

Fundy Albert Council is Considering a Proposed Rezoning

Council received a request from Birch Hill Construction Ltd. for a rezoning of the property located on Tingley Road and bearing PID 05036462 from Commercial-Industrial (CI) to the Intensive Resource Development Zone (IRD) to permit a rock quarry

1. **Call to Order**
2. **Conflict of Interest Declarations**
3. **Plan 360 - Presentation**
4. **Review of Written Submissions**
5. **Comments from Gallery**
6. **Questions from Council**
7. **Conclude Public Hearing**



Village of Fundy Albert
Attention: Kim Beers, Clerk/Director, Legislative Services
61 Academy Street
Hillsborough, NB

February 26th, 2026
26-0038

RE: Rezoning from Commercial-Industrial (RA) to Intensive Resource Development (IRD) to permit a rock quarry incorporating a crusher

Dear Mayor and Council,

As requested under Section 110 of the *Community Planning Act*, this letter is an official notice of the written views provided at the Southeast Planning Review and Adjustment Committee meeting on February 25th, 2026, with respect to the rezoning request for a rock quarry incorporating a crusher on Tingley Road (PID 05036462):

It was moved by Committee Member Paul Poirier and seconded by Committee Member Kim Murphy that the Southeast Planning Review and Adjustment Committee recommends to the Council of Fundy Albert to adopt By-Law No. 26-WAP-069-FA-3 which aims to rezone the property bearing PID 05036462 in Fundy Albert from Commercial-Industrial (CI) to the Intensive Resource Development Zone (IRD) to permit a rock quarry incorporating a crusher as the proposal aligns with rural plan policies, includes impact mitigation measures and is situated amongst compatible uses.

With the following conditions:

- a) That the permitted uses be limited to a quarry.
- b) Approval to Operate under the Rock Quarry Siting Standards must be obtained from the Department of Environment and Local Government (DELG) prior to a development permit being issued.
- c) That a Watercourse and Wetland Alteration (WAWA) Permit be obtained for any road upgrades/modifications within 30 meters of identified watercourses and wetlands.
- d) That any sightline or traffic impact studies, permits, in addition to any other approvals or requirements deemed necessary by the Department of Transportation and Infrastructure will be conducted, obtained, or satisfied prior to the issuance of a development permit for a quarry.

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- e) That the Department of Natural Resources confirms Snowmobile-Motoneige NB has been adequately consulted by the applicant prior to the issuance of a development permit.

MOTION CARRIED — UNANIMOUSLY

Sincerely,



Caleb Babin
Planner, Plan360

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PUBLIC HEARING REPORT

Subject: Rezoning from CI to IRD
File Number: 26-0038
Meeting Date: March 3rd, 2026
From : Caleb Babin, Planner

Applicant: Birch Hill Construction Ltd.
Owner: Camrose Sand & Gravel Ltd.
Location: Tingley Road
PID: 05036462
Lot size: 380,781.06 m² / 38.07 Ha
Services: None
Current zoning: CI
Proposed zoning: IRD

Request: Rezoning from Commercial-Industrial (CI) to Intensive Resource Development (IRD) to permit a rock quarry incorporating a crusher.



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CONTEXT

Background

Following a January 15th meeting at Plan360 to discuss the proposed use, Mike O'Blenes Representing Birch Hill Construction made an application to rezone a parcel identified as PID 05036462 from Commercial-Industrial (CI) to Intensive Resource Development (IRD) to permit a rock quarry incorporating a rock crusher. An approval to operate had already been obtained from the Department of Environment and Local Government (DELG) by the owner Camrose Sand & Gravel Ltd. following a 2013 rezoning to Commercial-Industrial. Under the former plan, a quarry was a permitted use within the Commercial-Industrial zone. While an approval to operate was held from 2015 until its expiry in 2025, extraction has not yet occurred on the parcel. The adoption of the Westmorland–Albert Rural Plan in July 2022 repealed the original 2013 rezoning; however, the property's zoning remained CI. The Plan also revised which zones permit quarry uses, limiting them to the IRD zone. To obtain a renewed approval to operate from DELG, the department requires confirmation that the zoning permits a quarry as a permitted use. As a result, the applicant must rezone the property from CI to IRD in order to renew the approval to operate the quarry. The technical specifications of the proposed quarry remain unchanged from a 2012 report. The purpose of the rezoning is to assess whether the properties and their location are suitable, whether they are compatible with neighboring uses, whether the rezoning would serve the public interest, and whether it aligns with the overall intent of the Rural Plan policies and objectives.

