



REPORT NUMBER: 2026-025

REPORT TITLE: PID 30026652, HILL RD, KINGSTON, FUNDY RURAL DISTRICT

DATE: 2026-04-15

1. Property Information	
Applicant	Sheldon Locke
Landowner	Chris Londos
Location	Hill Road, Kingston
Parent PID	30026652
Local Government	Fundy Rural District
Rural Plan Bylaw	N/A
Zone	N/A
Application Type	Subdivision on Private Access (Type 2)
Number of Proposed Lots	5

2. Application Proposal
<p>Sheldon Locke has applied to subdivide PID 30026652 at Hill Road, Kingston, Fundy Rural District. The proposal is to create 5 residential lots (Lot 26-1 to Lot 26-5) which would be accessed by new private access, Murphy Brook Lane.</p> <p>A tentative subdivision plan is attached in Appendix A: Tentative Subdivision Plan.</p> <p>Therefore, the Planning Review and Adjustment Committee (PRAC) must consider:</p> <ul style="list-style-type: none"> • Whether private access is advisable for the development of the land.



3. PRAC Function & Legal Authority

New Brunswick Subdivision Regulation 80-159:

6(1) Every lot, block and other parcel of land in a proposed subdivision shall abut

a. Street owned by the Crown, or

b. Such other access may be approved by the regional service commission as advisable for land development.

4. Site Description

Proposed Lots

Lot 26-1

- Area: 5,000 m²
- Width at Setback: 54 m
- Depth: 93.5 m
- Current use: Vacant
- Proposed use: Residential
- Access: 24 m wide Private Access (Murphy Brook Lane)
- Nearest Public Road: Approximately 347 m from Hill Road

Lot 26-2

- Area: 5,546m²
- Width at Setback: ~54 m
- Depth: 103.5 m
- Current use: Vacant
- Proposed use: Residential
- Access: 24 m wide Private Access (Murphy Brook Lane)
- Nearest Public Road: Approximately 293 m from Hill Road

Lot 26-3

- Area: 5,582 m²
- Width at Setback: 54 m



4. Site Description

- Depth: 103.5m
- Current use: Vacant
- Proposed use: Residential
- Access: 24 m wide Private Access (Murphy Brook Lane)
- Nearest Public Road: Approximately 239 meters from Hill Road

Lot 26-4

- Area: 5,573 m²
- Width at Setback: 54 m
- Depth: 103 m
- Current use: Vacant
- Proposed use: Residential
- Access: 24 m wide Private Access (Murphy Brook Lane)
- Nearest Public Road: Approximately 185 m from Hill Road

Lot 26-5

- Area: 5,563 m²
- Width at Setback: 54 m
- Depth: 103 m
- Current use: Vacant
- Proposed use: Residential
- Access: 24 m wide Private Access (Murphy Brook Lane)
- Nearest Public Road: Approximately 131 m from Hill Road

Remnant

- Area: 10.26 ha
- Width at Setback: 53.6 m
- Depth: 634 m
- Current use: Vacant
- Proposed use: Vacant
- Access: 24 m wide Private Access (Murphy Brook Lane)



4. Site Description	
	<ul style="list-style-type: none"> • Nearest Public Road: Approximately 370 meters from Hill Road
Surrounding Land Use	<ul style="list-style-type: none"> • Residential / Vacant
Proposed Access	<ul style="list-style-type: none"> • New 24 m wide Private Access to be developed, Murphy Brook Lane • Approximately 365.5 m in length
Services	<ul style="list-style-type: none"> • No public water or public sewage services are available in the area.

