



Greater Miramichi
Service Commission

Commission de services
du Grand Miramichi

**CITY OF MIRAMICHI
PLANNING REVIEW AND ADJUSTMENT
COMMITTEE (PRAC)**

**VILLE DE MIRAMICHI
COMITÉ DE RÉVISION DE LA
PLANIFICATION (CRP)**

NOTICE

AVIS DE RÉUNION

Meeting 2025-8

Réunion 2025-8

**Tuesday, October 28th, 2025, at 9
am**

Le mardi 28 octobre 2025 à 9 h

Location: GMSC Boardroom, 1773 Water Street
(lower level, accessible from Loggie Drive)
MS Teams Link: [Join the meeting now](#)
Meeting ID: 226 807 651 180 2
Passcode: JQ9tz945

Endroit : Salle du conseil de la CSGM, 1773, rue
Water (niveau inférieur, accessible par la
promenade Loggie)
Lien MS Teams : [Joindre la réunion maintenant](#)
ID de la réunion : 226 807 651 180 2
Code d'accès : JQ9tz945

The City of Miramichi Planning Review and Adjustment Committee meeting will be held on Tuesday, October 28th, 2025, at 9 am.

La réunion du Comité de révision de la planification (CRP) de la Ville de Miramichi aura lieu le mardi 28 octobre 2025 à 9 h.

If you are unable to attend, please contact Melanie Albert, Executive Assistant, at malbert@gmsc.ca.

Si vous ne pouvez pas y assister, veuillez communiquer avec Melanie Albert, adjointe administrative, à l'adresse malbert@gmsc.ca.

Please note that Regional PRAC Member Robert McLeod resigned effective October 14, 2025. His long service, experience, and steady presence on the PRAC will be greatly missed, and we extend our best wishes to him for the future. The resulting vacancy is currently under review and will be addressed through the standard appointment process in due course.

Veuillez noter que M. Robert McLeod, membre du CRP régional, a remis sa démission le 14 octobre 2025. Son expérience, son long service et sa présence constante au sein du comité nous manqueront beaucoup. Nous lui adressons nos meilleurs vœux pour le futur. Le poste ainsi laissé vacant est actuellement en revue et sera comblé conformément au processus habituel de nomination.

Beginning with this meeting, attendance logs will be circulated for members' signatures, and honorarium payments will be processed according to each member's preferred payment method.

À partir de cette réunion, des feuilles de présence seront distribuées pour signature, et les paiements d'honoraires seront traités selon le mode de paiement préféré de chaque membre.

La présence d'un quorum est requise pour cette réunion.

A quorum is required for this meeting.



**CITY OF MIRAMICHI
PLANNING REVIEW
AND ADJUSTMENT COMMITTEE
(PRAC)**

Meeting Agenda 2025-8
Tuesday, October 28th, 2025, at 9 am
GMSC Boardroom, 1773 Water Street (lower
level, accessible from Loggie Drive),
Miramichi

MS Teams Link: [Join the meeting now](#)
Meeting ID: 226 807 651 180 2
Passcode: JQ9tz945

**VILLE DE MIRAMICHI
COMITÉ DE RÉVISION DE LA
PLANIFICATION (CRP)**

Ordre du jour de la réunion 2025-8
Le mardi 28 octobre 2025 à 9 h
Salle du conseil de la CSGM, 1773, rue
Water (niveau inférieur, accessible par la
promenade Loggie), Miramichi

Lien MS Teams : [Joindre la réunion
maintenant](#)
ID de la réunion : 226 807 651 180 2
Code d'accès : JQ9tz945

1. APPROVAL OF AGENDA

2. APPROVAL OF MEETING MINUTES
(Meeting 2025-7 held on September 16th,
2025)

**3. DECLARATION OF CONFLICT OF
INTEREST**

4. NEW BUSINESS

ITEM 2025-8-1: **Staff Report and
Presentation by: Nic
O'Dette, Planning
Services Manager**

*Similar/Compatible Use Variance – 660 Old
King George Hwy, Miramichi – 767536 NB
LTD.*

A use variance application has been
submitted to permit the conversion and use of
the existing building on the subject property
into a dog daycare business. This use is not
permitted under the current General
Commercial (GC) zoning of the property.

Under Section 55(1)(a) of the *Community
Planning Act (c.19)* and Section 2.9.2 of the

1. APPROBATION DE L'ORDRE DU JOUR

2. APPROBATION DU PROCÈS-VERBAL
(Réunion 2025-7 tenue le 16 septembre
2025)

**3. DÉCLARATION DE CONFLIT
D'INTÉRÊTS**

4. NOUVELLES AFFAIRES

POINT 2025-8-1 : **Rapport du personnel
et présentation par :
Nic O'Dette, gérant des
services
d'aménagement**

*Similar/Compatible Use Variance – 660 Old
King George Hwy, Miramichi – 767536 NB
LTD.*

Une demande de dérogation a été déposée
afin de permettre la conversion et l'utilisation
du bâtiment existant sur la propriété en
garderie canine. Cette utilisation est interdite
par le zonage commerce général (GC) actuel
de la propriété.

City of Miramichi Zoning By-law, the City Planning Review and Adjustment Committee (PRAC) may authorize a use not otherwise permitted in the zone if it determines the proposed use is sufficiently similar to, or compatible with, permitted uses in that zone.

ITEM 2025-8-2: **Staff Report and
Presentation by:
Julien Robichaud,
Development Officer**

1400 Water Street Subdivision

Pursuant to Section 7.1 of the City of Miramichi Subdivision By-law No. 127, the advice of the Greater Miramichi Service Commission – Planning Review and Adjustment Committee (PRAC) for the City of Miramichi is required in order to approve a new private access proposed from this subdivision plan.

ITEM 2025-8-3: **Staff Report and
Presentation by:
Julien Robichaud,
Development Officer**

*Golden Hawk Subdivision - Plan 2025-1 -
Carroll Street - City of Miramichi - Parish of
Newcastle*

Pursuant to subsection 76(1) of the *Community Planning Act* (c.19), the regional service commission (through City PRAC) must consent before a municipal council may sell land that was dedicated for public purposes within a subdivision.

ITEM 2025-8-4: **Staff Report and
Presentation by: Alex
Hanes, Planner**

*Rezoning Application – Sweeney Lane,
Miramichi – Brent MacGillivray OBO Lindsay
Alexandra Donovan*

En vertu de l'article 55(1)(a) de la *Loi sur l'urbanisme* (ch.19) et de l'alinéa 2.9.2 de l'arrêt de zonage de la ville de Miramichi, le Comité de révision de la planification (CRP) de la ville peut autoriser une utilisation qui n'est autrement pas permise dans la zone s'il détermine que l'utilisation proposée est suffisamment similaire ou compatible avec les utilisations permises dans cette zone.

POINT 2025-8-2 : **Rapport du personnel
et présentation par :
Julien Robichaud,
agent d'aménagement**

Lotissement 1400 Water Street

Conformément à l'article 7.1 de l'arrêté de lotissement n° 127 de la ville de Miramichi, l'avis du Comité de révision de la planification (CRP) de la Commission de services du Grand Miramichi pour la ville de Miramichi est requis afin d'approuver un nouvel accès privé proposé à partir de ce plan de lotissement.

POINT 2025-8-3 : **Rapport du personnel
et présentation par :
Julien Robichaud,
agent d'aménagement**

*Subdivision Golden Hawk - Plan 2025-1 -
Carroll Street - Ville de Miramichi - Paroisse
de Newcastle*

Conformément au paragraphe 76(1) de la *Loi sur l'urbanisme* (ch.19), la commission de services régionaux (via le CRP de la ville) doit donner son assentiment avant qu'un conseil municipal puisse vendre un terrain d'utilité publique dans un lotissement.

POINT 2025-8-4 : **Rapport du
personnel et
présentation par :
Alex Hanes,
Urbaniste**

Pursuant to Section 110(1) of the *Community Planning Act* (c.19), the City of Miramichi Council has requested the written views of the Planning Review and Adjustment Committee (PRAC) regarding a proposed amendment to the City of Miramichi Zoning By-law (By-law No. 110). The amendment seeks to rezone the property identified as PID 40180481, located on Sweeney Lane in the City of Miramichi, from Residential Low Density (R-2) to Medium Density A (R-3) to permit the development of two rowhouse buildings (four units each) and one two-unit dwelling, for a total of ten residential units

5. ADJOURNMENT

Demande de rezonage – Sweeney Lane, Miramichi – Brent MacGillivray pour Lindsay Alexandra Donovan

Conformément à l'article 110(1) de la Loi sur l'aménagement communautaire (c.19), le conseil municipal de la Ville de Miramichi a demandé les avis écrits du Comité d'examen et d'ajustement de l'urbanisme (PRAC) sur un amendement proposé au règlement de zonage de la Ville de Miramichi (Règlement no 110). L'amendement cherche à rezoner la propriété identifiée comme étant NID 40180481, trouvée sur Sweeney Lane dans la Ville de Miramichi, de Résidentiel de faible densité (R-2) à moyenne densité A (R-3) pour permettre la construction de deux maisons en rangée (quatre unités chacun) et d'un logement de deux unités, pour un total de dix unités résidentielles.

5. CLÔTURE DE LA RÉUNION



**CITY OF MIRAMICHI
PLANNING REVIEW
AND ADJUSTMENT COMMITTEE
(PRAC)**

Meeting Minutes 2025-7
Tuesday, September 16th, 2025, at 10am
GMSC Boardroom, 1773 Water Street (lower
level, accessible from Loggie Drive),
Miramichi

**VILLE DE MIRAMICHI
COMITÉ DE RÉVISION DE LA
PLANIFICATION (CRP)**

Procès-Verbal de la réunion 2025-7
Mardi le 16 septembre 2025 à 10 h
Salle du conseil de la CSGM, 1773, rue
Water (niveau inférieur, accessible par la
promenade Loggie), Miramichi

MEMBERS PRESENT : Bill Treadwell
(Chair); Whitney Henderson; Kris Jardine; Joe
Veriker.

VIRTUAL: Arlene Reemeyer (Applicant)

ALSO PRESENT: Nic O'Dette, Planning
Services Manager; Alex Hanes, Planner;
Melanie Albert, Recording Secretary; Jeremy
Underhill (representing Applicant); Benjamin
Jardine

MEMBRES PRÉSENTS: Bill Treadwell
(Président); Whitney Henderson; Kris Jardine;
Joe Veriker.

VIRTUELLEMENT : Arlene Reemeyer
(demandeur)

AUSSI PRÉSENTS: Nic O'Dette, gérant des
services de planification; Alex Hanes,
urbaniste; Melanie Albert, secrétaire
d'enregistrement; Jeremy Underhill
(représentant d'un demandeur), Benjamin
Jardine

The meeting was called to order by
Chairperson Bill Treadwell at 10:01 am.
Quorum was confirmed.

1. APPROVAL OF AGENDA

Moved by Joe Veriker, Seconded by Kris
Jardine

MOTION: "That the agenda be approved
as presented."

Carried

Réunion appelée à l'ordre à 10h01 par Bill
Treadwell, Président du Comité. Le Quorum
a été confirmé.

1. APPROBATION DE L'ORDRE DU JOUR

Apporté par Joe Veriker, Secondé par Kris
Jardine

MOTION : « Que l'agenda soit accepté tel
que présenté. »

Porté

2. APPROVAL OF MINUTES (Meeting 2025-6 held August 19th, 2025)

Moved by Whitney Henderson, Seconded by Joe Veriker

MOTION: "That the minutes be approved as presented."

Carried

3. DECLARATION OF CONFLICT OF INTEREST

None

4. NEW BUSINESS (2025-7-1):

Staff Report and Presentation by: Nic O'Dette, Planning Services Manager

CTC homes Re-zoning application.

Pursuant to Section 110(1) of the *Community Planning Act* (c.19), the City of Miramichi Council has requested the written views of the PRAC on a proposed amendment to the City of Miramichi Zoning By-law (By-law No.110) to permit a mini- and tiny-home display court on the property identified as 24 Henderson Street, Miramichi (PID 40192114).

Staff Recommendation:

"Pursuant to Section 110(1) of the Community Planning Act, it is the view of the City of Miramichi Planning Review and Adjustment Committee (PRAC) that the City of Miramichi amend Schedule A: Zoning Map of the City of Miramichi Zoning By-law (By-law 110), to change the zoning from Downtown District (DT) to Downtown District (DT) – Specific

2. APPROBATION DU PROCÈS-VERBAL (réunion 2025-6 tenue le 19 août 2025)

Apporté par Whitney Henderson, Secondé par Joe Veriker

MOTION : « Que le procès-verbal soit approuvé tel que présenté. »

Porté

3. DÉCLARATION DE CONFLIT D'INTÉRÊTS

Aucun

4. NOUVELLES AFFAIRES (2025-7-1) :

Rapport du personnel et présentation par : Nic O'Dette, gérant des services d'aménagement.

CTC homes Demande de rezonage.

Conformément à l'article 110(1) de la *Loi sur l'urbanisme communautaire* (c.19), le conseil municipal de la Ville de Miramichi a demandé l'avis écrit de la PRAC sur un amendement proposé au règlement de zonage de la ville de Miramichi (règlement no 110) permettant un terrain d'exposition pour mini-maisons et mini-maisons sur la propriété identifiée au 24, rue Henderson, Miramichi (PID 40192114).

Recommandation du personnel:

"Conformément à l'article 110(1) de la Loi sur l'aménagement communautaire, le Comité d'examen et d'ajustement de l'urbanisme de la Ville de Miramichi (PRAC) estime que la Ville de Miramichi modifie l'annexe A : Carte de zonage du Règlement de zonage de la ville

Proposal, pursuant to Section 59 of the Community Planning Act, for the subject property identified as PID 40191884, located at 24 Henderson St. Miramichi. The rezoning shall be subject to the following terms and conditions, consistent with Section 59 of the Act:

- 1. Use of the property shall be limited to the display and sale of modular, mini, and tiny homes, or other uses otherwise permitted in the DT zone. The outdoor display court shall not be used to display or store unrelated items (e.g., vehicles, trailers, equipment).*
- 2. Display homes shall be finished, staged, and presented in a manner consistent with residential use (e.g., no storage of unfinished units, building materials, or equipment visible on site).*
- 3. Landscaping features such as grass with planters shall be developed within a strip of landscaped open space along all lot lines, with the exception of the approved driveway, to the satisfaction of the development officer.*
- 4. The placement, arrangement, size and number of display homes shall be consistent with the submitted site plan, subject to adjustments as approved by the Development Officer.*
- 5. Deliveries and removal of display homes shall occur only during specified hours to minimize traffic and noise impacts on neighboring businesses and residences."*

The Chair invited the Applicant representation to speak.

de Miramichi (Règlement 110), afin de changer le zonage de District du centre-ville (DT) à District du centre-ville (DT) – Proposition spécifique, conformément à l'article 59 de la Loi sur l'aménagement communautaire, pour la propriété en question identifiée comme PID 40191884, située au 24, rue Henderson, Miramichi. Le rezonage sera soumis aux termes et conditions suivants, conformément à l'article 59 de la Loi:

- 1. L'utilisation de la propriété sera limitée à l'exposition et à la vente de maisons modulaires, mini-et mini-maisons, ou à d'autres usages autrement autorisés dans la zone DT. La cour d'exposition extérieure ne doit pas être utilisée pour exposer ou entreposer des objets non liés (par exemple, véhicules, remorques, équipements)).*
- 2. Les maisons témoins doivent être terminées, mises en scène et présentées de manière compatible avec un usage résidentiel (par exemple, aucun entreposage d'unités inachevées, de matériaux de construction ou d'équipements visibles sur le site).*
- 3. Les éléments d'aménagement paysager, comme le gazon avec jardinières, doivent être développés dans une bande d'espace ouvert le long de toutes les lignes de terrain, à l'exception de l'allée approuvée, à la satisfaction de l'agent de développement.*
- 4. L'emplacement, l'agencement, la taille et le nombre de maisons témoins doivent être conformes au plan du site soumis, sous réserve d'ajustements approuvés par l'agent de développement.*

Jeremy Underhill spoke on behalf of CTC Homes.

MOTION: *“To accept staff recommendation as proposed.”*

Moved by Whitney Henderson, Seconded by Kris Jardine

Carried

5. OTHER BUSINESS (2025-7-2):

**Staff Report and
Presentation by: Alex
Hanes, Planner**

Variance application submitted by Lori Catherine on behalf of Arlene Reemeyer to permit use of a tiny home on 349 McKinnon Road (PID 40547770).

Staff Recommendation

“Pursuant to Section 55(1)(a) of the NB Community Planning Act, and Section 2.9.2 of the City of Miramichi Zoning By-law, it is recommended that the City of Miramichi Planning Review and Adjustment Committee (PRAC) approve the proposed variance to permit a tiny home on the subject property described as PID 40547770. The proposed use is deemed sufficiently similar to, and compatible with, a single-unit dwelling, which is a permitted use in the R-2 Zone.”

Conditions for PRAC Consideration:

If the PRAC has concerns regarding the potential visual impact of the proposed tiny home, the following conditions may be applied to reinforce the applicant’s stated intentions:

1. That a buffer of trees be retained along the side property line abutting PID 40479198, insofar as this is

5. *Les livraisons et le retrait des maisons témoins doivent se faire uniquement pendant des heures spécifiées afin de minimiser les impacts sur la circulation et le bruit sur les commerces et résidences voisins.”*

Le président a invité la représentation des candidats à prendre la parole.

Jeremy Underhill a parlé au nom de CTC Homes.

MOTION: *“D’accepter la recommandation du personnel telle que proposée.”*

Apporté par Whitney Henderson, Secondé par Kris Jardine

Porté

5. AUTRES AFFAIRES (2025-7-2):

**Rapport du personnel
et présentation par :
Alex Hanes,
urbaniste.**

Demande de dérogation soumise par Lori Catherine au nom d'Arlene Reemeyer pour permettre l'utilisation d'une mini-maison au 349, chemin McKinnon (PID 40547770).

