commission staff would align with the commercial policies of the rural plan, which state:

It is a policy to permit commercial and tourism uses in appropriate locations to minimize potential incompatibility with surrounding land uses.

The applicant’s plans to store more of their commercial fishing gear indoors and bait into freezers will help to reduce the impacts on surrounding properties.

Legal Authority:

Section 53(3)(c)(i) – Regional Service Commissions may impose terms and conditions.

Attachments:

Map 1: SNB Map
Map 2: Pennfield Planning Area Zoning Map
Map 3: GeoNB Aerial Map

Attachment A: Application

SNBSC Planning Director:	_____
	Alex Henderson MCIP, RPP (Planning Director)
Development Officer:	_____
	Don Leachman
Development Officer:	_____
	Judy Hartford
Date:	_____