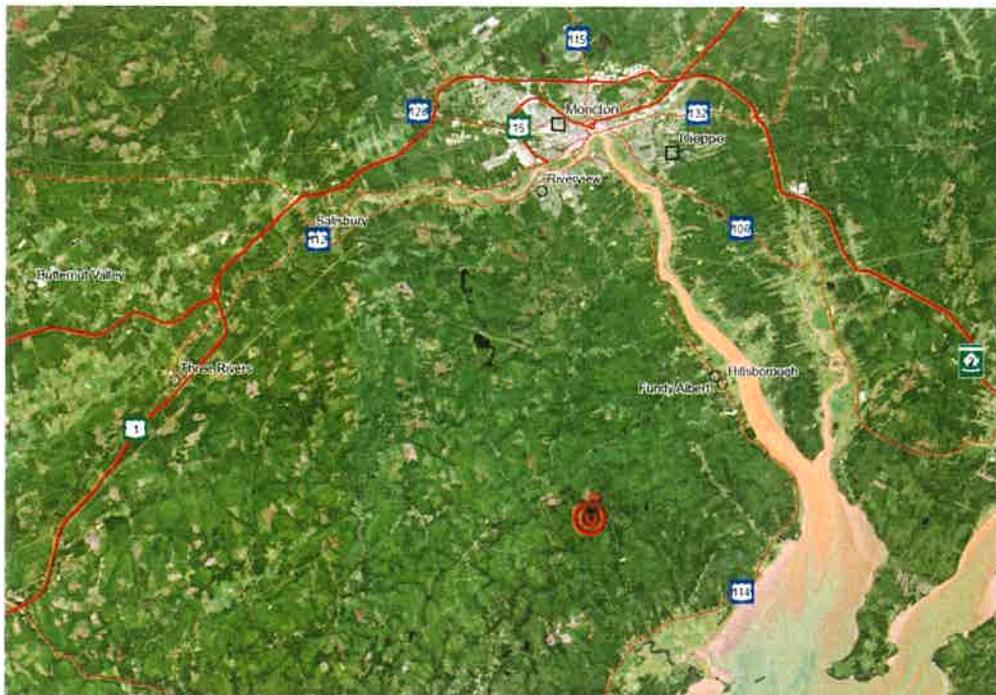


Figure 1 - Location within region

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Location

The subject property is located on Tingley Road, a few kilometers off Caledonia Mountain Road in the Caledonia Highlands. The property is owned by Camrose Sand & Gravel Ltd. The subject site and surrounding area are mostly forested. The nearest development is a dwelling located north of the site on Caledonia Mountain Road and is 951.7 metres from the proposed quarry. West and south of the property is the Caledonia Gorge Protected Natural Area, which falls under the Conservation zone. The remaining properties surrounding the site are zoned Rural Area. In addition, the subject site is 2.6km south of a recently rezoned quarry on Shenstone Road and 3km north of a quarry on Caledonia Mountain Road. The proposed quarry is also approximately 1.6km from a NAV CANADA radar, a distance that excludes protective requirements. Please refer to the Context Map in Appendix A for more details.



Figure 2 - Subject site with roads & watercourses

Physical Characteristics

The subject property is currently undeveloped and partially tree covered. It is believed the site was clear cut decades ago. The subject property is high lying and sloping to the southeast. The headwaters of two (2) springs are located near the eastern property boundary and flow east through neighbouring properties and eventually into Caledonia Brook. The subject property has approximately 765 m of frontage along Tingley Road and abuts the Caledonia Gorge Protection Natural Area to the south and west.

Property Access

The site is currently accessed from Tingley Road. Tingley Road is on crown land and provides frontage to several wood lots in the area. The road is not paved and has several sections with exposed rock. Tingley Road also passes through a regulated wetland as shown in Figure 1. Tingley Road connects to the paved Caledonia Mountain Road, which in turn connects to Route 910. The access road passes near the South Eastern New Brunswick Snowmobilers Association at Caledonia Road.



Figure 3 - Access road as visited 2026-01-21



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Existing Zoning

The subject property is zoned Commercial-Industrial (CI) under the Westmorland-Albert Rural Plan. Quarry operations are not a permitted use under the Commercial-Industrial zone.