Recommandation du personnel

“Conformément à l'article 55(1)(a) de la Loi sur l'urbanisme communautaire du N.-B., et à l'article 2.9.2 du règlement de zonage de la ville de Miramichi, il est recommandé que le Comité d'examen et d'ajustement de l'urbanisme de la ville de Miramichi (PRAC) approuve la dérogation proposée pour permettre une mini-maison sur la propriété en question décrite comme PID 40547770. L'utilisation proposée est jugée suffisamment

compatible with the development as shown on the submitted side plan, to the satisfaction of the Development Officer (image provided in package). The final site plan must indicate the trees to be retained.

2. That the tiny-home be clad in a dark exterior finish to reduce visibility from the public right-of-way, to the satisfaction of the Development Officer.

Discussion and questions occurred between staff and board members.

The Chair asked the Applicant to speak.

Arlene Reemeyer spoke on her own behalf, explaining her intentions and answering questions.

Chair asked if there were questions from the public.

Benjamin Jardine, a member of the public, spoke and asked questions.

Chair called for a motion on the item.

MOTION: *“To accept staff recommendation as proposed without the two additional conditions.”*

Moved by Joe Veriker, seconded by Whitney Henderson.

Carried

6. ADJOURNMENT

Moved by: Kris Jardine.

RESOLUTION: *“that there being no further business, the meeting adjourned at 11:11 am.”*

similaire et compatible avec une maison unifamiliale, qui est une utilisation permise dans la zone R-2.”

Conditions pour la considération du PRAC:

Si le PRAC a des préoccupations concernant l'impact visuel potentiel de la mini-maison proposée, les conditions suivantes peuvent être appliquées pour renforcer les intentions déclarées du demandeur:

1. Qu'une zone tampon d'arbres soit conservée le long de la limite latérale de propriété adjacente au PID 40479198, dans la mesure où cela est compatible avec le développement indiqué sur le plan latéral soumis, à la satisfaction de l'agent de développement (image fournie dans le package). Le plan final du site doit indiquer les arbres à conserver.
2. Que la mini-maison soit revêtue d'une finition extérieure foncée pour réduire la visibilité depuis l'emprise publique, à la satisfaction de l'agent de développement.

Des discussions et des questions ont eu lieu entre le personnel et les membres du conseil d'administration.

Le président a demandé au demandeur de prendre la parole.

Arlene Reemeyer s'exprima en son nom, expliquant ses intentions et répondant aux questions.

Le président a demandé s'il y avait des questions du public.

Benjamin Jardine, un membre du public a pris la parole et posé des questions.

Le président a demandé une motion sur ce point.

MOTION: *“D’accepter la recommandation du personnel telle que proposée sans les deux conditions supplémentaires.”*

Apporté par Joe Veriker

Secondé par Whitney Henderson.

Porté

6. CLÔTURE DE LA RÉUNION

Apporté par: Kris Jardine.

RÉSOLUTION: *« Qu’il n’y a pas d’autres affaires, la réunion est levée à 11h11. »*

Bill Treadwell, Chairperson

Nic O'Dette

Nic O'Dette, Planning Services Manager

Melanie Albert, Recording Secretary

Bill Treadwell, Président de Comité

Nic O'Dette, Gérant des services d'aménagement

Melanie Albert, Secrétaire d'enregistrement



Greater Miramichi
Service Commission

Commission de services
du Grand Miramichi

DEVELOPMENT
SERVICES

SERVICES
D'AMÉNAGEMENT

PLANNING STAFF REPORT

SUBJECT: Similar or Compatible Use Variance – Dog Daycare – 660 Old King George Hwy, Miramichi (PID 40182578)

MEETING DATE: Tuesday, October 28th, 2025

AGENDA ITEM: 2025-8-1

A use variance application has been submitted by Kathleen Crawford, to permit the conversion and use of the existing building on the Subject Property into a dog daycare business. This use is not permitted under the current General Commercial (GC) zoning of the property, which has applied to the site since at least the adoption of Zoning By-law No. 62 (circa 2000).


Under Section 55(1)(a) of the *Community Planning Act* (c.19) and Section 2.9.2 of the City of Miramichi Zoning By-law, the City Planning Review and Adjustment Committee (PRAC) may authorize a use not otherwise permitted in the zone if it determines the proposed use is sufficiently similar to, or compatible with, permitted uses in that zone.

CONTENTS

Application Overview & Proposed Use	2
Legislative Context.....	4
Planning Considerations.....	5
Municipal Plan	5
Zoning By-law Regulations	8
Development Services Staff Assessment.....	9
Neighbourhood Character & Impact	10
Views of the Public	10
Department and Agency Comments.....	11
Staff Recommendation	11
Attachments.....	12

Application Overview & Proposed Use

Table 1: Property Information and Application Overview

Property Owner / Applicant	767536 NB LTD.
Agent	Kathleen Crawford
Date Submitted	2025-10-07
PID / PAN	<ul style="list-style-type: none">• PID 4018257• PAN 02813946 – SNB Property Assessment Online
Sales	2025-06-27: \$175,000
Property Area (per Service NB)	3070 m ² (0.75 acre)
Access	Old King George Hwy (Designated Residential Collector Road, Schedule D, Road Hierarchy and Designations)
Frontage	97.5m (per Land Titles System)
Servicing	Municipal water, sewer, and storm
Current Zoning	General Commercial (GC)
Future Land Use (Schedule A)	“Commercial”
Commercial Hierarchy (Schedule C)	“Isolated Existing Commercial Use” (not formally designated)
Existing Use	<p>Former electrician’s shop building (J. Charlie’s Electric) with outdoor storage.</p>  <p><i>Image captured: October 2024</i></p>
Proposed Uses	Initial phase: redevelop building into a dog daycare business with associated pet grooming services.
Similar to / Compatible with	Retail Store; Personal Service Shop; Early Learning and Childcare Centre; and other low-intensity commercial uses.
Context	Mixed Use, established residential (low density and mobile home park), recreation, brownfield site

The applicant, Kathleen Crawford (also the property owner), proposes to redevelop the existing building on the subject property for a dog daycare operation, with an ancillary pet grooming component. The business will also include pet grooming. Minimal site changes

Agenda item: 2025-8-1

include rationalizing the driveway and parking area and adding new fenced areas for dog play areas.

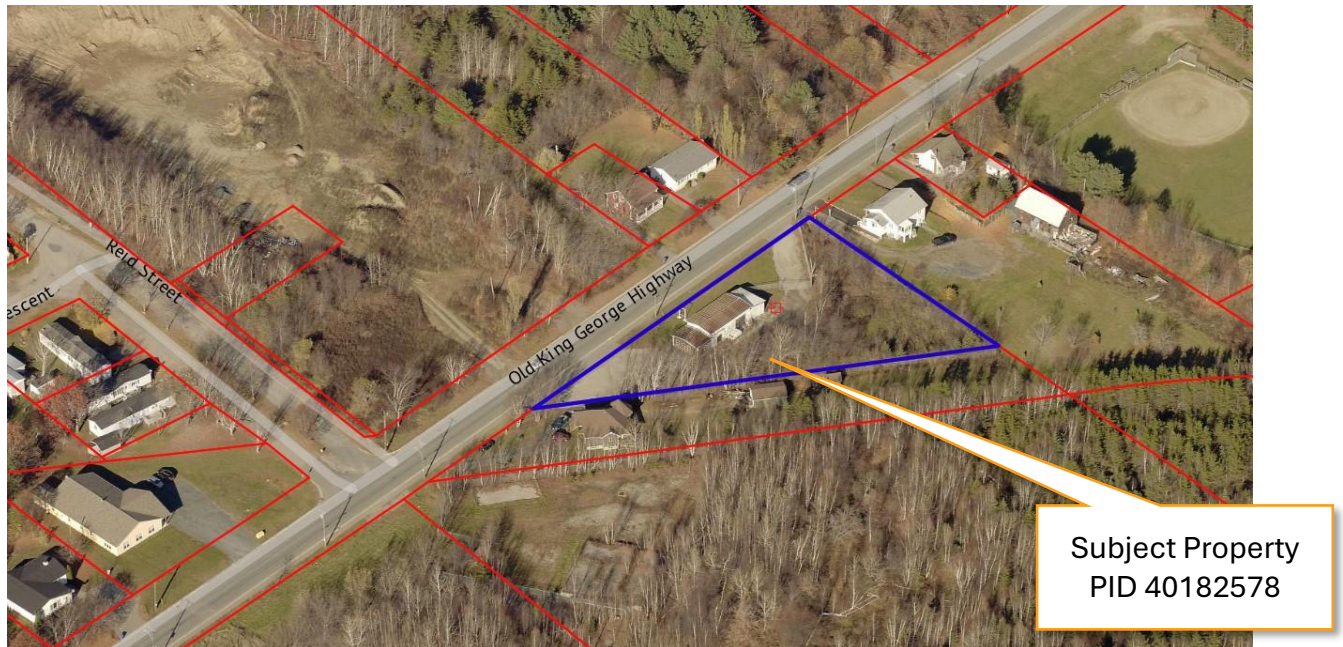
As a future phase, the applicant intends to include overnight dog boarding as part of the business on the property; this use is considered by the Zoning By-law to be a 'Kennel', not permitted in the GC zone, and requires a Zoning By-law amendment application, which may be made at a later date.

From a land use perspective, the proposed business is similar to permitted uses in the GC zone, including Retail Store, Personal Service Shop, Early Learning and Childcare Centre, and likely more. Staff view the proposed use as being compatible with most uses permitted in the zone, subject to typical operational controls (e.g. hours of operation and noise management).

A copy of the proposed site plan and floor plans are included as attachments to this report.

Figure 1: Aerial Views of Subject Property





Legislative Context

A Similar or Compatible Use Variance is requested when a project proposes a land use that is not explicitly listed as permitted within the zoning regulations but may be considered sufficiently similar to or compatible with uses in that zone.

In this case, the proposed dog daycare business is not listed as a permitted or conditional use under the “General Commercial (GC)” zone; however, it may be viewed as similar to or compatible with a “personal service shop”, “retail store”, and other uses in the zone.

“Subject to the terms and conditions it considers fit, the advisory committee or regional service commission may permit:

- a) A proposed use of land or a building that is otherwise not permitted under the zoning by-law if, in its opinion, the proposed use is *sufficiently similar to or compatible with a use permitted in the by-law for the zone in which the land or building is situated.* [italics added by author]

- Section 55(1)(a), Community Planning Act (C-19)

In accordance with Section 55(1)(a) of the *New Brunswick Community Planning Act* (c.19), the Planning Review and Adjustment Committee (PRAC) of the GMSC has the authority to permit such a use if, in its opinion, the proposed use is sufficiently similar to or compatible with a use permitted in the applicable zone.

The PRAC may impose terms and conditions as part of this approval. In determining approval conditions, section 2.9.2 of the City of Miramichi Zoning By-law provides additional parameters for consideration of this variance:

3. In assessing a similar or compatible use variance application, the PRAC shall determine if the use and any associated structures or buildings:
 - a. Is desirable for the development of the property;
 - b. Is in accord with the general intent of the Municipal Plan and this Zoning By-law;
 - c. Does not adversely affect traffic or parking patterns in the area;
 - d. Has architectural design that is compatible with the character of the neighborhood; and,
 - e. Is viewed as being compatible with the neighbourhood, as determined by assessing public input.

- Section 2.9.2(3), City of Miramichi Zoning By-law (By-law No. 110)

It is important to note that Section 55(1)(a) of the *Act* requires similarity or compatibility with permitted uses in the *zone*, not with existing uses in the *neighbourhood*. This distinction has been upheld in multiple Assessment and Planning Appeal Tribunal decisions (e.g., [Arthur J. Arseneau Architect LTD v. The Tantramar Planning District Commission](#); [Moran v. Dev. Off., Town of Hampton](#)).

Therefore, the criteria in Section 2.9.2(3) of the Zoning By-law, focused largely on neighbourhood compatibility, should be applied as secondary considerations, useful for shaping conditions of approval, rather than for determining whether the proposed use qualifies as similar or compatible under the *Act*. This is especially important when considering such an application in what can be seen as a “mixed-use” area, a neighbourhood that includes a range of low-density residential uses, but also commercial, institutional, recreational, and other land uses in proximity.

Planning Considerations

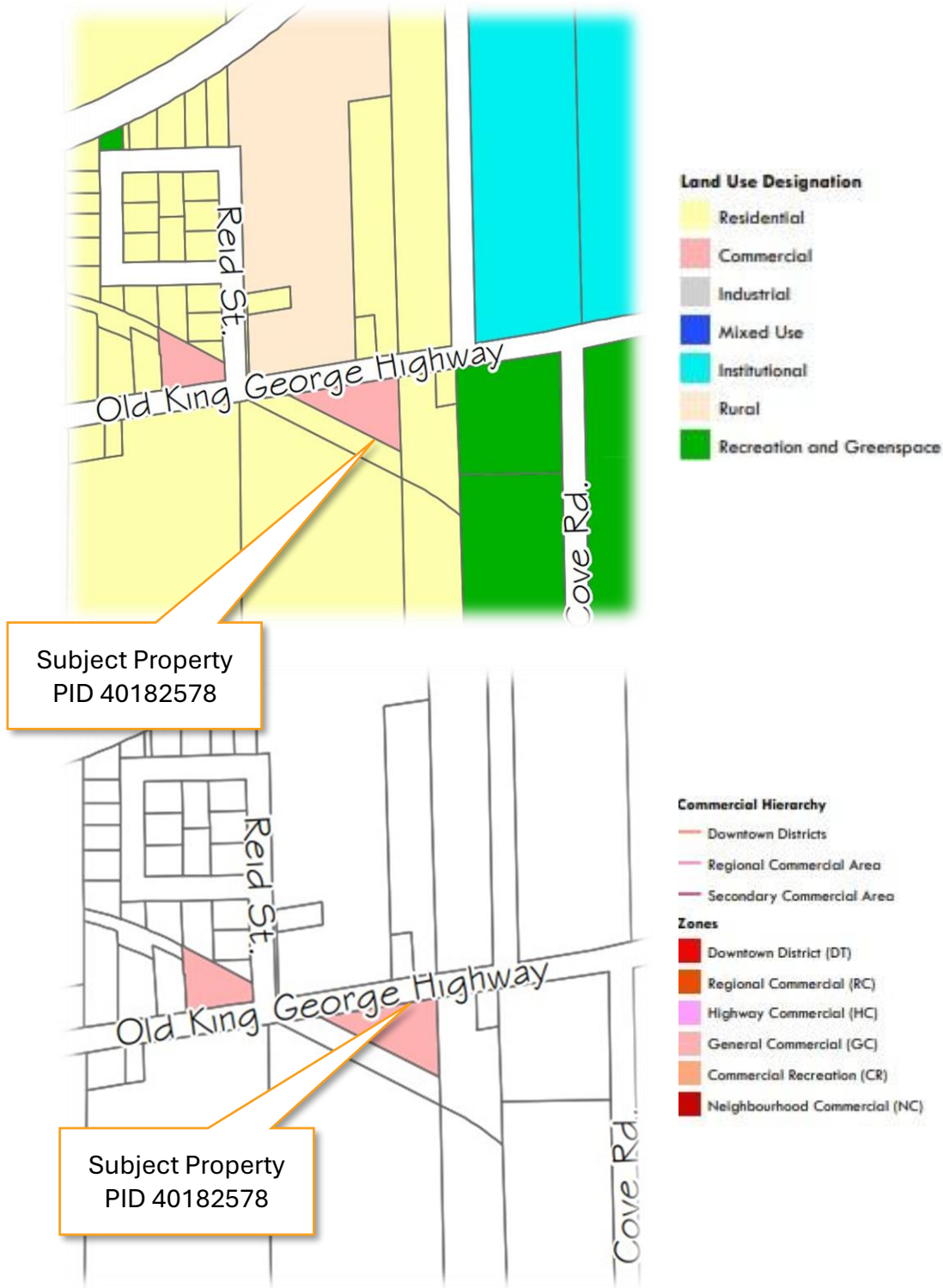
The Municipal Plan (By-law No. 109) sets out Miramichi City Council's long-term policies and proposals to guide future land use and development within the Municipality. It serves as a framework for decision-making by City Council, municipal departments, GMSC – Development Services, PRAC, and the community.

The Zoning By-law (By-law No. 110) regulates the use of land in conformity with the Municipal Plan. It defines specific zones and establishes permitted uses and development standards within those zones.

Municipal Plan

The property is designated under Schedule A: Future Land Use Map as “Commercial” and is not recognized under Schedule C: Commercial Hierarchy and Designations, thus considered a “Isolated Existing Commercial Use” (Figure 2). These designations determine the applicable Municipal Plan Policies for the subject property.

Figure 2: Municipal Plan Schedule A and C Maps



Below is a summary of applicable goals, policies and proposals in the Municipal Plan:

Table 2: Supporting and Conflicting Municipal Plan Policies.