5. Consultation	
Notice to Neighboring Residents	<ul style="list-style-type: none"> • As per section 6.2 of the PRAC By-law and Operating Procedures, notices were sent to property owners within 100 m of the subject property on March 27, 2026. • The deadline for written submissions was April 13th, 2026. • In total, notices were sent to 10 property owners. • FRSC received one written response which is attached as Appendix B: Public Response.
Government Agency	<ul style="list-style-type: none"> • The proposed subdivision was circulated to the Department of Environment and Local Government (WAWA Branch) for review on April 8, 2026. <p>Their response is included in Appendix C: DELG Review.</p>

6. Overview & Evaluation

Proposal

A tentative subdivision plan was prepared by surveyor Don More Surveys & Engineering Ltd. for the property owner Chris Londos and applicant Sheldon Locke. The tentative subdivision plan proposes subdividing PID 30026652 at Hill Road, Kingston, Fundy Rural District. The proposal is to create 5 residential lots (Lot 26-1 to Lot 26-5) and new private access from a portion of PID 30026652.

The Planning Review and Adjustment Committee (PRAC) must consider:

- Whether private access is advisable for the development of the land.

Regulations

As per the New Brunswick Subdivision Regulation, to subdivide a property, all lots must abut a public street or “*such other access as may be approved by the regional service commission as being advisable for the development of land.*” To aid the evaluation of the proposal, this report uses the *Fundy Regional Service Commission’s Guide to Lot Creation on an Access Other than a Public Street* (‘FRSC Guidelines’). A site visit was conducted on March 20th, 2026. Site photos are attached in **Appendix D: Site Photos**.

When evaluating whether Private Access is advisable for the development of proposed lots, FRSC guidelines recommend consideration of the topography, sensitive areas, safety, speed, sight visibility, width of the right-of-way, continuity of access and the development trends within a 500-meter radius. Development located on private access do not receive public services such as school busing, snow plowing, road maintenance. Garbage must be brought to the public road for pickup. It is the responsibility of the landowner to maintain private access. Neither Government, the FRSC nor PRAC are responsible for inspecting on-going conditions of private access. FRSC guidelines advise that this is noted in a subdivision plan.

Background

PID 30026652 was subdivided in 2006 creating 1 new lot (Lot 06-1) and a 12.99 ha Remnant, see **Appendix E: Plan 42375155**.

Access

The proposed lots will be accessed via a new 24-meter-wide Private Access, Murphy Brook Lane, starting at Hill Road. The total length of the Private Access will be approximately 365.5 meters and includes an 18 m radius turnaround. The 10.26 ha remnant will also be accessed via Murphy Brook Lane. The remnant is currently vacant.

Purpose

The purpose of the Subdivision Plan is to subdivide PID 30026652 to create 5 new lots (referred to as Lot 26-1 through to 26-5) and to create a new 24 m wide private access, Murphy Brook Lane. The proposed lots are intended for residential use.

Environmental Considerations

The back northwestern property line follows Murphy Brook; however, it has no effect on the proposed development area. There are no mapped wetlands present on the Parent PID. In response to Mr. Coopers concerns, the proposed subdivision plan was circulated to the Department of Environment and Local Government (WAWA Branch) for review.

DELG noted a high possibility of unmapped wetland on all the proposed lots. DELG recommends a wetland delineation to determine wetland presence and boundaries.

7. Attachments

- Appendix A: Tentative Subdivision Plan**
- Appendix B: Public Response**
- Appendix C: DELG Review**
- Appendix D: Site Photos**
- Appendix E: Plan 42375155**
- Appendix F: Site Distance Report**

8. Analysis and Recommendation

Analysis

Per FRSC Private Access Guidelines, private roads must have a minimum width of 20 m, which aligns with the DTI standards for public roads at the time the FRSC guidelines were established. Current DTI standards stipulate a minimum width of 24 meters. The Private Access is proposed to be developed to the current DTI width standard. The length of the proposed Private Access will be approximately 365.5 m and will serve as access to 5 proposed lots and remnant. As such, the Private Access generally meets the width requirements set out in FRSC Private Access guidelines.

Furthermore, the FRSC Guidelines note National Building Code (NBC) requirements for access by emergency vehicles. Amongst several requirements, the provision of turn-around facilities for any dead-end private access road longer than 90 meters is recommended. The proposed Private Access will be approximately 365.5 m long and will include an 25 m radius turn-around.