Figure 4 – Westmorland-Albert Rural Plan Zoning, subject property circled in red

DEVELOPMENT PROPOSAL

The proposed quarry will include the activities of blasting, crushing and storing rock on site. The proposed area to be quarried consists of approximately 24.5 hectares (60.5 acres). The applicant is proposing to quarry approximately 75,000 tons of rock each year. Blasting will most likely take place three (3) times a year, as one (1) blast will typically loosen 20,000 to 30,000 tons of rock. As shown on the Post Extraction Map in Appendix B, a total of 25,000 tons of rock will be stored on site at any given time. The rock will be used for different purposes, such as parking lots, wharfs, fill, road construction, etc.

These operations will be setback from the neighbouring boundaries and land uses accordingly. As large amounts of rock will be removed from the subject site, steep hills and cliffs will be created. Fences will be placed along these sections of the subject site to help protect people wandering

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through the woods from potential danger. Please refer to the Post Extraction Plan for the locations of these fences.

Phasing

The development of the proposed quarry is broken up into several phases as illustrated on the Phasing Plan. A phase represents the area in which blasting and crushing of rock is intended to occur. The quarry is proposed to include phase one (1) and the stockpile. Starting from the south eastern corner of phase one (1) which is the lowest point, the applicant will quarry north westwards at a 2% grade. Subsequent phases are proposed to move forward once the proposed rezoning is approved and phase one (1) is complete. Phases two (2) and three (3) will continue moving north westwards at a 2% grade. Following phases two (2) and three (3), the applicant will proceed to the southern portion of the property to begin quarrying the section labeled 'Future Phases'. The applicant will begin quarrying at the north eastern corner, the lowest point and move south westwards at a 2% grade. Below are the approximate areas associated with each step. The proposed phasing consists of the following:

- Stock pile: an area of approximately 0.87 hectares (2.2 acres) reserved for stock piling rock quarried on site.
- Phase one (1): to quarry an area of approximately 5.5 hectares (13.5 acres)
- Phase two (2) and three (3): to quarry an area of approximately 10.6 hectares (26.3 acres)
- Future phases: to quarry an area of approximately 8.4 hectares (20.7 acres)

Refer to Appendix B for the Post Extraction Plan and Appendix C for the Phasing Plan.

Connectivity and Access

The proposed development will utilize the existing access. Tingley Road will require upgrades to allow trucks access the subject site. The upgrades will include widening and building up the road. The applicant is proposing these upgrades to Tingley Road from the subject property to Caledonia Mountain Road except for not widening the segments within the regulated wetland and its 30 m (98.4ft) buffer. The route proposed for upgrades is highlighted in Appendix D in the Context Map. The intended route for the trucks will be from Tingley Road to Caledonia Mountain Road to Route 910 towards Turtle Creek. This is a preferred route as Caledonia Mountain Road and Route 910 are existing routes for other Camrose Sand & Gravel trucks. You should illustrate the area of proposed road upgrades on one of the plans.

Hours of Operations

The proposed quarry operations are intended to operate from 7:00 AM to 7:00 PM, five (5) days a week, Monday-Friday, from April to November.

Buffering

The proposed development will begin with the stripping of the topsoil. The soil will be used to build berms along the boundaries of the areas to be quarried as shown in the Phasing Plan (Appendix C). These berms will help control the site's runoff.

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The proposed development intends on keeping existing tree stands within the required setbacks to help screen the proposed development activities from surrounding land uses.

Dust and Noise Remediation

The proposed quarry will be serviced by trucks equipped with canopies over the back of the truck. These canopies will help reduce the amount of dust generated by the trucks while traveling. As the proposed quarry is just under a kilometer from existing residential dwellings, noise is of little concern. However, the proposed buffers will act as sound barriers and help reduce noise levels to neighbouring properties.

Water Drainage

As mentioned above the proposed areas to be quarried will be bounded by berms to help control runoff. The 2% grade at which the quarry floor will be cut will allow runoff to flow towards these berms. The applicant is also proposing to filter the runoff through settling basins located at the site's low points. The basins will filter the runoff before releasing it into the surrounding landscape. These precautions are important as any runoff eventually drains into the Caledonia Brook which is part of the Caledonia Gorge Protected Natural Area.