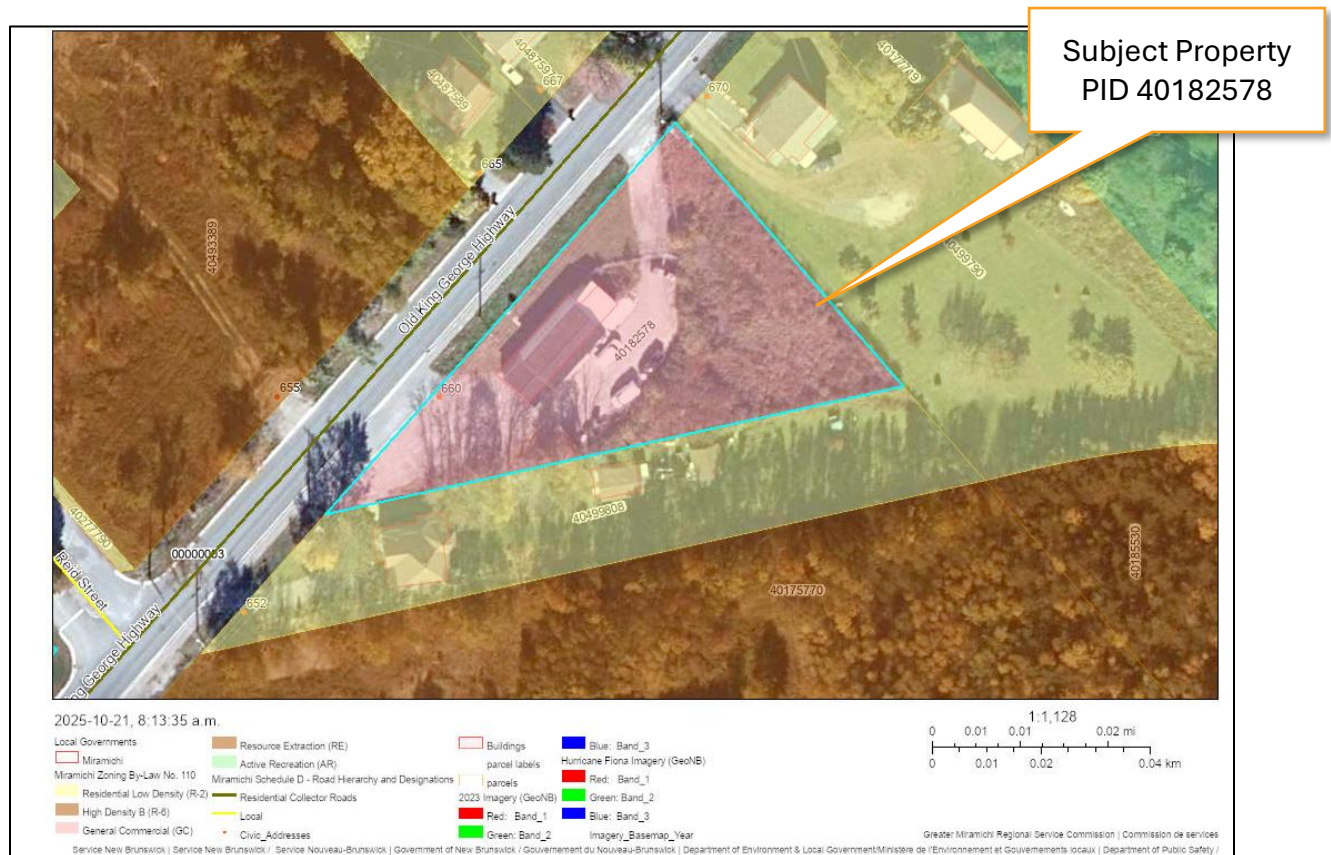
Supporting Goals/Policies/Proposals
<p>6 A Policies:</p> <p>4. Encourage appropriate development on the limited supply of serviced land immediately adjacent to intermunicipal transportation routes.</p> <p>7. Strongly encourage reuse and renewal of existing commercial buildings and serviced locations.</p> <p>6F Policies:</p> <p>3. Within isolated existing commercial areas, that a range of commercial uses be allowed in order to accommodate modest addition to existing uses, or re-use and redevelopment, provided negative impacts on adjacent property and public roads can be minimized through site planning (i.e. Development Permit process) for any such re-use/redevelopment.</p> <p>7 D Policies:</p> <p>1. Support and encourage entrepreneurs, small businesses, and home-based businesses, provided there are sufficient controls to ensure that such uses do not negatively impact the residential neighbourhoods and rural areas in which they are located.</p> <p>7 L Policies:</p> <p>1. Strongly encourage and support the redevelopment of brownfield sites as a priority economic development activity, where such redevelopment:</p> <ul style="list-style-type: none">a. Is for land uses as anticipated by this Plan on the Future Land Use Map;b. Can be readily supported by existing municipal infrastructure such as public water and sewerage collection;c. Has appropriate access and proximity to designated collector or higher-level public roads and other transportation infrastructure;

The Municipal Plan contains several policies (Commercial, and Economic Development sections) that align with the proposed development, mainly, encouraging reuse of existing commercial properties and buildings, and the encouragement of development within fully serviced areas of the city. The property is already acknowledged (and designated) by the plan as an ‘isolated existing commercial use’, and does not seek to expand the commercially designated area of the city. Generally, there are no conflicting municipal plan policies identified regarding the proposed development. Further, the proposal meets the Economic Development goals and policies of the plan by reusing a brownfield (vacant) site without the need for a plan amendment.

Zoning By-law Regulations

The subject property is zoned General Commercial (GC). While a dog daycare is not specifically permitted in this zone, the PRAC may consider them similar to or compatible with the permitted uses in the zone. Seven parking spaces, including one barrier free space, are provided as required. Staff note that changes to the parking layout and driveway are proposed, which meet the by-law requirements. Other site changes including landscaping and chain link fencing are proposed, which seem to generally meet or exceed zoning requirements. The proposed waste disposal container is adequately screened as required by the zoning by-law. A portion of the paved area, including the current eastern driveway, are to be landscaped or otherwise reused.

Figure 4: Zoning By-law Schedule A and Municipal Plan Schedule D



The General Commercial zone is a standard commercial zone used throughout the city to accommodate most typical business and office uses, along with multi-unit residential, and some institutional uses. The zone permits a mix of uses in multiple main buildings, and is usually found in many commercial areas outside of the downtown cores or highway areas. In total, 44 main uses are permitted in the zone, generally only excluding the more intense

automotive-oriented uses, like drive-thrus and auto dealerships. Despite the proposed use not being explicitly included in the list of permitted uses in this zone, the GC zone likely best accommodates a business like this.

The Zoning By-law does not provide a definition for the proposed use of the property as a dog daycare, nor does it permit the use in any zone. Staff have identified similarities of the use with other uses in the zone. Typically, a business such as a dog daycare operates during daytime hours, with staff providing supervision and activities for dogs. Public interaction with the business is limited to dropping off and picking up their pets, typically similar to how a daycare for children is operated. The proposal includes fenced, separated, outdoor play areas for the dogs.

Minimal land use impact is expected as a result of the proposed development. The current building has been vacant for a period of multiple years, so neighbours will notice an increase in traffic and noise in any case, but this should be mostly limited to the early morning and late afternoon hours for drop-off and pickup. Any additional accessory uses, such as pet grooming, will operate in a similar way with drop-off and pickup, and limited public access and use of the building. Noise from barking or dogs playing outdoors is expected, but the impact should be minimal on nearby residents.

Development Services Staff Assessment

The use is generally similar to and compatible with those permitted in the GC zone. However, some land use conflicts may occur between the proposed use and the existing neighbourhood, mainly the traffic (including drop-off and pickup of animals), expected noise, and visual impacts of the use (outdoor activities). The table below provides a staff evaluation using the criteria outlined in Section 2.9.2 of the Municipal Plan:

Table 3: Zoning By-law Section 2.9.2(3) - Staff Analysis

Criteria	Staff Analysis
i. Is desirable for the development of the property;	The property has been vacant for years, and the proposed business will present a productive reuse of the building and property.
ii. Is in accord with the general intent of this Plan;	The Plan provides support for new businesses, and reuse of existing buildings and sites. The property is already designated Commercial by the Plan, and the proposal does not seek to expand the commercial hierarchy.

Criteria	Staff Analysis
iii. Does not adversely affect traffic or parking patterns in the area;	<p>The site plan accommodates for more than the required on-site parking (one per 28m² of floor area), and there is no anticipated on-street parking resulting from this development.</p> <p>However, the traffic generated by the business is expected to be greater than and add to the traffic generated by existing uses in the neighbourhood.</p>
iv. Has architectural design that is compatible with the character of the neighborhood;	<p>The proposed building is relatively small, and will likely require some renovations in order to meet building code requirements for the change in occupancy. It's current appearance as a small light industrial or commercial workshop is likely to be upgraded, and the exterior area of the property will be cleaned up.</p>
v. Is viewed as being compatible with the neighbourhood, as determined by assessing public input.	<p>Eight notice letters were mailed to neighbours within a 30m radius of the subject property's boundary, and a notice sign was posted on the property as per the requirements of the Service Commission's PRAC By-law. To date, staff have received one letter from a direct neighbour to the property, who expressed their general support for the reuse of the property.</p>

Staff consider the proposed dog daycare business functionally equivalent to a personal service shop, early learning and childcare centre, and retail store in terms of land use impacts. As noted, compatibility is expected with most, if not all, uses permitted in the GC zone.

Neighbourhood Character & Impact

The subject property is located on the eastern side of Newcastle, on Old King George Hwy, west of Cove Rd. The property and existing building are easily seen from throughout the neighbourhood.

Some traffic and noise impacts on nearby properties are expected, but these are likely to be consistent with many similar commercial uses that could occur (as-of-right) on the property. Generally, the reuse, renovation, and expected upgrades and upkeep of the property should be viewed as a positive by many in the surrounding area, as a great improvement over the existing disused building.

Views of the Public

Agenda item: 2025-8-1

Notification letters, including details on the variance application and the PRAC meeting, were mailed to 8 unique property owners. A radius of 30m from the Subject Property's boundary was used, in accordance with the PRAC By-law and Operating Procedures. Notification signage was posted on Old King George Hwy next to the subject property, also in accordance with the PRAC By-law and Operating Procedures.

As of the date of this report, one letter has been received, expressing general support for the redevelopment of the property from its current state.

Further input may be presented at the PRAC meeting.

Department and Agency Comments

The rezoning application was circulated to a number of departments to provide the opportunity to comment or identify any concerns regarding the proposal, relevant to their mandates. The application was circulated to the following:

- City of Miramichi Department of Public Works
- City of Miramichi Department of Engineering

The Department of Engineering expressed concerns about the location of the proposed fence in the front yard of the development, due to possible encroachment onto the public right of way. The fencing of the property is subject to an ongoing development permit application, and no fencing will be permitted to be developed outside of the property. Staff have confirmed that the proposed fence will be setback by at least 5' from the front property line.

GMSC Building Inspection Services have been working with the Applicant to communicate application requirements for the building permit for the project, required mainly due to the change in use (and code occupancy) of the building.

Staff Recommendation

Pursuant to Section 55(1)(a) of the *NB Community Planning Act*, and Section 2.9.2 of the City of Miramichi Zoning By-law, it is recommended that the City of Miramichi Planning Review and Adjustment Committee (PRAC) approve the proposed variance to permit a dog daycare business on the subject property described as PID 40182578, 660 Old King George Hwy, Miramichi. The proposed use is deemed sufficiently similar to, and compatible with uses permitted in the General Commercial (GC) zone, subject to the following conditions:

The development shall proceed in substantial accordance with the site plan and floor plan submitted as part of the application, dated October 2nd 2025, or as otherwise approved in writing by Development Services;

The use variance approval shall apply only to the proposed dog daycare and ancillary pet grooming services. Any expansion of the business or addition of new uses, such as

Agenda item: 2025-8-1

overnight boarding, shall require a separate application for a potential Municipal Plan and/or Zoning By-law amendment; and

All waste and refuse associated with the use shall be contained in covered, rodent-proof receptacles and disposed of in accordance with City of Miramichi By-law 114 ('A By-law Relating to the Collection and Disposal of Waste in the City of Miramichi') and amendments thereto.

Attachments

1. Property Location Map
 2. Site Plan and Floor Plan Drawings (Submitted by Applicant)
 3. Site Photos
-

Agenda item: 2025-8-1

Report Prepared On: Wednesday, October 22, 2025

Prepared by:

Nic O'Dette, RPP, MCIP

Planning Services Manager



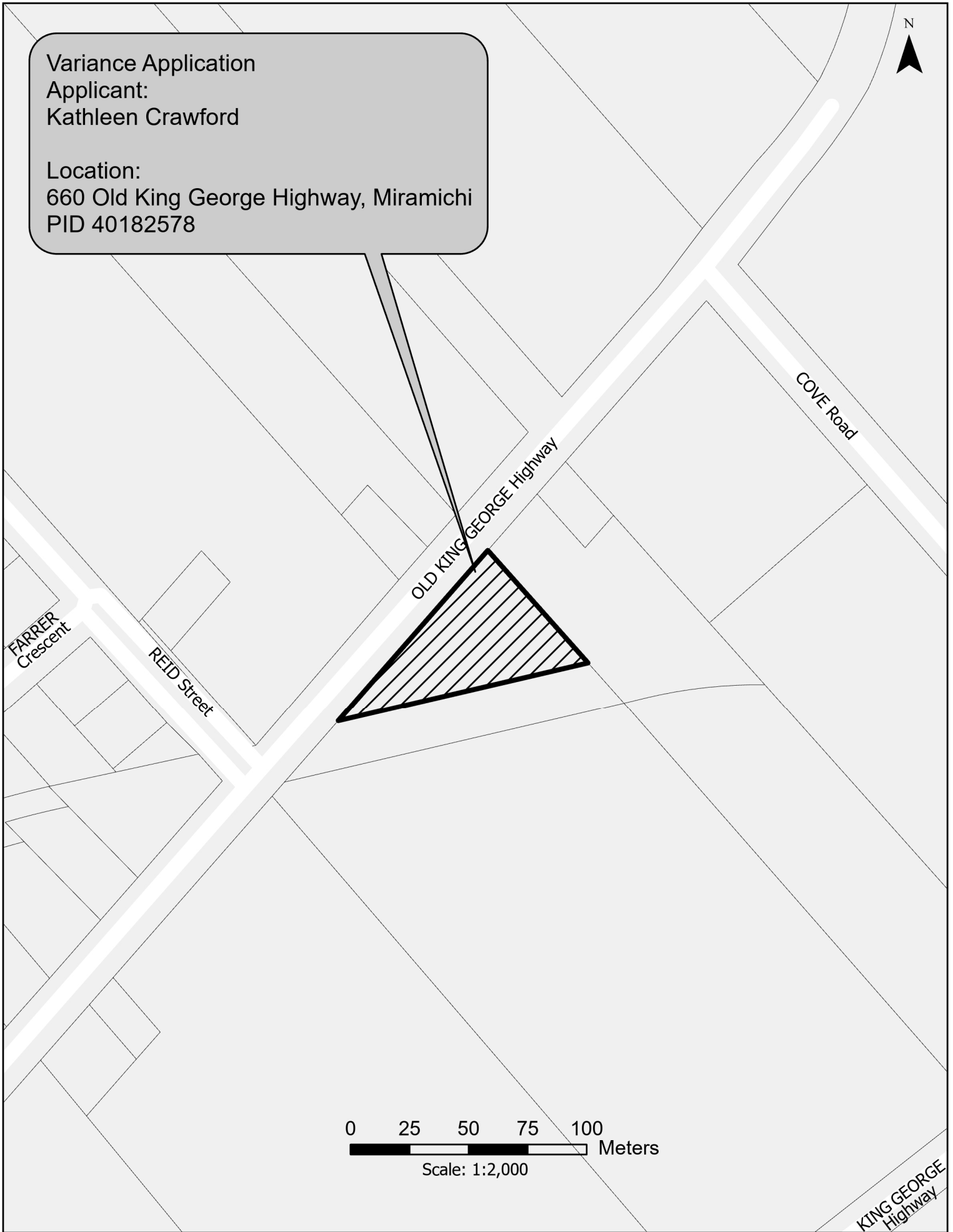
Prepared Under the Direction of:

Justin Forbes, RPP, MCIP

Planning Director

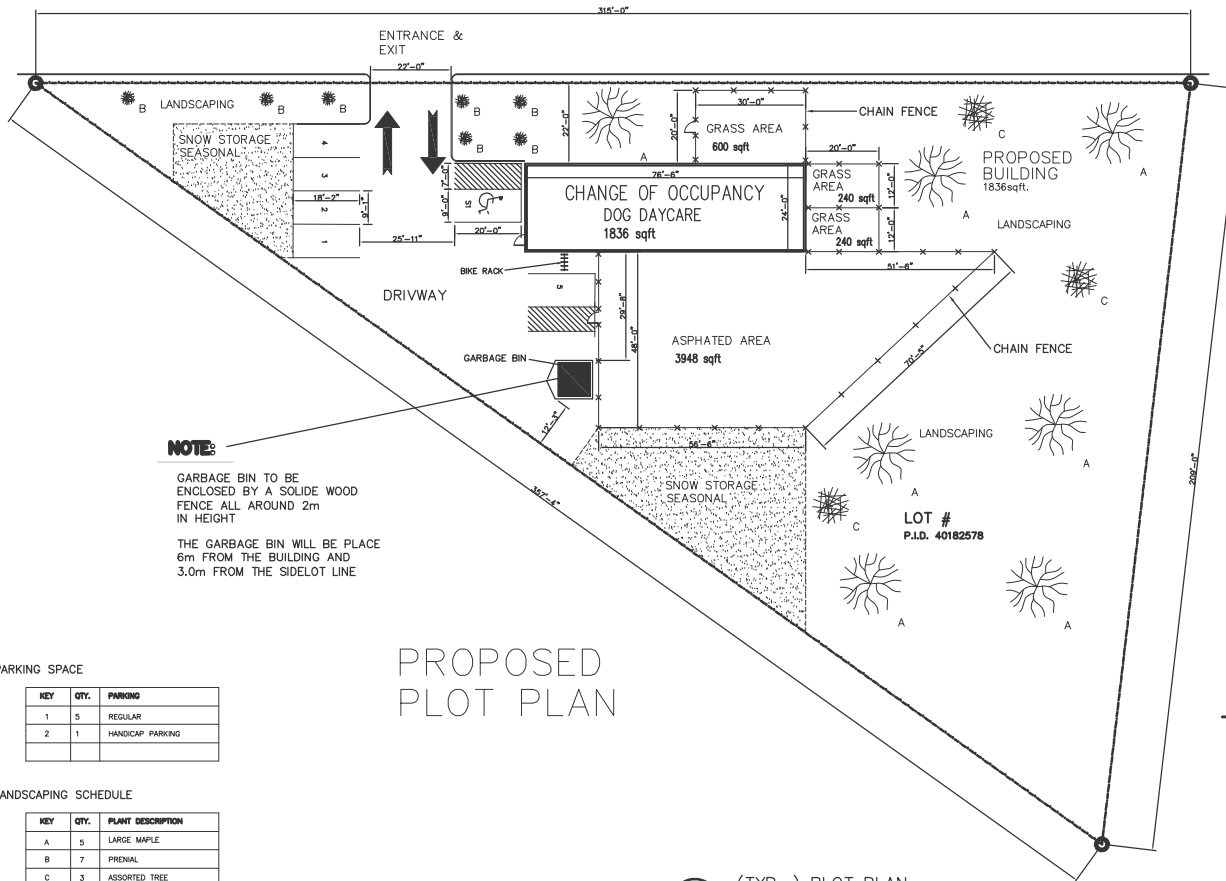


Attachment 1: Property Location Map



**Attachment 2: Site Plan and Floor Plan Drawings
(Submitted by Applicant)**

660 OLD KING GEORGE HWY



NOTE:

GARBAGE BIN TO BE ENCLOSED BY A SOLIDE WOOD FENCE ALL AROUND 2m IN HEIGHT
THE GARBAGE BIN WILL BE PLACE 6m FROM THE BUILDING AND 3.0m FROM THE SIDELOT LINE

1. PARKING SPACE

KEY	QTY.	PARKING
1	5	REGULAR
2	1	HANDICAP PARKING

2. LANDSCAPING SCHEDULE

KEY	QTY.	PLANT DESCRIPTION
A	5	LARGE MAPLE
B	7	PRINIAL
C	3	ASSORTED TREE

PROPOSED
PLOT PLAN

(TYP.) PLOT PLAN
SCALE: 1/16" = 1'-0"

PROPOSED
BUILDING
1836sqft.