A site visit conducted on March 20th, 2026, was used to evaluate the condition of the existing private access intended to be used for the proposed lots. The road is not constructed at this time; there is cleared access that is likely used for forestry or recreational purposes. There is currently a culvert in place at the southeastern corner abutting Hill Road. As per **Appendix F: Sight Distance Report**, this does not meet sight distance requirements, and the access will need to be moved approximately 34 m to the southwest. It is the opinion of planning staff that the proposed lots would be appropriately served by the new Private Access pending appropriate construction and site distance requirements are met.

Recommendation

WHEREAS the dimensions of the proposed lots meet or exceed the minimum dimensions of the *Provincial Subdivision Regulation*.

WHEREAS the proposed building lots would be accessed by a new 24 m Private Access appropriate for the intended use.



AND WHEREAS the proposed subdivision will not prejudice the possibility of further subdividing the land or the convenient subdividing of adjoining land.

THEREFORE, it is recommended that the Planning Review and Adjustment Committee approve the proposed Private Access as suitable for Proposed Lots 26-1, Lot 26-2, Lot 26-3, Lot 26-4 and Lot 26-5 as detailed in the tentative subdivision plan of PID 30026652 (prepared by Don More Surveys & Engineering Ltd. and submitted on March 16, 2026), with the following conditions:

1. *Legal right of access, whether by deeded right-of-way, conveyance of right of way or other means, shall be assured to subsequent owners, assigns, heirs and successors.*
2. *Both the legal right of access and subdivision approval shall include provisions advising that:*
 - a. *Development along the private access shall not receive public services unless upgraded to Department of Transportation and Infrastructure standards; and*
 - b. *Owners, assigns, heirs and successors shall assume joint ownership and responsibility for private access construction and maintenance.*
3. *The Final Plan of Subdivision shall note the following:*
 - a. *The private access shown on this plan is not suitable for a public street. All maintenance and improvements to the private access are the responsibility of the property owner(s). Public services such as school busing garbage pickup or snow plowing may not be provided within a private access.*
4. *The formation of a legal association for the maintenance of the road must be confirmed prior to final approval by the development officer.*
5. *The Private Access must be designed to achieve the standards of the FRSC Private Access Guideline:*
 - a. *Have a clear width not less than 6 m unless it can be shown that lesser widths are satisfactory for the fire department and emergency measures services;*
 - b. *Have a centerline radius not less than 12 m;*
 - c. *Have an overhead clearance not less than 5 m;*



- d. *Have a change of gradient not more than 1 in 12.5 over a minimum distance of 15 m;*
 - e. *Support the expected loads imposed by firefighting equipment and be surfaced with concrete, asphalt, or other material designed to permit accessibility under all climatic conditions;*
 - f. *Have turnaround facilities for any dead-end portion of the access route more than 90 m long;*
 - g. *Be connected to a public thoroughfare; and*
 - h. *Site Distance Requirements are met.*
6. *Prior to the issuance of occupancy permits for any construction on Lot 26-1, 26-2, 26-3, 26-4, and 26-5, confirmation by a qualified professional engineer (at the applicant's expense) that the subject road has been constructed in accordance with the standards outlined in this FRSC Private Access Guideline has been achieved is required.*
7. *An Assessment (by a Certified Wetland Delineator) is required to be completed to determine wetland presence and boundaries; and submitted to the Department of Environment and Local Government, Surface Water Management Branch. Following the completion and review of the Wetland Delineation, lots that contain sufficient developable area and which are located outside of all watercourses, wetlands, and their respective 30-meter buffers, shall be approved as building lots.*

Prepared by:

Amanda McKenna
Development Officer

Approved by:

Scott Borden, RPP, MCIP
Senior Director of Community Planning and Transportation

Date: April 15th, 2026