Amenities

Tingley Road is used during the winter months for snowmobiling by a nearby snowmobile club. As the quarry is intended to operate from April to November, we do not foresee any conflict between the quarry operations and the recreational snowmobiling activities along Tingley Road. The proposed fence around the quarry is intended to keep snowmobile users from accessing the quarry. The neighbouring Caledonia Gorge Protected Natural Area can be used by the public for a limited amount of recreational activities. The Protected Natural Area consists of natural ecosystems and landscapes.

Reclamation Plan

Once the proposed quarry operations are complete, the applicant will disperse the original topsoil back over the site.

CONFORMITY WITH RURAL PLAN

Westmorland Albert Rural Plan

Policies:

8. Natural Resources

8.1 Policies

a) It is policy that development on Crown land be consistent with Section 129 of the Act.

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b) It is a policy to recognize resource-related uses as the intended primary use of land throughout the planning area.

c) It is a policy to require resource-related developments to employ best management practices to minimize environmental degradation in the Planning Area.

d) It is a policy that pits and associated uses shall be considered Intensive Resource Developments and shall be zoned as such.

e) It is a policy to recognize that temporary mobile asphalt plants used on a seasonal as-needed basis are compatible with resource extraction uses.

f) It is a policy to recognize that quarries that employ blasting, permanent asphalt plants, and landfills are intensive land uses with respect to heavy truck traffic, noise, and air and water quality, and are not compatible with residential and conservation uses. As such, these uses shall be considered on a case-by-case basis through a specific proposal rezoning to the Intensive Resource Development zone.

g) It is a policy that quarries that employ blasting are subject to Department of Environment approval to operate.

Rock Quarry Siting Standards – Setbacks

Setback Type	Required Setback	Provided Setback
Setback from right-of-way boundaries	30m	30m - Complies
Setback from existing road or trail on crown land	10m	30m - Complies
Setback from public highway structures	100m	> 1 Km - Complies
Setback from bank or ordinary high water mark	60m	61.3m - Complies
Setback from protected natural area	30m	100m - Complies
Setback from the foundation of a building	100m	951.7m - Complies
Setback from protected wellfield boundaries	30m	> 1 Km - Complies
Setback from protected watersheds	30m	~2.5 Km - Complies
Setback from residential property boundaries	30m	951.7m - Complies
Setback from adjacent property boundaries	30m	30m - Complies
Setback from water supply, well	600m	951.7m - Complies

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The proposed rezoning meets the rock quarry siting standards as identified below. Please refer to appendix D for the Constraints Map.



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CONSULTATION

Internal

The proposal was discussed internally amongst SERSC planning & development staff.

External

Public Notice

Notices were published to the Fundy Albert website and its Facebook page February 9th 2026. A single enquiry concerning the mailout to neighbouring property owners was received.

Property Owners Within 250m

A letter was sent to all owners of properties within a 250-meter radius of the subject parcel on February 10th, 2026. No calls, emails or letters were received.

Provincial Consultation

A consultation report briefing quarry details was sent to all contacts on the Departmental Contact List provided by the Provincial and Community Planning unit

Department of Environment and Local Government – Authorizations

"The renewal of this Approval to Operate is what triggered this rezoning and they have submitted the required approved documentation from the Department of Environment and Local Government to proceed, other than the proper zoning. If the zoning is changed to allow quarrying activities, they will be given an Approval to Operate for quarrying activities."

Department of Environment and Local Government – Air Sciences

"Please be aware that quarry operations can generate dust and noise for nearby residents. This can be generated from the quarrying and processing of the rock, but also from trucking. Also, it should be understood that some residual level of dust/noise emissions may remain regardless of any reasonable regulatory restrictions and mitigations (e.g., those applied via an Approval to Operate issued by this department). Although not significant from an environmental impact perspective, these residual emissions may nevertheless result in aesthetic or nuisance impacts to the neighbouring properties and properties along the access routes."



Figure 5 - Mailout buffer

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Department of Environment and Local Government – Environmental Assessment Branch

Multiple follow-up comments have been provided by the DELG Environmental Assessment Branch. On January 26th 2026, an initial comment was provided:

“As the quarry has an approval to operate in place and because such activities do not directly trigger an EIA registration. There are no comments from the EIA Branch.”