EXISTING
PLOT PLAN

(TYP.) PLOT PLAN
SCALE: 1/32" = 1'-0"

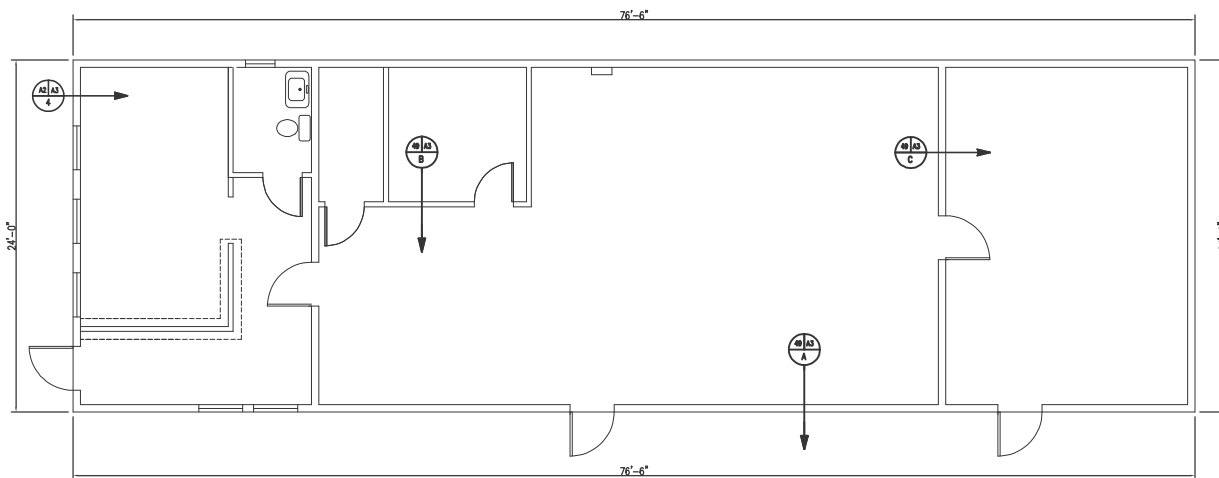
50 0 50 100
SCALE 1/32" = 1'-0"

NOTE:

PLOT PLAN WAS DRAWN WITH THE INFORMATION GIVEN BY THE OWNER.

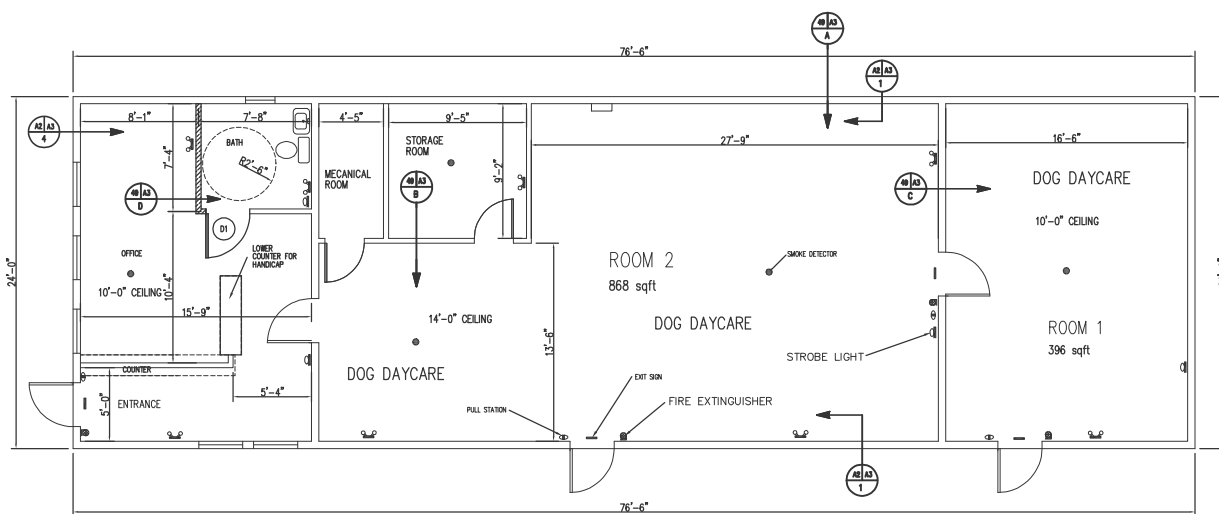
5 0 5 10 20
SCALE 1/16" = 1'-0"

	REFERENCE SHEET NO. B DETAIL NO. 49 SECTION SHEET NO. A6
	SECTION SHEET NO. A6 REFERENCE SHEET NO. A10 DETAIL NO. 75
	SECTION SHEET NO. A6 REFERENCE SHEET NO. A10 BUILDING SECTION NO. 75
	DOOR TYPE WALL FRAMED SCHEDULE
	WINDOW TYPE
<p>A. DETAIL NO. B. DETAIL DWG. NO. C. LOCATION DWG. NO.</p>	
<p>STAMP:</p>	
<p>CLIENT:</p> <p>KATHLEEN</p>	
<p>DRAWING TITLE:</p> <p>DETAIL PLAN</p>	
DATE: OCT 2/25	FILE NAME: 0030
DESIGNER: GILES HORN	PAGE:
SCALE: AS NOTED	A4
CHECKED BY:	



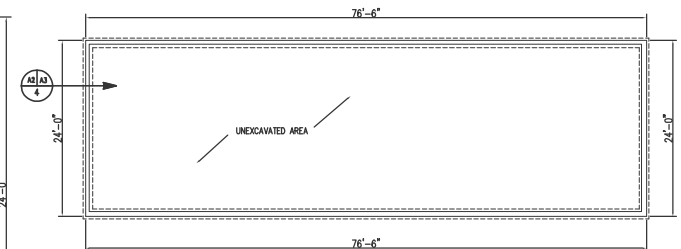
MAIN FLOOR PLAN
SCALE: 1/8" = 1'-0"

EXISTING BUILDING



MAIN FLOOR PLAN
SCALE: 1/8" = 1'-0"

PROPOSED BUILDING CHANGES



FOUNDATION PLAN
SCALE: 1/8" = 1'-0"

EXISTING BUILDING

NOTE:

ALL MEASUREMENT SHOULD BE TAKEN FROM THE EXISTING BUILDING. SEE OWNER FOR MORE INFORMATION.

NOTE

SMOKE DETECTORS ARE NEEDED FOR EACH ROOM AND WILL NEED TO BE INTERCONNECTED FOR THAT ENTIRE FLOOR ONLY. ALL SMOKE DETECTORS WILL NEED TO MEET N.B.C.C. 2015 CODE.

A MECHANICAL VENTILLATION IS ALSO NEEDED

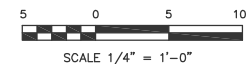
DOOR SCHEDULE

NO	QTY	DESCRIPTION	SIZES
01	1	BATH	3/0

*** SEE OWNER FOR APPROVAL OF WINDOW & DOOR SCHEDULE. CHECK ALL SIZES WITH REFERENCE WITH ELEVATION AND FLOOR LAYOUT BEFORE ORDERING.

LEGEND

- - SMOKE DETECTOR SYMBOL.
- - EXIT SIGN (RUNNING MAN)
- - FIRE EXTINGUISHER.
- ⬡ - EMERGENCY LIGHTING.
- ⬢ - PULL STATION.
- ⬣ - STROBE LIGHT.



	REFERENCE SHEET NO. B DETAIL NO. 49 SECTION SHEET NO. A6
	SECTION SHEET NO. A6 REFERENCE SHEET NO. A10 DETAIL NO. 75
	SECTION SHEET NO. A6 REFERENCE SHEET NO. A10 BUILDING SECTION NO. 75
	DOOR TYPE WALL FRAMED SCHEDULE
	WINDOW TYPE

	A. DETAIL NO.
	B. DETAIL DWG. NO.
	C. LOCATION DWG. NO.

STAMP:

CLIENT:	KATHLEEN
DRAWING TITLE:	MAIN FLOOR PLAN
DATE:	OCT 2/20
DESIGNER:	GILLES HODIN
SCALE:	AS NOTED
CHECKED BY:	

Attachment 3: Site Photos (taken September 25th 2025)

Photo 1: Exterior view of building from east side.



Photo 2: View of property from west driveway



Photo 3: Additional view of nearby residential subdivision.



Photo 4: View looking west along Old King George Hwy



Photo 5: Municipal Dog Park Nearby





PLANNING STAFF REPORT

SUBJECT: *1400 Water Street Subdivision*

MEETING DATE: Tuesday, October 28th, 2025

AGENDA ITEM: 2025-8-2

Pursuant to Section 7.1 of the City of Miramichi Subdivision By-law No. 127, the advice of the Greater Miramichi Service Commission – Planning Review and Adjustment Committee (PRAC) for the City of Miramichi is required in order to approve a new private access proposed from this subdivision plan.

Application Overview

The subdivision application of *1400 Water Street* was submitted by Randy Waye of T.G. Williston Surveys Ltd., representing Belleterre Community Partners Incorporated, the property owner. The property, bearing PID 40429433, is located along the Southeasterly side of Water Street at civic number 1400 in the former Town of Chatham, now the City of Miramichi.

The tentative plan illustrating the proposed lot configuration and shared access is attached as Figure 2.

The subdivision application proposes to subdivide this property, also identified as Lot 96-1 on registered subdivision plan 200942, to create lots 1, 2, and 3 for residential purposes and a private access which is identified as Lot 4 on the tentative subdivision plan. Lot 2 will also be used for office space and a daycare. The property was formerly used as a nursing home for senior citizens, but the building has been vacant since 2020 and has recently been rezoned from Institutional (IN) to Medium Density B (R-4) (City of Miramichi By-law No. 110-26) to permit a proposed mixed-use development as aforementioned. Permits have been issued earlier this year for the renovation of the building which have started since.

The tentative subdivision plan proposes to divide the property into three lots for financing and ownership purposes while maintaining a shared internal access arrangement. Lot 1 fronts directly onto Water Street and should be used for a townhouse type building. Lot 2, located behind Lot 1, contains the existing main building which will be used for student housing as well as offices and a daycare. Lot 3 is located to the rear of the property and is proposed to contain a multi-unit residential building. Access to lots 2 and 3 will be provided via a shared private driveway situated on the parcel identified as Lot 4 (the private access). The access will be subject to a right of way in favour of lots 2 and 3, and perhaps Lot 1 as well, to permit vehicular and service access. The overall layout functions similarly to a condominium or private residential development, with a common internal drive connecting all buildings to the public street network.

Municipal water and sanitary services from Water Street connect to the existing building from underground pipes along the Northeast boundary of the property. A municipal easement over the

proposed Lot 1 will need to be created as well as one over Lot 2 to reach Lot 3.

Planning Considerations

While Lot 1 abuts a public street (Water Street) and therefore satisfies Section 7.1(a) of the City of Miramichi Subdivision By-law No. 127, the proposed lots 2 and 3 do not. As such, the request to create a new private access to access said lots requires approval by the regional service commission through the PRAC. Section 7.1 of the City of Miramichi Subdivision By-law No. 127 states that “Every lot, block and other parcel of land in a subdivision shall (b) provide such access other than a street as may be approved by the Planning Services as being advisable for the development of land.” Additionally, Section 9(C) of City of Miramichi Municipal Plan By-law No. 109 states that “It is a proposal of Council that (3) There be no further subdivision of land within the City where the sole access to a public road for proposed new lot(s) and/or remnant lot is by a Private Access, except for (e) Such access as may be approved by the PRAC as being advisable for the development of land, subject to such terms and conditions as the PRAC may impose.” Another exception to this Municipal Plan proposal is to allow condominium projects (subsection b) to have access to a public street via a private access. After consideration by Staff, it was determined that the development, use, and activity of this project are sufficiently similar to those of a condominium to accept the subdividing of the proposed lots on a private access just as a condominium development or a private mini-home park would share a common driveway.

The private access will measure 6.4 metres in width before it widens to 28.72 metres by the portion where it is fronting on Lot 3, hence reserving plenty of space for vehicles to turn around (Part B Section 1.1(f) of the PRAC Policy for Private Access). As it has been our practice beforehand, it is recommended that the private access be part of a proposed lot. Therefore, it was decided that it should be incorporated with Lot 2 being the lot that will be using the access more intensively. A dashed line should still show the delineation between each other. Lots 2 and 3 should retain in their property descriptions a right of way over the private access, as well as for Lot 1 if the intention is to use the access even though the lot has direct access to a public street.

Lots 1 and 2 meet the required frontage, width, and area minimums of the R-4 zoning regulations. The frontage of Lot 3 on the private access however has a width of 28.72 metres, therefore requiring a dimensional variance of 1.28 metre to meet the 30-metre frontage requirement. Also, a subdivision assessment report (soil test) is not required considering that the proposed development will be serviced by municipal sewer.

An invitation to comment on the application was sent to the City of Miramichi departments of Engineering and Public Works. Neither department had commented at the time of writing this report.

It is noted that the Municipal Plan includes a proposal stating that the City will not assume responsibility for snow removal, maintenance, repair, or upgrading of a Private Access, except where access is required to maintain or service public infrastructure or where otherwise approved by Council.

The hydrographic network webmapping from the Department of Natural Resources (DNR) and the wetland webmapping from the Department of Environment and Local Government (DELG) identifies no presence of watercourse nor wetland on the property. However, should the presence of wetland or watercourses be identified in-person, any alteration taking place within 30 metres of these may require a permit under the Watercourse and Wetland Alteration Regulation (Reg 90-80) as per subsection 15(2) of the *NB Clean Water Act*.

Agenda item: 2025-8-2

Adjacent property owners of the proposed development were notified by letter of this application regarding the variance (Planning Review and Adjustment Committee By-law, Appendix A, Responsibility). These notices were mailed on Wednesday October 15, 2025. At the time of writing this report, no comments were received. In addition to the mailed notices, the public also has access to the PRAC meeting agenda and can attend said meeting.

Staff Recommendation

As per Section 7.1 of the City of Miramichi Subdivision By-law No. 127, it is recommended that the Planning Review and Adjustment Committee (PRAC) of the Greater Miramichi Service Commission approves:

1. A dimensional variance of 1.28 metre for the frontage of Lot 3 from the required 30-metre minimum width; and
2. *1400 Water Street Subdivision;*

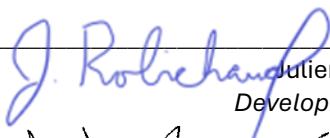
subject to the final subdivision plan showing the private access bounded to Lot 2 by a dashed line, being part thereof, a municipal easement for water and sewer services leading to Lot 3, and provided that the following notes be inserted on the final plan:

1. "The private access shown on this plan is not suitable for a public street. The Department of Public Works will not upgrade or maintain this private access and all maintenance services and improvements to the private access are the responsibility of the property owner"; and
2. "The Planning Review and Adjustment Committee (PRAC) does not carry on-site inspections of the private access shown on this plan. Construction of a private access on this parcel of land in accordance with all relevant regulations, if any, is the strict and sole responsibility of the property owner or developer. The PRAC expressly makes neither representations nor warranties of any nature whatsoever that the condition and construction of the access is suitable for safe movement of vehicle traffic. The PRAC only approves the location of the access shown on this plan and not its condition and makes no representation nor warranties whatsoever with respect to the condition of the access."

Attachments

1. Property Location Map
2. Tentative Subdivision Plan
3. City of Miramichi Municipal Plan By-law No. 109 Section 9(C)(3)

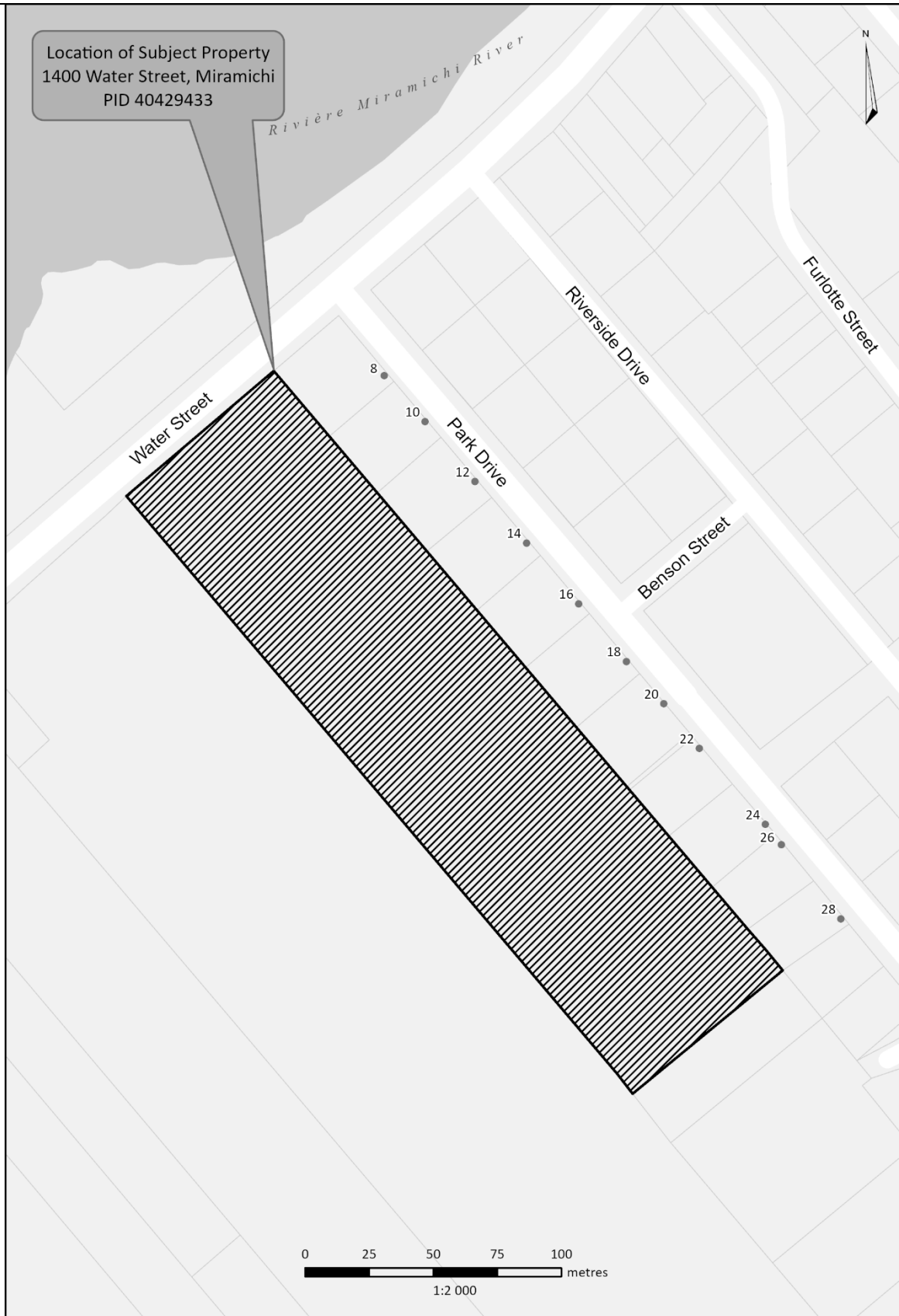
Report Prepared On: Thursday, October 23, 2025
Report Prepared by:


Julien Robichaud
Development Officer

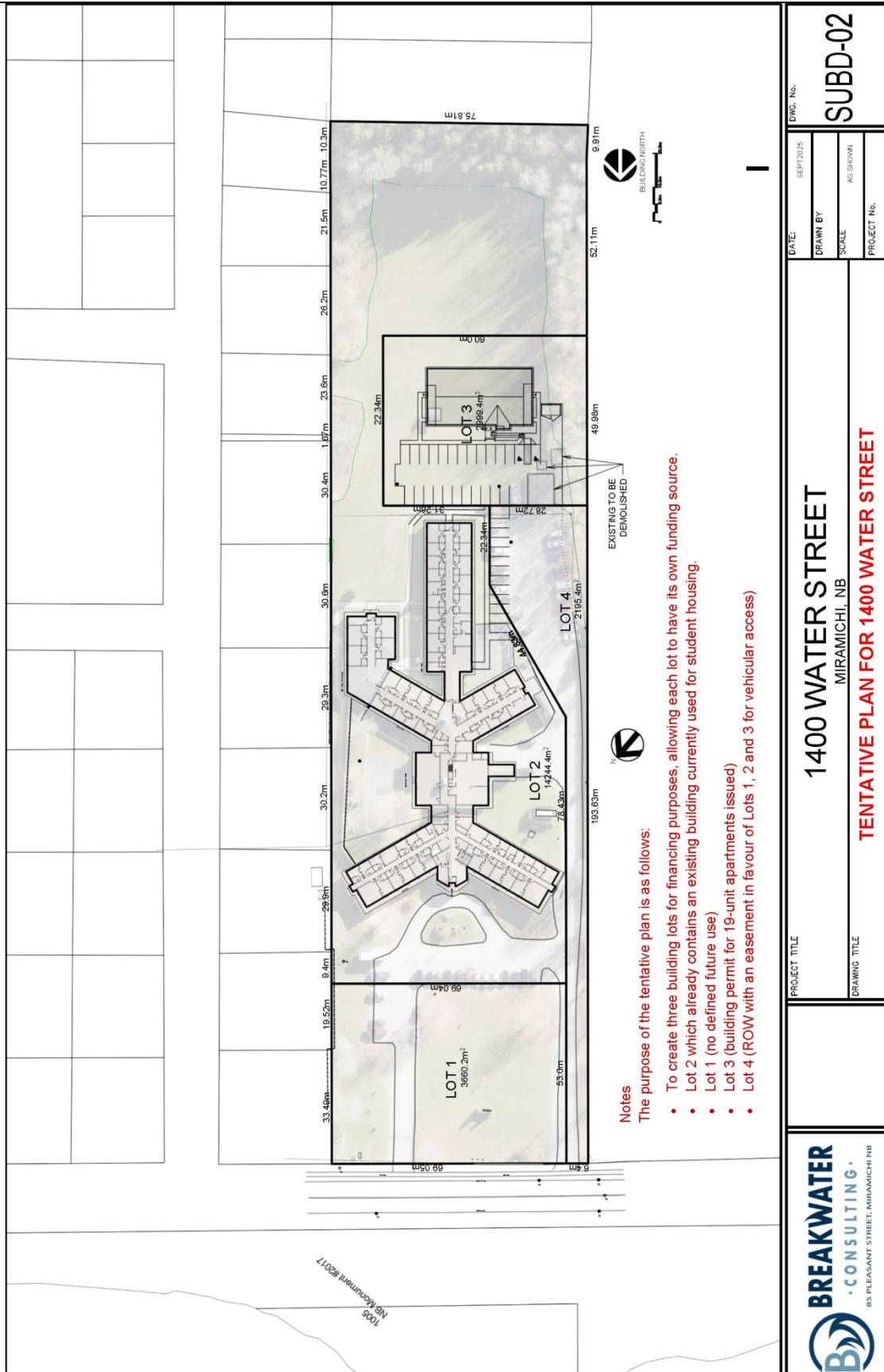
Report Reviewed and Approved by:


Justin Forbes, RPP, MCIP
Planning Director

ATTACHMENT 1 - PROPERTY LOCATION MAP



ATTACHMENT 2 - TENTATIVE SUBDIVISION PLAN



 BREAKWATER CONSULTING <small>85 PLEASANT STREET, MIRAMICHI, NB</small>	1400 WATER STREET MIRAMICHI, NB	DATE: SEPT 2025 DRAWN BY: AS SHOWN SCALE: AS SHOWN PROJECT No.
	TENTATIVE PLAN FOR 1400 WATER STREET	DWG. No. SUBD-02

ATTACHMENT 3 - CITY OF MIRAMICHI MUNICIPAL PLAN BY-LAW NO. 109 SECTION 9(C)(3)



- h. **Non-maintained Roads:** There are several rough-surface, linear corridors located in the remote rural areas of the City that are designated as “Non-Maintained Roads”.

(C) Private Accesses

Proposals

It is a proposal of Council that:

1. A “Private Access” means a road right-of-way that provides access to a lot and has not been vested in the City of Miramichi or Minister of the Department of Transportation and Infrastructure.
2. The City will not provide snow removal services, maintain, repair, or upgrade a Private Access, except:
 - a. As necessary to secure access to maintain, construct or repair public infrastructure or facilities such as utilities, pumping stations, piped sewer, and water services; or
 - b. As may be approved by the Council or delegate in accordance with an operational policy for Private Access approved by the PRAC.
3. There be no further subdivision of land within the City where the sole access to a public road for proposed new lot(s) and/or remnant lot is by a Private Access, except for:
 - a. Private mini-home parks;
 - b. Condominium projects;
 - c. Municipal access to municipal services;
 - d. Telecommunications and utilities infrastructure; and,
 - e. Such access as may be approved by the PRAC as being advisable for the development of land, subject to such terms and conditions as the PRAC may impose.
4. For an existing lot:
 - a. Whose sole access to a public road is by a Private Access;
 - b. That does not have existing connection(s) to both municipal water and sanitary sewer services; and,
 - c. That is smaller than the applicable minimum lot size required by the Zoning By-law,that the Zoning By-law discourage “over-development”, particularly such development that may pose immediate or longer-term risks to human health, safety of private wells and/or damage to watercourses,



PLANNING STAFF REPORT

SUBJECT: *Golden Hawk Subdivision - Plan 2025-1 - Carroll Street - City of Miramichi - Parish of Newcastle*

MEETING DATE: Tuesday, October 28th, 2025

AGENDA ITEM: 2025-8-3

Pursuant to subsection 76(1) of the *Community Planning Act* (c.19), the regional service commission (through City PRAC) must consent before a municipal council may sell land that was dedicated for public purposes within a subdivision.

Application Overview

The application of *Golden Hawk Subdivision - Plan 2025-1 - Carroll Street - City of Miramichi - Parish of Newcastle* was submitted by Randy Waye of T.G. Williston Surveys Ltd., representing the City of Miramichi, the property owner. The property, bearing PID 40548869, is located between Carroll Street and Kierstead Street in the former Village of Douglastown section of the City of Miramichi.

This subdivision application proposes to create Lot 2025-1 for residential purposes, amending registered subdivision plan 43108761 which created the subject property as land for public purposes. The remnant of PID 40548869 is to remain as land for public purposes. The conveyance of the proposed lot by the City will need to be assented by Council before the transfer can be executed.

A portion of the property is occupied by a playground and is zoned Active Recreation (AR) while the rest of the property being vacant is zoned Single Unit Dwelling (R-1). The R-1 portion was never rezoned since the use of a park is permitted in said zone as per *Miramichi Zoning By-law No. 110*, hence respecting the land for public purposes. The portion creating Lot 2025-1 is zoned R-1 so no rezoning will be necessary this time either.

Planning Considerations

The subject property was created during a previous subdivision application (approved by PRAC) which created new lots on the Carroll Street extension, a public street. Therefore, the subdivision needed to set aside land for public purposes which was added to pre-existing public purposed land. The consolidation created PID 40548869 which was entirely designated as land for public purpose. The City has since determined that a portion of the land, being Lot 2025-1, is no longer required for public use. As such, the City of Miramichi Planning Review and Adjustment Committee (PRAC) of the Greater Miramichi Service Commission must consent to council for the sale of land for public purposes as per Section 76(1) of the *Community Planning Act* (c.19) that states "...council may sell the land if (a) the council receives the consent of the advisory committee or regional service commission for the sale...".

Agenda item: 2025-8-3

The proposed lot measures 1612 m² in area and includes a portion of the former Carroll Street turnaround. Said portion will require a stop-up and close by-law to retire it from the City street network. This by-law will need to be adopted by Council prior to final approval of this subdivision. Development Services recommends that the Northeasterly and the rest of the Southwesterly arches of the former turnaround be included in said by-law. Once these parts are retired from the street network, they can be assigned a zone either during an amendment of Zoning By-law No. 110 or the update of the next Municipal Plan.

Both the lot and the remnant meet all minimum dimensional requirements. The remaining portion of the remnant that fronts on Carroll Street is only 5 metres in width, but being zoned AR, there is no minimum frontage requirement to be met. Since no variances are involved, neighbouring property owners have not been notified by letter of this application (Planning Review and Adjustment Committee By-law, Appendix A, Responsibility). The public also has access to the PRAC meeting agenda and can attend said meeting.

No watercourse or wetland has been identified on the lot as per the hydrographic network webmapping from the Department of Natural Resources (DNR) and the wetland webmapping from the Department of Environment and Local Government (DELG). However, should the presence of wetland or watercourses be identified in-person, any alteration taking place within 30 metres of these may require a permit under the Watercourse and Wetland Alteration Regulation (Reg 90-80) as per subsection 15(2) of the NB *Clean Water Act*.

Staff Recommendation

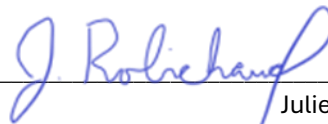
It is recommended that the City of Miramichi Planning Review and Adjustment Committee (PRAC) of the Greater Miramichi Service Commission consents to the sale of land identified as Lot 2025-1 in the *Golden Hawk Subdivision - Plan 2025-1 - Carroll Street - City of Miramichi - Parish of Newcastle* as per Section 76(1)(a) of the *Community Planning Act* (c.19), subject to a stop-up and close by-law for the portion of the former Carroll Street turnaround.

Attachments

1. Property Location Map
2. Tentative Subdivision Plan
3. *Community Planning Act* (c.19) section 76(1)

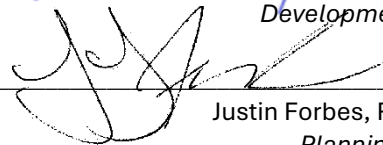
Report Prepared On: Thursday, October 23, 2025

Report Prepared by:



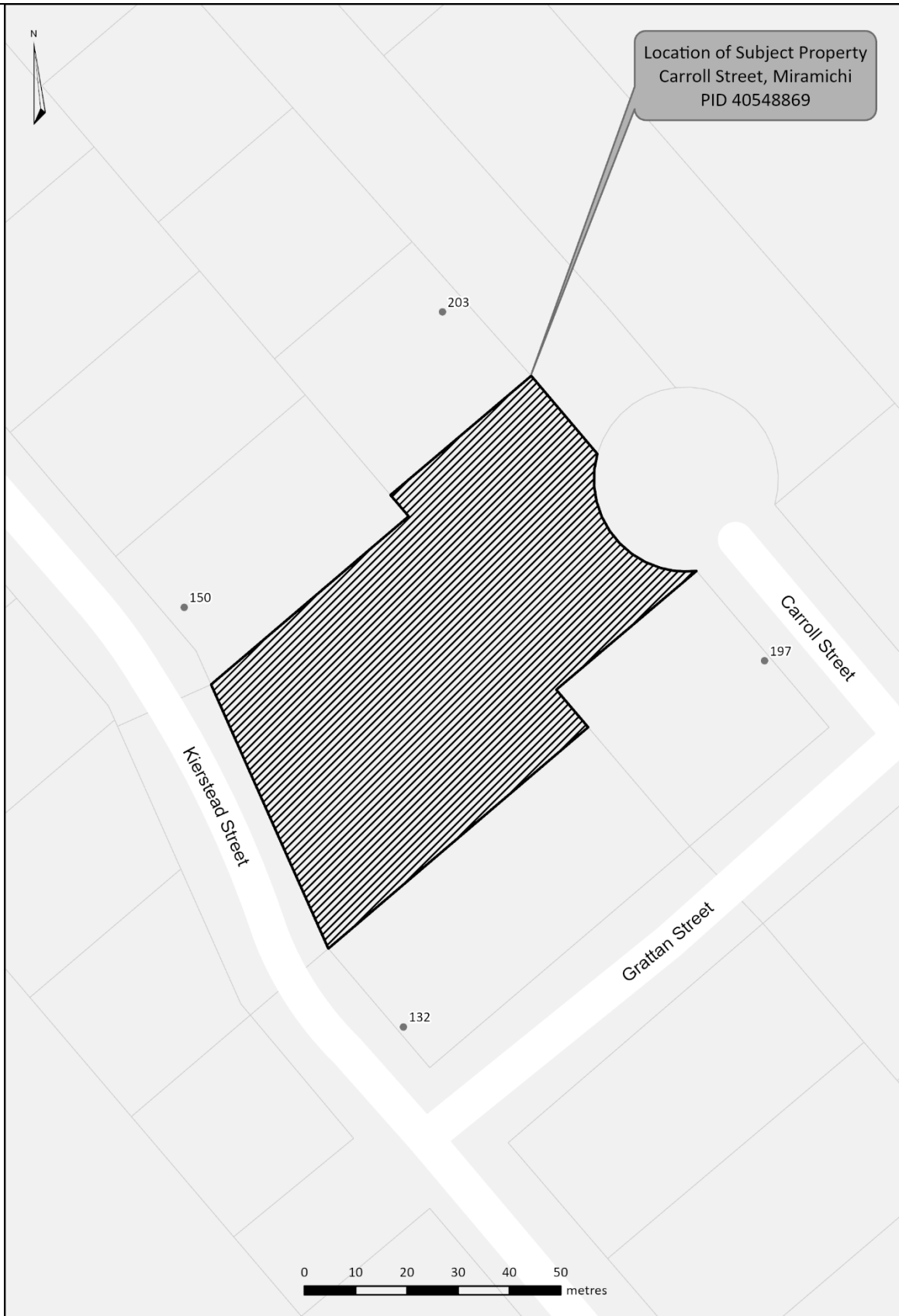
Julien Robichaud
Development Officer

Report Reviewed and Approved by:

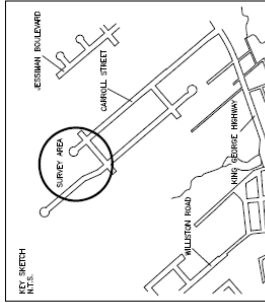


Justin Forbes, RPP, MCIP
Planning Director

ATTACHMENT 1 - PROPERTY LOCATION MAP



ATTACHMENT 2 - TENTATIVE SUBDIVISION PLAN



TENTATIVE SUBDIVISION PLAN GOLDEN HAWK SUBDIVISION PLAN 2025-1 CARROLL STREET CITY OF MIRAMICHI PARISH OF NEWCASTLE

SCALE 1: ~~500~~ JULY 18, 2025

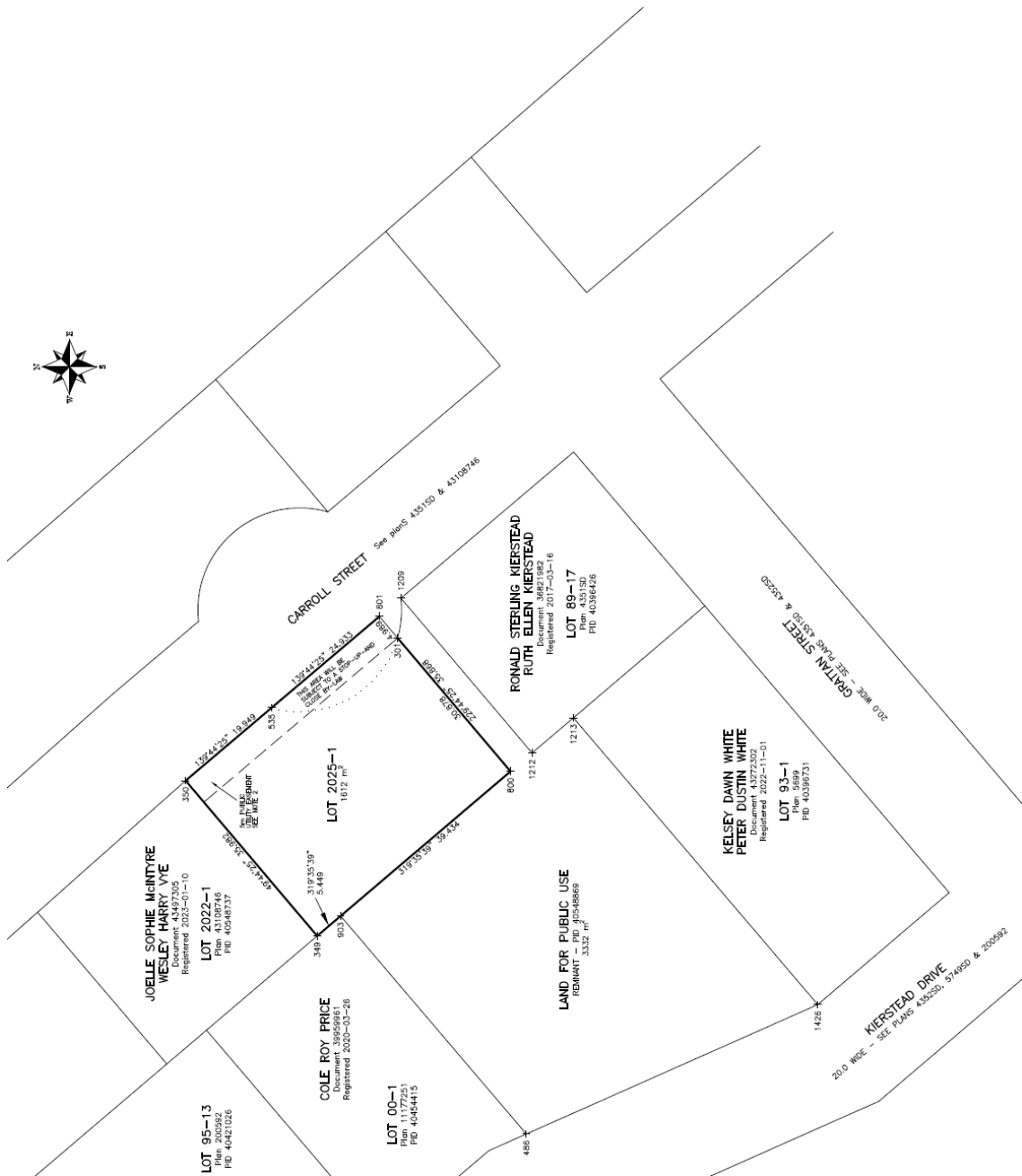
PREPARED BY RANDY W. WAYE, NELS, CLS
T.G. WILLISTON SURVEYS LTD.

506-622-7008
randy.waye@willistonsurveys.com

NOTES

- 1) THE PURPOSE OF THIS PLAN IS AS FOLLOWS:
 - A) TO CREATE LOTS 2025-1 FOR RESIDENTIAL PURPOSES
 - B) TO CREATE A PUBLIC UTILITY EASEMENT.
- 2) THE PUBLIC UTILITY EASEMENT SHOWN ON THIS PLAN WILL VEST IN NEW BRUNSWICK POWER DISTRIBUTION AND CUSTOMER SERVICE CORPORATION, BELL (CANADA) AND ROGERS COMMUNICATION INC WITH THE FILING OF A FINAL PLAN PURSUANT TO SECTION 5 OF "DESIGNATED EASEMENT REGULATION" 2021-83 OF THE COMMUNITY PLANNING ACT.
- 3) A STOP UP AND CLOSE BY-LAW IS TO BE PASSED AND REGISTERED FOR A PORTION OF THE CUL-DE-SAC AS SHOWN ON PLAN 4351 FOR APPROVAL OF THIS PLAN.

25100.dwg
25100.crd



ATTACHMENT 3 - COMMUNITY PLANNING ACT (C.19) SECTION 76(1)

2017, ch. 19

Loi sur l'urbanisme

75(2) If, in accordance with subparagraph (1)(f), land for public purposes is required to be set aside and so indicated on a subdivision plan, a person proposing to subdivide land may

(a) at a location approved under section 88, set aside a greater amount of land for public purposes than is required by the subdivision by-law, and

(b) if the amount of land for public purposes vested in a local government by a subdivision plan filed in the land registration office exceeds the amount required by the subdivision by-law when the plan was approved, credit the excess amount against any further requirement in respect of any land of which the land comprised in the filed subdivision plan formed a part.

75(3) If a by-law includes a fee to be paid for the approval of a tentative plan referred to in paragraph (1)(a), the by-law may include different fees for the approval of tentative plans for type 1 subdivisions and type 2 subdivisions.

75(4) The council may enter into an agreement referred to in subparagraph (1)(j)(ii) with a person proposing to subdivide land and the agreement

(a) shall not become effective until certified copies of the agreement are filed in the land registration office, and

(b) when registered in the land registration office, is binding on a subsequent owner of the land in respect of which the agreement is made until discharged by the local government.

2021, c.44, s.1

Land for public purposes

76(1) Land for public purposes vested in a local government under section 88 or 89 and land acquired under subsection (2) shall be set aside by the council as land for public purposes, but the council may sell the land if

(a) the council receives the consent of the advisory committee or regional service commission for the sale or six weeks have elapsed from the date a request in writing was made for the consent, and

75(2) Lorsqu'il est prescrit tel que le prévoit l'alinéa (1)f) de mettre de côté des terrains d'utilité publique, laquelle exigence est indiquée dans le plan de lotissement, la personne qui se propose de lotir un terrain peut :

a) à l'emplacement approuvé en vertu de l'article 88, mettre de côté de tels terrains d'une surface supérieure à celle qu'exige l'arrêté de lotissement;

b) si la surface de tels terrains dévolue au gouvernement local par le plan de lotissement déposé au bureau d'enregistrement des biens-fonds se révèle supérieure à ce qu'exige l'arrêté de lotissement à la date à laquelle le plan a été approuvé, déduire la différence de toute autre superficie de terrains qu'elle est tenue de mettre de côté relativement à un terrain englobant celui que vise le plan de lotissement déposé.

75(3) S'il fixe, tel que le prévoit l'alinéa (1)a), des droits afférents à l'approbation des plans provisoires, l'arrêté peut fixer des droits différents afférents à l'approbation de plans provisoires concernant des lotissements de type 1 et des lotissements de type 2.

75(4) Le conseil peut conclure avec la personne proposant la création du lotissement l'entente prévue au sous-alinéa (1)j)(ii), laquelle :

a) ne produit ses effets qu'après que copies certifiées conformes de celle-ci soient déposées au bureau d'enregistrement des biens-fonds;

b) une fois enregistrée en application de l'alinéa a), lie tout propriétaire postérieur du terrain concerné tant que le gouvernement local ne le délie pas des obligations mises à sa charge.

2021, ch. 44, art. 1

Terrains d'utilité publique

76(1) Le conseil met de côté à titre de terrains d'utilité publique ceux qui sont dévolus au gouvernement local en vertu de l'article 88 ou 89 tout comme ceux qui sont acquis conformément au paragraphe (2), toutefois, il peut les vendre, si sont réunies les conditions suivantes :

a) il reçoit l'assentiment du comité consultatif ou de la commission de services régionaux ou un délai de six semaines courant à compter de la présentation d'une demande écrite sollicitant cet assentiment vient à expiration;

(b) a majority of the members of council vote in favour of the sale.

b) la majorité des membres du conseil vote en faveur de la vente.

76(2) All money received by the council under subsection (1) or under paragraph 75(1)(g) is to be paid into a special account, and the money in that account is to be expended by the council for acquiring or developing land for public purposes and for no other purpose.

76(2) Toutes les sommes que reçoit le conseil en vertu du paragraphe (1) ou de l'alinéa 75(1)g) sont versées dans un compte spécial, et le conseil ne peut les affecter qu'à l'acquisition ou à l'aménagement de terrains d'utilité publique.

Exemptions and variances

Exemptions et dérogations

77(1) If a subdivision by-law is in effect, the development officer

77(1) Lorsqu'un arrêté de lotissement est en vigueur, l'agent d'aménagement :

(a) is the receiver of tentative and subdivision plan submissions under the by-law,

a) reçoit les plans provisoires et les plans de lotissement présentés pour approbation en vertu de l'arrêté;

(b) subject to the terms and conditions that the development officer considers fit, may exempt a person from submitting a tentative plan in respect of a subdivision not involving the laying out of streets, the setting aside of land for public purposes or a variance, but shall in that case instruct the person with respect to the manner of subdividing the land,

b) peut exempter toute personne de l'obligation de lui présenter un plan provisoire relativement à un lotissement ne comportant ni tracé de rues, ni mise de côté de terrains à des fins d'utilité publique, ni dérogation, sous réserve des modalités et des conditions qu'il juge utiles, mais lui donne alors des instructions concernant le mode de lotissement du terrain;

(c) may exempt a person from a scale or size requirement under subsection 81(1) or from a requirement prescribed by subsection 81(2),

c) peut exempter toute personne de l'exigence que le paragraphe 81(1) prescrit à l'égard de l'échelle ou de la dimension d'un plan de lotissement ou de toute exigence que prescrit le paragraphe 81(2);

(d) if a subdivision plan seeks to subdivide only a part of a parcel of land, may exempt the subdivision plan from the requirement of showing all the boundaries of the parcel,

d) peut, lorsque n'est sollicitée pour le lotissement qu'une partie d'une parcelle de terrain, exempter le plan de lotissement de l'obligation d'indiquer toutes les limites de cette parcelle;

(e) if a subdivision plan seeks to alter the boundaries of two or more adjoining parcels of land, may exempt the subdivision plan from the requirement of showing all the boundaries of the parcels,

e) peut, lorsqu'est sollicitée la modification des limites de deux ou plusieurs parcelles de terrain contiguës, exempter le plan de lotissement de l'obligation d'indiquer toutes les limites de ces parcelles;

(f) may grant exemptions in accordance with section 80,

f) peut accorder des exemptions conformément à l'article 80;

(g) if a tentative plan received by the development officer involves the laying out of public or future streets or the setting aside of land for public purposes or, in the development officer's opinion, may affect the future location of public streets, shall forward a copy of the plan to the council or the Minister of Transportation and Infrastructure and to the advisory committee or regional service commission, whichever is authorized under this Act to assent to the subdivision plan or make recommendations with respect to it,

g) quand il reçoit un plan provisoire qui comporte le tracé de rues publiques ou futures ou la mise de côté de terrains d'utilité publique ou qui peut influencer, à son avis, sur le futur emplacement des rues publiques, transmet copie du plan au conseil ou au ministre des Transports et de l'Infrastructure ainsi qu'au comité consultatif ou à la commission de services régionaux, suivant que la présente loi leur confère le pouvoir de donner leur assentiment au plan de lotissement ou de formuler des recommandations à cet égard;



PLANNING STAFF REPORT

SUBJECT: Rezoning Application – Sweeney Lane, Miramichi – Brent MacGillivray
OBO Lindsay Alexandra Donovan

MEETING DATE: Tuesday, October 28th, 2025

AGENDA ITEM: 2025-8-4

Pursuant to Section 110(1) of the *Community Planning Act (c.19)*, the City of Miramichi Council has requested the written views of the Planning Review and Adjustment Committee (PRAC) regarding a proposed amendment to the City of Miramichi Zoning By-law (By-law No. 110). The amendment seeks to rezone the property identified as PID 40180481, located on Sweeney Lane in the City of Miramichi, from Residential Low Density (R-2) to Medium Density A (R-3) to permit the development of two rowhouse buildings (four units each) and one two-unit dwelling, for a total of ten residential units

The current R-2 zoning does not permit multiple main buildings on a lot or rowhouse dwellings containing four units. The proposed R-3 zoning would not normally permit multiple main buildings either; however, as a site-specific amendment under Section 59 of the Act, the development could be approved through conditions that explicitly allow the proposed layout. This approach enables the project to proceed within the R-3 framework while ensuring the zoning remains tailored to this specific development proposal.

CONTENTS

Application Overview & Proposed Use	2
Legislative Context	5
Planning Considerations – Municipal Plan and Zoning By-law	5
Neighbourhood Character & Impact.....	13
Views of the Public	14
Department and Agency Comments	14
Staff Recommendation.....	16
Attachments	17

Application Overview & Proposed Use

Table 1: Property Information and Application Overview

Property Owner	Lindsay Alexandra Donovan
Applicant	Brent MacGillivray
Application Date	2025-09-12
Civic Address (per Service NB)	Not assigned – property is located between civics 319 and 331
PID / PAN	<ul style="list-style-type: none">• PID 40180481• PAN 02811928 – SNB Property Assessment Online
Property Area (per Service NB)	7,376m ² (1.8 acres)
Existing Access	None
Proposed Access	<ul style="list-style-type: none">• One proposed on Sweeney Lane• Possible future extension of Millar Avenue
Servicing	Municipal water, sewer and storm
Current Zoning	Residential Low Density (R-2)
Proposed Zoning	Medium Density A (R-3) – Site-Specific Amendment
Municipal Plan Designations	Schedule A (Future Land Use Designation): Residential Schedule B (Residential Hierarchy): Mixed Residential Area
Existing Use	Vacant, ~33% cleared with remainder tree covered. Appears to contain informal trails.
Proposed Uses	One two-unit dwelling and two four-unit rowhouse buildings (10 units total).
Context	<ul style="list-style-type: none">• Mixed residential area containing single-unit dwellings, apartments, and rowhouses.• Institutional uses nearby, including Max Aitken Academy• Commercial uses within walking distance• CN Rail ROW to the north• Property forms part of a convenient extension to Millar Ave.
Other Information	<ul style="list-style-type: none">• Located entirely within Zone C of a Protected Wellfield Area• Property naturally sloped eastward towards Sweeney Lane and Millar Avenue.

Agenda item: 2025-8-4

A rezoning application has been submitted to the GMSC – Development Services by Brent MacGillivray on behalf of the property owner, Lindsay Alexandra Donovan, for the property located on Sweeney Lane (PID 40180481). The proposal is to develop two rowhouse buildings and one two-unit dwelling, containing a total of ten residential units, on a single lot through a site-specific R-3 zoning amendment.

Figure 1: Site Location within Newcastle



Note: Subject property located in Newcastle, on Sweeney Lane.

Figure 2: Drone Imagery (Taken 2025-09-25)



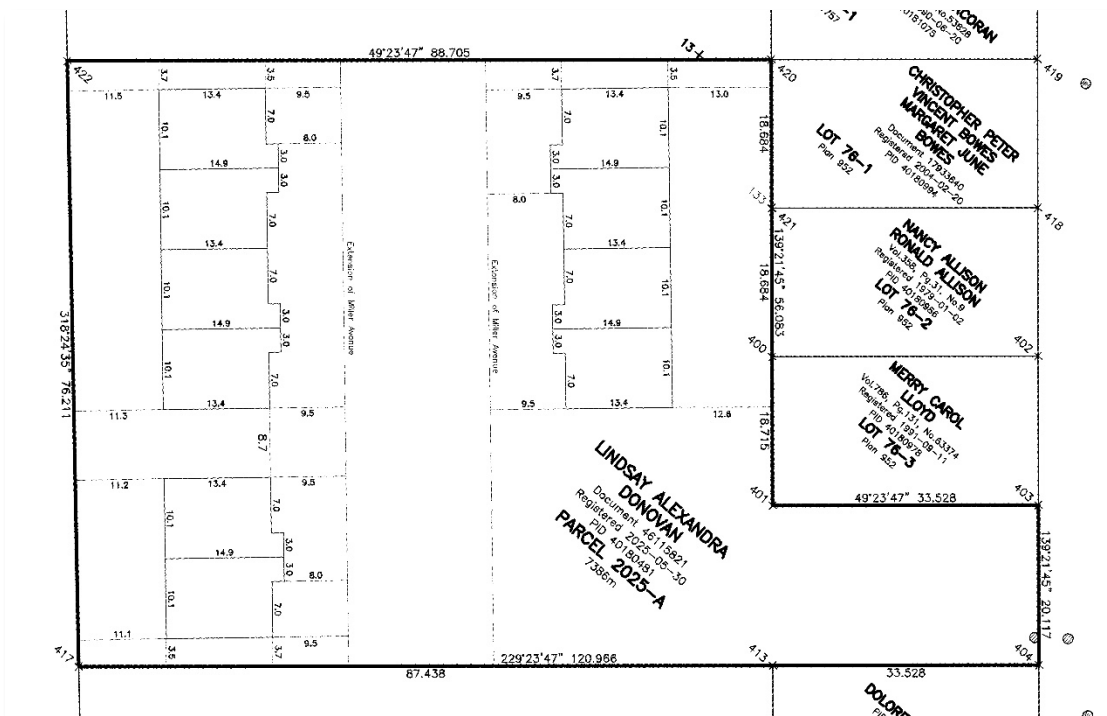
Note: View of the subject property looking east towards central Newcastle.

The applicant has submitted a surveyed site plan for the proposed development, attached to this report. The plan includes:

- A private driveway providing access from Sweeney Lane;
- One two-unit/duplex dwelling;
- Two rowhouse buildings containing four dwelling units each;
- An identified area to accommodate a potential future extension of Millar Avenue; and
- One parking space per unit.

The site plan anticipates the possible future extension to Millar Avenue and identifies where the required right-of-way would be situated. This potential corridor is shown as 18m in width – consistent with the existing Millar Avenue right-of-way to the south, although narrower than a typical public street standard. Until such time that a connection is established through future subdivision or development to the south, the proposed dwellings will be accessed by a private driveway from Sweeney Lane.

Figure 3: Proposed Site Plan



Note: Close-up of submitted site plan (see Attachment 2 for full version). The plan identifies a future Millar Avenue extension corridor, although no public street is proposed at this stage.