The Environmental Assessment Branch later received information from the Technical Review Committee that there was the possibility of species at risk on the subject parcel. On February 5th 2026 the following comment was provided stating DNR comments were required:

“I received comments from the TRC that there are SAR on the PID. Will you please share DNR comments once you receive them. This will help the EIA Branch advise further on the development of the quarry.”

The Environmental Assessment Branch is currently withholding comments until the WAWA branch provides their respective comments.

Natural Resources and Energy Development – Forest Planning and Stewardship Branch

The consultation report was sent to a DNR Species at Risk Biologist who provided the following comments

“There are a few records of at risk birds in the area, clearing should occur outside the bird breeding season (April 8th to August 28th) whenever possible.

The proponent should note that certain bird species may be attracted to nest in cleared areas, such as Common Nighthawk. Common Nighthawk will perform a “broken wing display” to lure predators away from their nests. If a bird is seen mimicking a wing injury during the breeding season (April 8th to August 28th), it is a very good indicator that an active nest is nearby.

In the event that an active bird nest is encountered, all disturbance work should temporarily stop and a buffer should be placed around the nest. The nest should not be disturbed until the chicks have fledged. It should be noted that bird nests should never be marked using flagging tape or other similar material as this increases the risk of nest predation. Please consult with CWS or the NB DNR Species At Risk Program, to determine the size of the buffer.

Bank Swallows nest in burrows along cliffs or in piles of soil (fill or grubbed material) with slopes more than 70 degrees. If the proposed berms have a slope of more than 70 degrees, this could attract the birds to nest there rather than the cliff face. This could be beneficial to quarry operations, as active nests would need to be left alone and buffered during the breeding season. Conversely, the cliff faces may not be attractive to the birds (due to soil type etc.) and steep berms could entice the birds to nests within the PDA which they might have otherwise avoided. If Bank Swallows begin nesting in the quarry please reach out to the species at risk section of DNR (that can be me) for more information and mitigation.



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There is a watercourse that flows into the Caledonia Gorge Protected Natural Area. Care should be taken to prevent runoff from quarry activities, as it is illegal to introduce a substance or thing that may injure or kill any fauna or disturb, damage or destroy any flora. Otherwise, no apparent concerns."

Department of Environment and Local Government – Water Sciences

Satellite imagery shows the existing access road (Tingley Road) also crosses a watercourse (Caledonia Brook) near the start of Tingley Road. Any road modifications/upgrades that are planned within 30 meters of this watercourse or the wetland that was identified would require a WAWA permit. It is important that the portion of the access road at the watercourse and wetland have protective measures taken to mitigate deleterious runoff (caused by sediment, dust, heavy rainfall etc.) from being released into the surrounding environment due to trucks frequently using the road.

Department of Environment and Local Government - Healthy Environments Branch

Gerard and I have reviewed the application from Birch Hill Construction Ltd. to rezone PID 05036462 in Fundy Albert from Commercial-Industrial to Intensive Resource Development in order to permit a rock quarry. From a drinking water source protection perspective, I've no concern provided the proponent adheres to the Final Operational Perimeter setback requirement of 600m from private drinking water supplies for projects involving blasting, as per the Rock Quarry Siting Standards.

Department of Environment and Local Government – Watercourse and Wetland Alteration Branch

"Based on the information provided for the Birch Hill Construction Ltd rezoning plan, intended future use as an Intensive Resource Development, the Watercourse and Wetland Alteration (WAWA) Branch is reserving our comments until the presence / absence of wetlands and watercourses have been confirmed on the ground. The available information suggests a strong likelihood of unmapped watercourses and wetlands located within the proposed rezoning area, within areas that are identified to be permanently disturbed and potentially extending and connecting through PID 05036462 to and from the Caledonia Gorge Protected Natural Area. The WAWA Branch recommends that a certified wetland delineator conduct an assessment to determine wetland and watercourse presence and boundaries. If wetlands are present, a wetland delineation will be required as per the Wetland Delineation Protocol. This information along with a revised plan showing all regulated features should be provided to the WAWA Branch for review, at which time we can provide comments for the rezoning plan.

It is the landowner's responsibility to ensure no alteration occurs in or within 30 metres of a watercourse or wetland (defined as per the definitions) without a WAWA permit. Additionally, A three-step mitigation approach is required when proposing an alteration in or within 30 metres of a wetland. These steps include, in sequential order, avoidance at the planning stage, minimization of impacts to the extent possible, and, finally, compensation for any permanent wetland impacts that cannot be avoided, granted the project is approved. Therefore, there should be sufficient buildable area outside of regulated features (i.e., wetlands and their 30-metre buffers) to ensure wetland impacts are minimized during the planning phase. Please refer to the DELG's Wetland Compensation Guidelines for more information on the compensation process. Given the proposed future plans for the lot, any permanent alterations to wetlands would along with the WAWA permit, also require the development of a Compensation Plan in consultation with the WAWA Branch.

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During the review of the rezoning plan, it was noted that there may be species at risk in proximity to the project location. It is recommended that to ensure proposed activities do not impact species at risk and that the Species at Risk Act is adhered to, that the plan be reviewed by a SAR biologist at Department of Natural Resources."

Department of Transportation and Infrastructure – District 3

The Department of Transportation and Infrastructure inquired about whether a sightline analysis was conducted, whether weight restrictions could present challenges and the volume of traffic per day:

"This quarry would be accessed through a public, non-maintained road located on the sharp corner near the snowmobile clubhouse on Caledonia Mountain Road. To our understanding, trucks have used this access point in prior years for this pit. The proposed plan indicates that the trucks would travel via Caledonia Mountain Road to Route 910, and subsequently to Riverview. Was a sightline analysis conducted to evaluate industrial usage at the Caledonia Mountain Road intersection? In the spring, this pit would need to comply with weight restrictions and ensure that hauling operations do not negatively impact road conditions. According to the report, the proposed hours of operation are from 7:00 a.m. to 7:00 p.m., April through November. However, April falls within the period for spring weight restrictions. Could this present any challenges?

Additionally, this area appears to be very close to, or possibly within, the Turtle Creek watershed. Regarding operations, what is the expected number of trucks per day, considering the proposed stockpile of 25,000 tonnes and the three phases of development? Depending on the volume of traffic, it's possible that a Traffic Impact Study may be required.

Lastly, an agreement might be necessary to proceed with work on Bray Road and Tingley Road, even though they are public, non-maintained roads. It is also critical to ensure that the pit operations do not adversely affect the DTI drainage system."

In response to these comments, the applicant clarified that they agree to enter any agreement necessary with DTI, would not be hauling during weight restrictions, that the site is located outside the turtle creek watershed, and that the 25 000 ton stockpile would not be displaced from the site.

Further communication from DTI stated they agree with the imposition of a condition for a sightline analysis and would not permit drainage into a DTI ditch unless:

- The post-development flow is less than or equal to the pre-development flow at the DTI ditch. If the catchment area increases, the drainage volume in the ditch must not increase.
- The post-development flow and volume into the DTI ditch system are assessed for potential downstream impacts."

Department of Agriculture, Aquaculture and Fisheries

"DAAF has reviewed the information provide and would like to make you aware that there's an active wild blueberry farm in the area (approximately 1km north of PID). We do not anticipate any significant issues but would still like to note that during harvest season (august) there may be increase traffic (tractors, truck, etc.) in the area."



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Tourism, Heritage and Culture - Archaeology and Heritage Branch

"Archaeology and Heritage Branch has reviewed the notice of rezoning and planned work and has no concerns/comments at this time.

If there is an accidental discovery of archaeological resources during any drilling activities, the proponent should follow Section 9 of the Heritage Conservation Act, which requires that work must stop and the proponent must notify the Archaeology and Heritage Branch."

Natural Resources – Crown Lands Branch

"In the end the only comments I have to share are from the Trail coordinator who says :

- The New Brunswick Federation of Snowmobile Clubs (Snowmobile-Motoneige NB) have authorized managed trail that run through the subject area. As such, any road construction/maintenance or future development activities can not interrupt access/use of their trail network without prior consultation with the Trail Manager.
- Snowmobile-Motoneige NB will have to be consulted by the applicant prior to commencing any road construction/maintenance upgrades and inform them of the construction timeline and any disruptions to their potential use along their managed trail network during the winter season Lease authorization (annually from December 15 to April 15 of the following year), and their three season Licence of Occupation maintenance authorization (annually from April 16 to December 14). Should access and snowplowing across the managed trail network be required during Snowmobile-Motoneige NB winter season, the Trail Manager is to be contacted and safety signage may be required to be installed
- Snowmobile-Motoneige NB Trail Manager is Kyle Good, he can be contacted @ 506-292-1185

The following are additional conditions that I recommend be included:

- The safety of trail users is not jeopardized at any time;
- Safe visibility for trail users must be maintained at all times; and
- The condition of the trail surface must be maintained on and adjacent to the subject area, and any damage to the trail surface (e.g., ruts) must be repaired to pre-construction condition or to DNR standards, whichever is the greater."