Legislative Context

The proposed use is not permitted under the current Residential Low Density (R-2) zoning, which restricts development to one main building per lot and prohibits rowhouse dwellings containing four units. An amendment to the City's Zoning By-law is therefore required.

An amendment to the Municipal Plan by-law is not required, as the property's existing Residential designation and Mixed Residential Area classification support the proposed density and housing type.

In accordance with Section 110(1) of the *Community Planning Act*, City Council has requested the written views of the PRAC on this application.

The Act also outlines additional procedural requirements, including:

- Public hearing and associated notification requirements;
- Council vote on the proposed by-law amendments; and,
- Formal registration of the amended by-law

These steps ensure transparency, public engagement, and legislative compliance throughout the amendment process.

Planning Considerations – Municipal Plan and Zoning By-law

The Municipal Plan (By-law No. 109) sets out Miramichi City Council's long-term policies and proposals to guide future land use and development within the Municipality. It serves as a framework for decision-making by City Council, municipal departments, GMSC – Development Services, PRAC, and the community.

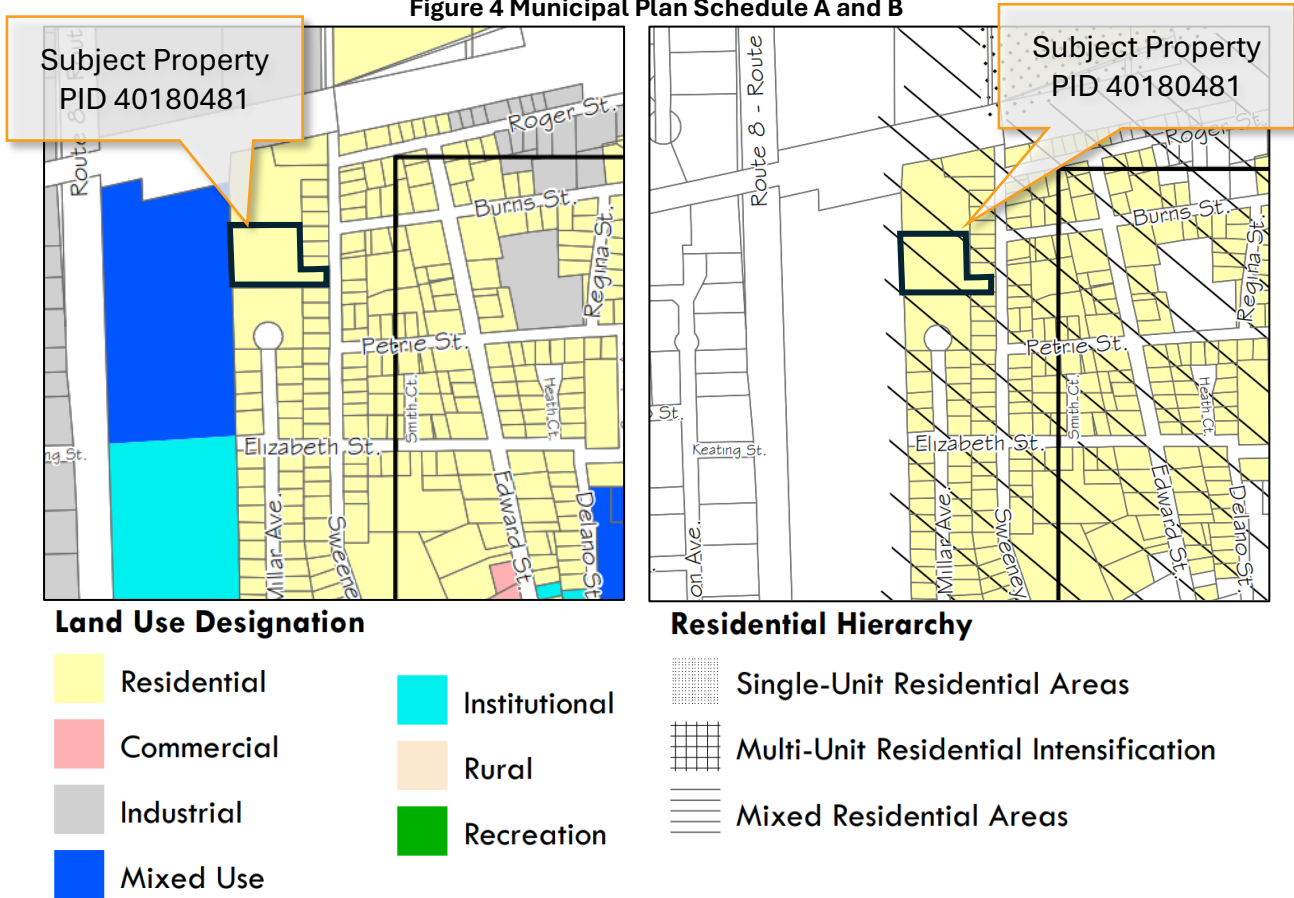
The Zoning By-law (By-law No. 110) regulates the use of land in conformity with the Municipal Plan. It defines specific zones and establishes permitted uses and development standards within those zones.

Municipal Plan

The Municipal Plan identifies one of its key themes as being “Housing Diversity and Affordability”, noting that “while demand for single detached dwellings is expected to remain strong, increasing demand for smaller dwelling units can be anticipated over the planning period... The long-term affordability of housing in Miramichi is a challenge that this Plan addresses by promoting housing type diversity within existing residential areas”. Accordingly, the plan seeks to promote affordable and smaller housing options such as rowhouses, even in existing neighbourhoods with an established character.

The property is designated under Schedule A: Future Land Use Map as “Residential” and under Schedule B: Residential Hierarchy and Designations, as a “Mixed Residential Area” (Figure 3). These designations determine the applicable Municipal Plan Policies for the subject property.

Figure 4 Municipal Plan Schedule A and B



Below is a summary of relevant goals, policies, and proposals in the Municipal Plan:

Table 2: Supporting Municipal Plan Policies.

Supporting Goals/Policies/Proposals
<p>Section 2(G) Goal 2 “To recognize and provide for the changing demographics of and the socioeconomic conditions affecting the population base.”</p> <p>Section 2(E) Policy 1 Encourage new growth in adequately serviced areas and as infill in existing built up areas.</p> <p>Section 4(C) 4 “Encourage a mixture of housing types and prices within the City.”</p>

Supporting Goals/Policies/Proposals

Section 4(C) Policy 3

“Encourage infilling... and growth... where investment in infrastructure and community facilities have already been made.”

- *Note:* Public sewer, water and storm services are available.

Section 4(D) Policy 1(2)

“It is a policy of Council: that Mixed Residential Areas be recognized as suitable locations for infill consisting of duplex, semidetached, small multi-unit, and rowhouse dwellings.”

- *Note:* The area is designated as a Mixed Residential Area, and proposes housing consistent with this area.

Section 2(D) Policy 7

“Encourage more diversity in housing types to retain and attract newcomers, young families, working people, and people participating in education and training programs, as well as providing for the expanding population of retired, seniors, and aged residents.”

- *Note:* Rowhouses provide an alternative to single-unit homes, enabling downsizing for retirees or an attainable dwelling for young working professionals.

Section 2(D) Proposal 1(e)

Permitted density of 20 units per hectare in low density residential areas.

- Proposal contains only 13.5 dwelling units per hectare.

Note: No directly conflicting goals/policies/proposals found during staff review.

While the applicant is seeking to rezone to a “medium density zone”, the proposed density is consistent with what the Municipal Plan would consider “low density”. This is evidenced by Sec. 2(d) Proposal 1(e), which permits a maximum of 20 units/ha in low density residential areas, whereas the applicant has only proposed approximately 13.5 units/ha. The surrounding neighbourhood, which contains a mix of single-unit dwellings, duplexes and apartment buildings, has an approximate density of 10 units/ha by staff estimate. Accordingly, the proposed density is within range of what currently exists in the neighbourhood.

Otherwise, the Municipal Plan provides strong policy support for the development. The Plan supports the provision of a range of housing options in the City, especially smaller and more affordable options – supporting infill on serviced lands. Rowhouses represent a

smaller housing option that are more attainable for newcomers, or alternatively offer seniors/retirees a path for downsizing. The various policies supporting infill on fully serviced lots is also pertinent, as the proposed development is serviced by municipal water, sewer and storms services.

Section 4(F) provides guidelines for rezonings that increase density to five units or more within residentially designated areas. These are not strict criteria but rather considerations for compatibility. In this case, the proposed ten-unit development marginally exceeds the threshold and is reviewed accordingly:

Table 3: Municipal Plan Section 4(F) Proposal 2(C)

Guidelines	Staff Analysis
a. That the development be located on, or near, a designated arterial or collector road, so that higher traffic generated will not pass through lower density residential roads;	Access is from Sweeney Lane, a local street. While this does not meet the literal guideline, the modest density increase and limited traffic generation mitigate concern. No transportation issues were raised by Engineering or Public Works.
b. That the lot size, yard requirements, building height, number of units, landscaping provisions, and parking requirements be subject to the conditions as outlined in the Zoning By-law;	The proposal conforms to all noted zone-specific and general requirements of the Zoning By-law, as indicated in the Zoning By-law section of this report.
c. That the development be in locations where all necessary water and sewer services, parks and recreation services, schools and other community facilities and protective services can readily and adequately be provided;	Fully serviced with municipal water, sewer, and storm infrastructure; schools, parks, and protective services are nearby (~1 km from Downtown Newcastle).
d. That the development incorporates site design features that adequately address such matters as safe access, buffering and landscaping, site grading, stormwater management, and the aesthetic impact of the development;	The proposed layout allows adequate access and on-site parking. A turnaround will be required per Building Code. Municipal storm infrastructure and proposed tree retention will help manage drainage and improve site aesthetics.
e. That the amendment application includes the submission of a site plan	A detailed site plan was submitted; building elevations were not required given

Guidelines	Staff Analysis
and building perspective or elevation views;	the project's scale and the presence of similar housing forms nearby.
f. That within a high-density apartment building, commercial uses may be permitted providing that such uses are located on the ground floor or basement of the building;	No commercial uses have been proposed.
g. That high-density residential development may be permitted in areas adjacent to the downtown areas and either separate from or combined with commercial activities. A satisfactory residential environment and adequate facilities within the building should be provided for the residents of the building; and,	The proposed development is not “high-density”, as defined by section 2(d) Proposal 1(e) of the Municipal Plan.
h. Some waterfront areas are particularly suitable for redevelopment for medium and high-density residential uses, particularly those located outside of areas susceptible to future sea level rise and storm surges.”	N/A

While some minor inconsistencies exist with the Municipal Plan guidelines, staff consider the proposal to be generally consistent with the Plan's overall intent and objectives. The most notable deviation relates to subsection (a), which discourages directing additional traffic onto local, low-density residential streets. In this case, however, the modest scale and low density of the proposed development significantly limit potential traffic impacts. This guideline is intended to apply to higher-density projects generating substantial traffic volumes, whereas the proposed ten-unit development is comparable in intensity to nearby uses and appropriate for its context.

Environmental Considerations

The subject property lies within Zone C of a designated Protected Wellfield Area, as identified under Schedule A.31.3 of the Wellfield Protected Area Designation Order made pursuant to the *Clean Water Act*. Development within Zone C is regulated by the New

Agenda item: 2025-8-4

Brunswick Department of Environment and Local Government (DELG) to ensure the protection of municipal drinking water sources.

DELG was consulted as part of this application review (see Department and Agency Comments). The department confirmed that the proposed development is permitted within Zone C, provided municipal sanitary services are utilized and no petroleum-based heating systems are installed. Relevant policies within the Municipal Plan supporting wellfield protection include Sections 12B, 2E (Policy 1(e)), and 7K (Proposal 1(a)).

Although the Municipal Plan's tree-related policies primarily address vegetation along public rights-of-way, the existing trees on this site provide additional ecological and visual benefits, particularly given the wellfield context. While not a formal policy requirement, tree retention is strongly encouraged as an indirect means of protecting groundwater quality and contributing to the neighbourhood's visual character. Accordingly, staff have incorporated conditions promoting selective tree preservation consistent with DELG's recommendations.

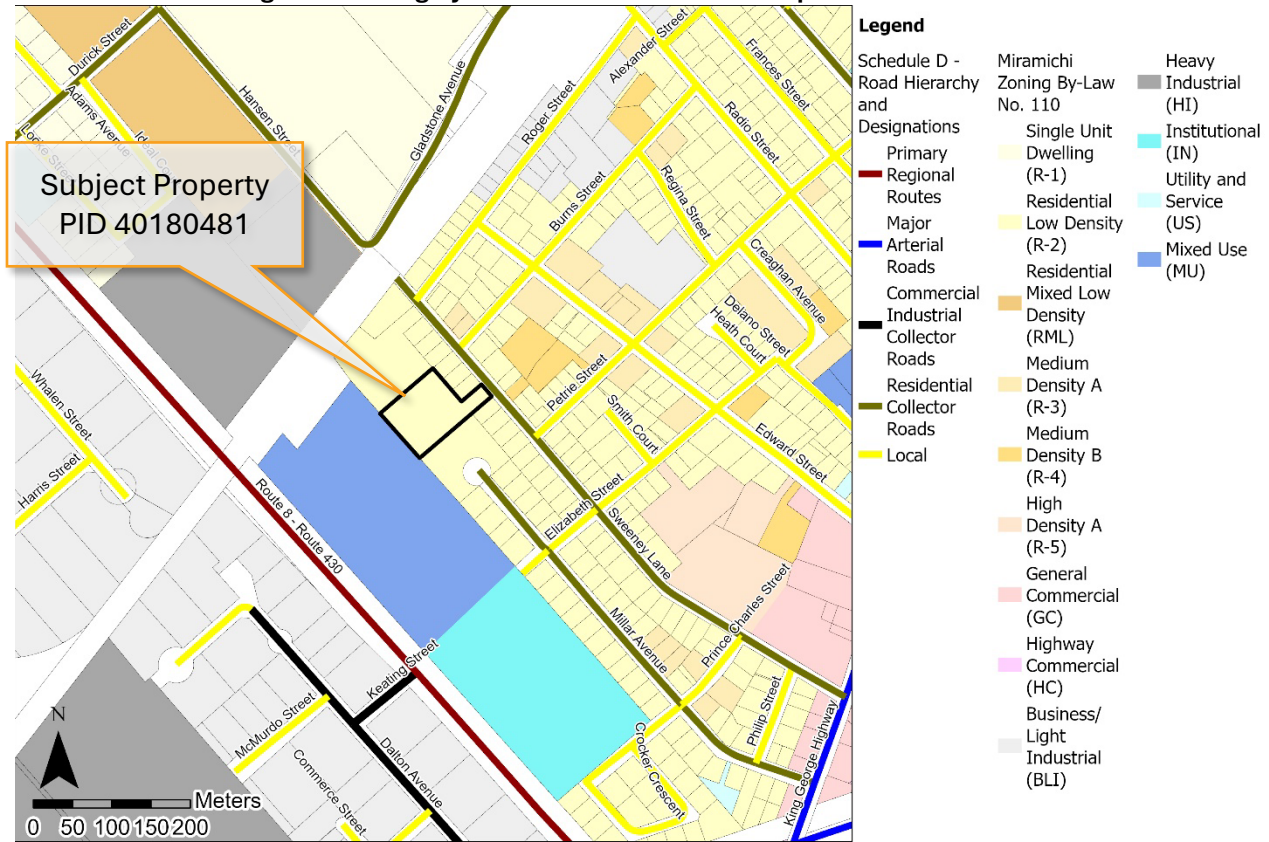
Zoning By-law (No. 110) Compliance

The subject property is currently zoned Residential Low Density (R-2), which does not permit either multiple main buildings on a lot or rowhouse dwellings containing four units or two unit dw. The proposed development, comprising three buildings and a total of ten dwelling units, therefore requires a rezoning.

The next higher residential category, Medium Density A (R-3), permits up to ten dwelling units on a lot; however, it normally restricts development to a single main building. To address this, the applicant is seeking a site-specific R-3 amendment under Section 59 of the *Community Planning Act*, which would allow multiple main buildings (two four-unit rowhouses and one two-unit dwelling) on one lot.

This approach maintains a density and built form consistent with the R-3 zone and surrounding neighbourhood, while tailoring the zoning to the site layout through conditions of approval. It also avoids the broader range of higher-intensity uses permitted in the R-4 zone, ensuring compatibility with nearby residential development.

Figure 5: Zoning By-law Schedule A and Municipal Plan Schedule D



Below is a list of the permitted uses within the Medium Density A (R-3) zone:

Table 4: Permitted Uses in the Medium Density A R-3 Zone.

Category	Uses
a. One of the following main uses:	<ul style="list-style-type: none"> i. apartment building containing not more than 10 dwelling units ii. community placement residential facility, subject to section 3.4.1 iii. early learning and childcare centre, subject to section 3.3.1 iv. four-unit dwelling v. inn vi. park vii. rowhouse dwelling containing not more than 10 dwelling units and subject to section 3.4.16 viii. semi-detached dwelling, subject to section 3.4.16 ix. single-unit dwelling x. three-unit dwelling xi. two-unit dwelling
c. Secondary Uses in association with a dwelling unit	<ul style="list-style-type: none"> i. home business, subject to section 3.2.2

Agenda item: 2025-8-4

The proposed development is consistent with the intended range of residential uses within the R-3 zone. The only element requiring site-specific permission is the presence of multiple main buildings, which can be authorized through zoning conditions:

Table 5: R-3 Development Standards.

Regulation	Requirement	Proposed	Conformity
f. Minimum Front Yard	7.6m	46.1m (as proposed) 8m (from the theoretical ROW)	✓
g. Minimum Side Yard	2.4m	3.5m	✓
h. Minimum rear yard	6.1m	11.1m	✓
i. Maximum Lot Coverage	40%	~19%	✓
j. Maximum Height	17m (up to 3 to 5 stories)	No information currently, however rowhouse developments are typically between 1 to 3 stories in height.	✓
k. Maximum Parking Area coverage	25%	~24% (staff estimate) Variance could be required, but it would be modest if required at all.	✓
l. minimum landscaped open space along all lot lines	3m	Exceeds 3m	✓

The proposal meets or exceeds all zone-specific requirements. Staff estimates show that the parking area is within the requirements of subsec. j for maximum parking area coverage, but should a variance be required, it is not expected to be beyond 10% of what is required.

The proposal also conforms to the general requirements of the By-law. The parking requirement for the proposed use is 1 stall per dwelling unit, as per sec. 4.2.1(2). The applicant has indicated their intention to meet or exceed this requirement. No barrier-free parking is required, as no barrier-free dwelling units are proposed under the Barrier-Free Design Building Code Regulation of the Building Code Administration Act.

Development Services Staff Assessment

The proposed development is consistent with the intent of the Municipal Plan, and conforms to all standards of the proposed R-3 Zoning. While the amendment is site-specific, it represents a logical and modest intensification of an existing residential area that is already serviced by municipal water, sewer, and storm infrastructure.

The site layout provides appropriate separation and buffering from existing residential properties. Tree retention and new screening measures will further enhance compatibility and contribute to maintaining the established residential character of Sweeney Lane.

The proposed density, approximately 13.5 units per hectare, falls within the range typical of low to medium density residential areas and is considered compatible with nearby development patterns, which include single-unit dwellings, duplexes, and small apartment buildings. As such, no adverse traffic or servicing impacts are anticipated, and no additional studies are warranted at this time.

While the property lies within a Protected Wellfield (Zone C), the development poses minimal risk given its full connection to municipal services and absence of restricted uses such as petroleum-based heating. The applicant has also agreed to incorporate conditions supporting tree retention and low-impact design features, consistent with wellfield protection objectives.

Overall, staff find the proposal to be a well-designed and contextually appropriate infill project that advances the City's goals for housing diversity, efficient land use, and protection of key environmental assets.

Neighbourhood Character & Impact

The surrounding neighbourhood is characterized by a mix of low and medium density residential and institutional uses. Single-unit dwellings are the predominant use in the neighbourhood, although there are a handful of apartment buildings, two-unit dwellings, and one example of a rowhouse nearby.

The proposed development does not exceed the intensity of use found on other properties in the neighbourhood, such as the apartment buildings accessed across the street on Sweeney Lane.

Staff acknowledge there may be a perceived difference in form and visual continuity, as the area consists largely of detached dwellings; however, the proposal incorporates ample setbacks, on-site parking, and significant tree retention to soften the visual transition.

The privacy for neighbours abutting the subject property is another notable concern. Four of the proposed homes share a rear property line with three of the existing residential properties. Similar concerns might be raised if the subject property were moving forward

with as-of-right development in the R-2 zone, although one fewer home would have been permitted on that portion of the property. Privacy concerns could be mitigated through screening conditions.

As noted by the Wellfield officer (see below), the removal of trees from a property within a protected wellfield should be avoided where possible, as they provide a benefit to the wellfield. Clearcutting is not restricted on this property, however the retention of trees is advisable for the benefit of the public drinking water. The applicant has indicated their willingness to retain trees and has coordinated with staff on tree retention conditions to address this concern.

Views of the Public

As part of the rezoning process, the City of Miramichi will notify property owners within 100 metres of the subject site prior to the required public hearing. These notifications are in addition to the statutory online advertisement required ahead of the public hearing.

While public notice is not required ahead of PRAC meetings, the Committee's agendas and staff reports are made available in advance through the GMSC website. PRAC meetings are open to the public.

The PRAC will consider the application at its October 28th, 2025 meeting, and provide its written views to Council. However, Council will make the final decision by vote, following the public hearing.

Department and Agency Comments

The rezoning application was circulated to a range of departments and agencies for review, to allow comments on the proposal within the scope of their respective mandates. These included:

- GMSC Building Services
- City of Miramichi Public Works
- City of Miramichi Engineering
- City of Miramichi Fire Department
- NB Department of Environment and Local Government (Wellfield Protection Branch)

GMSC Building Services

The Building Services manager noted that an emergency services turnaround is required at the end of the proposed driveway, although Building Code prescribes no specification. Staff also noted that no barrier-free unit was required for any of the proposed rowhouses.

City Departments of Engineering and Public Works

The Director of Engineering provided comments on behalf of both the Engineering and Public Works departments. The Director stated he had no concerns with the proposed development, provided the following comments:

“City would require a developers agreement stating the developer would:

- Install all water/sanitary/storm at their cost
- Turn over water/sanitary infrastructure to the City of Miramichi
- Provide easement (3.0m from edge of each pipe) for the city to access/maintain the new infrastructure
- City will bring infrastructure to the property line for a fee to be determined by Public Works”

These requirements raise no special concerns for the layout of the site, and the extension of all three municipal services only increases the usability of the site.

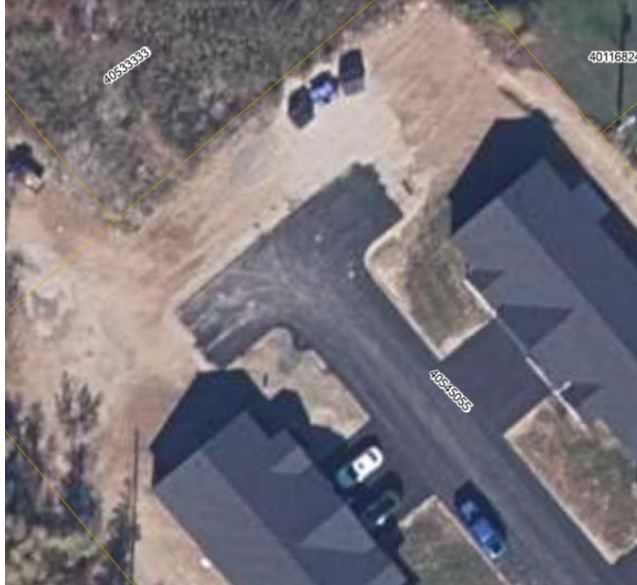
Development Services staff requested comment for a specification of the turnaround, however, the Director indicated that the City did not have an applicable spec for a private driveway.

Fire Department

Because of the requirement for a turnaround, Development Services staff circulated the proposal with the fire department, looking for specifications on the dimensions of said turnaround. The Fire Inspector stated that “this does not require a submission to the Office of the Fire Marshal Plans Review, as per the Fire Prevention Act. As a result, there is no comments from the Fire Inspection side on our end.”

Development Services Staff assessment has found that the development, as proposed, has sufficient space to accommodate turnaround features consistent with past approvals, such as a hammerhead turn-around shown in the picture below.

Figure 6: Example configuration of Hammerhead turn-around on private driveway serving rowhouse dwellings in Douglastown.



NB Department of Environment and Local Government (Wellfield Protection)

The Wellfield Protection Officer reviewed the proposed development, noting the subject property's location within Zone C of a Protected Wellfield. She noted that construction of a multi-unit dwelling is permitted in the zone so long as has adequate sewage disposal (in this case, public sanitary service connection is proposed). It was also noted that petroleum based heating systems are restricted within Zone C. She deemed no exemption to be required, petroleum based heating systems were proposed.

In addition to the regulations noted, the Wellfield Protection Officer recommended that the development:

1. Minimize tree removal; and
2. Reduce impervious surfaces where feasible.

Development Services staff have worked with the applicant to determine a series of reasonable conditions for the retention of trees, meeting recommendation 1. As for the second recommendation, staff believe the 25% max parking area coverage to address this recommendation adequately, but should any variance from this be required (as noted in Table 5), it should be minimal.

Staff Recommendation

Pursuant to Section 110(1) of the *Community Planning Act*, it is the view of the City of Miramichi Planning Review and Adjustment Committee (PRAC) that the City of Miramichi amend Schedule A: Zoning Map of the City of Miramichi Zoning By-law (By-law 110), to change the zoning from Residential Low Density (R-2) to Medium Density A (R-3) - Site

Agenda item: 2025-8-4

Specific, permitting multiple main uses on the subject property in addition to all the normally permitted uses in the R-3 zone, pursuant to Section 59 of the *Community Planning Act*, for the subject property identified as PID 40191884, located on Sweeney Lane in the City of Miramichi.

The rezoning shall be subject to the following terms and conditions, consistent with Section 59 of the Act:

1. A turnaround shall be provided at the end of the driveway, as required by the Building Code, to the satisfaction of the Development Officer.
2. A minimum 1m wide hard-surfaced (brick, concrete, cement, or the like) pedestrian walkway shall run alongside the private driveway (either one or both sides) and connect to the streetline of the abutting public street right-of-way (Sweeney Lane);
3. To support wellfield protection and enhance site aesthetics, the following vegetation shall be retained to the satisfaction of the Development Officer, insofar as it is compatible with the proposed development, any required changes to the site layout, or any future extension of Millar Avenue:
 - a. A line of mature trees along the property line abutting PID 40522815;
 - b. A line of mature trees along the property line abutting PID 40170326;
 - c. A line of mature trees along the property line abutting PID 40180473;
 - d. The apple tree located in the portion of the property approximately 15m from PID 40180978 and 22m from PID 40180473.
4. Pursuant to Condition 3, the area in which trees are to be retained shall be clearly identified on subsequent site plans submitted as part of development permit applications for this development.
5. Should replanting be required, the trees shall be planted prior to closure of the final building permit.

Additional Condition for PRAC consideration:

6. Opaque screening in the form of fencing at a minimum height of 1m shall be installed along the lot line abutting PIDs 40180994, 40180986, and 40180978 to provide for privacy.

Attachments

1. Property Location Map
 2. Surveyed Site Plan (Submitted by Applicant)
 3. Site Photos (taken 2025-09-25)
-

Agenda item: 2025-8-4

Report Prepared On: Thursday, October 23, 2025

Prepared By:
Alex Hanes, MPI
Planner

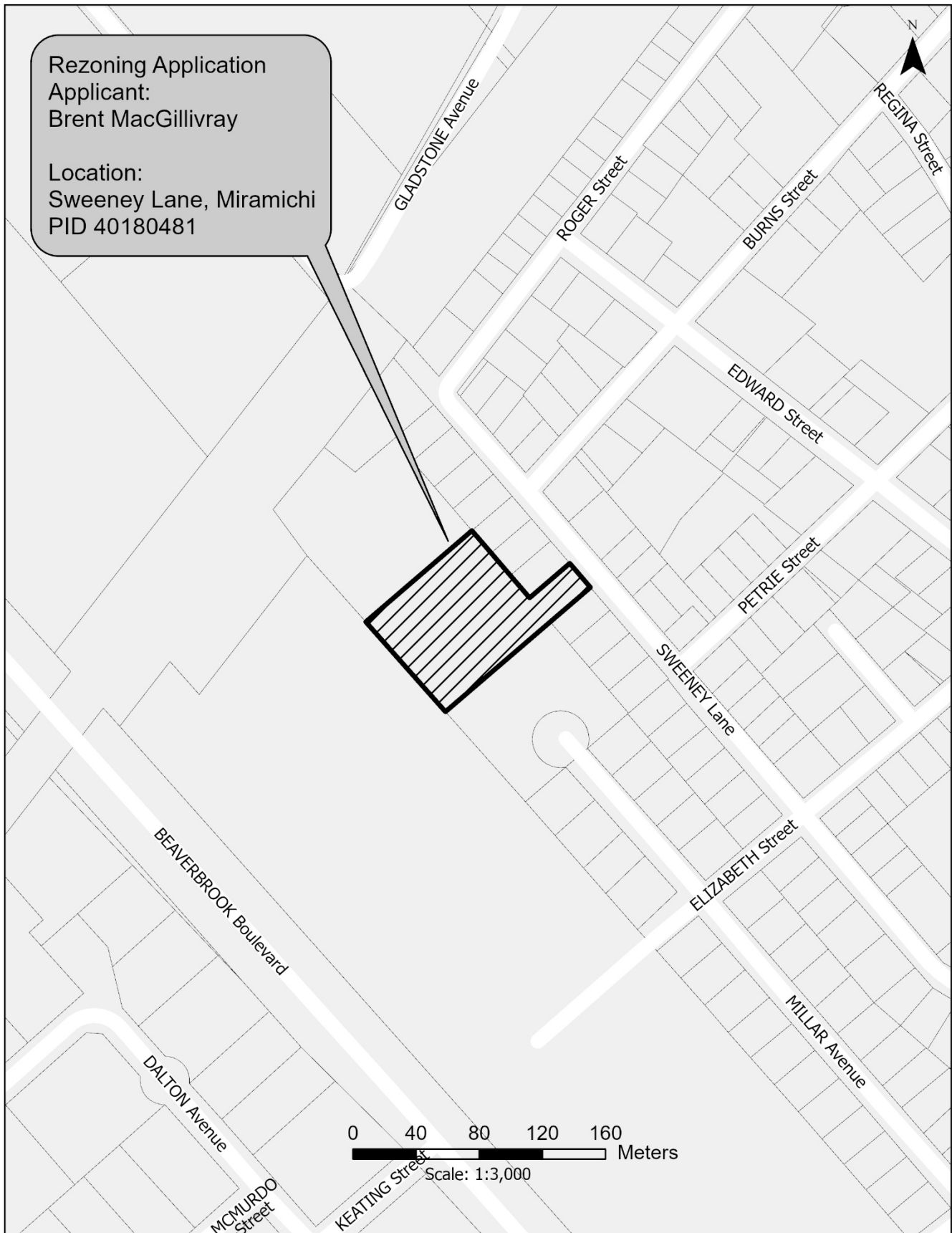
Alex Hanes

Prepared Under the Direction of:
Justin Forbes, RPP, MCIP
Planning Director

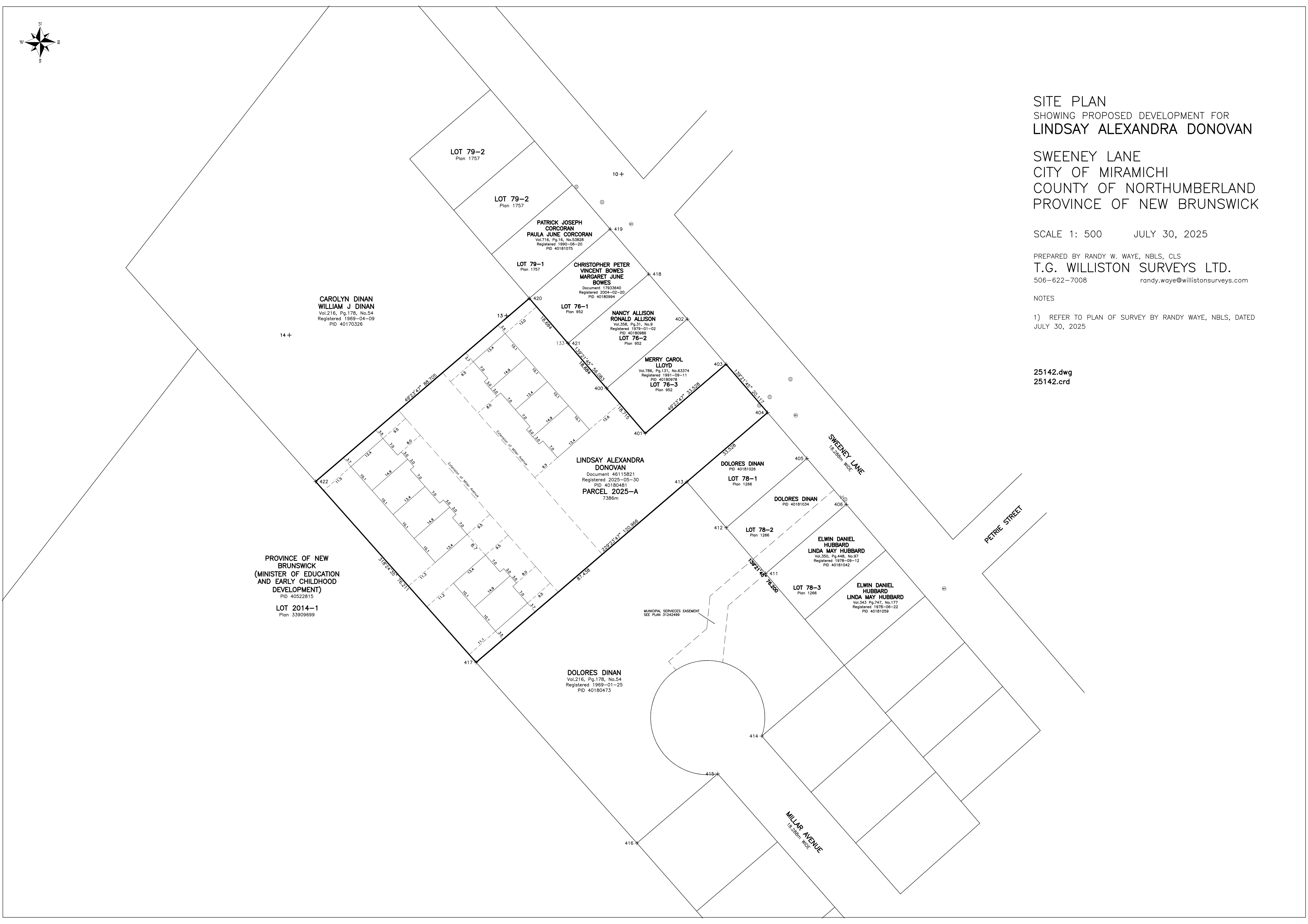
Justin Forbes

*Place Stamp/Seal of Registered Professional
Planner in this box*

Attachment 1: Property Location Map



Attachment 2: Surveyed Site Plan (Submitted by Applicant)



SWEENEY LANE
CITY OF MIRAMICHI
COUNTY OF NORTHUMBERLAND
PROVINCE OF NEW BRUNSWICK

PREPARED BY RANDY W. WAYE, NBLS, CLS
T.G. WILLISTON SURVEYS LTD.
506-622-7008 randy.waye@willistonsurveys.com

1) REFER TO PLAN OF SURVEY BY RANDY WAYE, NBLS, DATED JULY 30, 2025

25142.dwg
25142.crd

Attachment 3: Site Photos (taken 2025-09-25)

Photo 1: View looking southwest from Sweeney Lane.



Photo 2: Apple Tree on the property.



Photo 3: Southeastern Property Line



Photo 4: Trees on the Property



Agenda item: 2025-8-4

Photo 5: Rear Property Line (fenced)



Photo 6: Sweeney Lane