DISCUSSION

Analysis

Resource extraction is a key economic driver in the Westmorland–Albert planning area. This sector is a supporting pillar of the rural economy, alongside tourism and recreational activities. The Caledonia Highlands exemplify this working landscape as a largely undeveloped natural area supporting both resource extraction and outdoor recreation.

Aggregate extraction plays a strategic role as the crushed stone, sand, and gravel produced by quarries are essential for the construction and maintenance of transportation infrastructure across southeastern New Brunswick. Proximity to markets such as Greater Moncton, Prince Edward Island and Nova Scotia reduces transportation distances and costs. Quarries contribute to the local economy by creating jobs, supporting trucking and construction industries, and generating tax revenues. Maintaining multiple extraction sites strengthens supply chain resilience, particularly during peak construction seasons or when transportation routes face seasonal restrictions.

While the Rural Plan identifies resource-based development as a key economic driver in Albert County, it also notes the potential for land-use conflicts when residential development occurs nearby. Such conflicts often stem from noise, dust, and heavy truck traffic associated with resource operations. In this case, the quarry is in a remote area, with the nearest dwellings approximately 951.7m to the north on Caledonia Mountain Road. A total of 3 blasts are likely to occur per year, and the absence of nearby residences would translate into minimal direct impacts. While some nuisance or aesthetic effects may occur along transport routes due to increased truck traffic, these are not anticipated to impact the overall compatibility of the use in this location.

Conclusion

The subject parcel is desirable for the development of a Rock Quarry due to being in a remote area surrounded by similar and/or compatible land uses. Consultations with the authorizations branch of DELG have confirmed that the proposed quarry would operate in compliance with the provincial Rock Quarry Siting Standards. Following concerns raised regarding access routes, the applicant has indicated they agree to communicate with DTI prior to any alterations to Tingley Road. Concerns raised regarding wetlands and watercourses along proposed access routes have been addressed through conditions. While comments regarding the potential requirement for an environmental assessment are pending, additional conditions can be added as required. Rezoning the subject parcel would allow the project to proceed in a manner consistent with both the Rural Plan and Provincial standards.

RECOMMENDATION

It was moved by Committee Member Paul Poirier and seconded by Committee Member Kim Murphy that the Southeast Planning Review and Adjustment Committee recommends to the Council of Fundy Albert to adopt By-Law No. 26-WAP-069-FA-3 which aims to rezone the property bearing PID 05036462 in Fundy Albert from Commercial-Industrial (CI) to the Intensive Resource Development Zone (IRD) to permit a rock quarry incorporating a crusher as the proposal aligns with rural plan policies, includes impact mitigation measures and is situated amongst compatible uses.

Main / Principal

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Shediac

815A rue Bombardier Street
Shediac, NB E4P 1H9
(506) 533-3637

Tantramar

112C rue Main Street
Sackville, NB E4L 0C3
(506) 364-4701

With the following conditions:

- a) That the permitted uses be limited to a quarry.
- b) Approval to Operate under the Rock Quarry Siting Standards must be obtained from the Department of Environment and Local Government (DELG) prior to a development permit being issued.
- c) That a Watercourse and Wetland Alteration (WAWA) Permit be obtained for any road upgrades/modifications within 30 meters of identified watercourses and wetlands.
- d) That any sightline or traffic impact studies, permits, in addition to any other approvals or requirements deemed necessary by the Department of Transportation and Infrastructure will be conducted, obtained, or satisfied prior to the issuance of a development permit for a quarry.
- e) That the Department of Natural Resources confirms Snowmobile-Motoneige NB has been adequately consulted by the applicant prior to the issuance of a development permit.

COUNCIL ACTION

All legal requirements under the Community Planning Act will be satisfied after the Public Hearing and council may decide to pursue with adoption of the rezoning. Council's options are:

- 1. Accept the order as recommended by the Southeast Planning Review Committee.
- 2. Accept the By-Law, but modify, add, and/or remove conditions
- 3. Postpone and request additional information.
- 4. Deny the request.

APPENDICES



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APPENDIX A – Context Map



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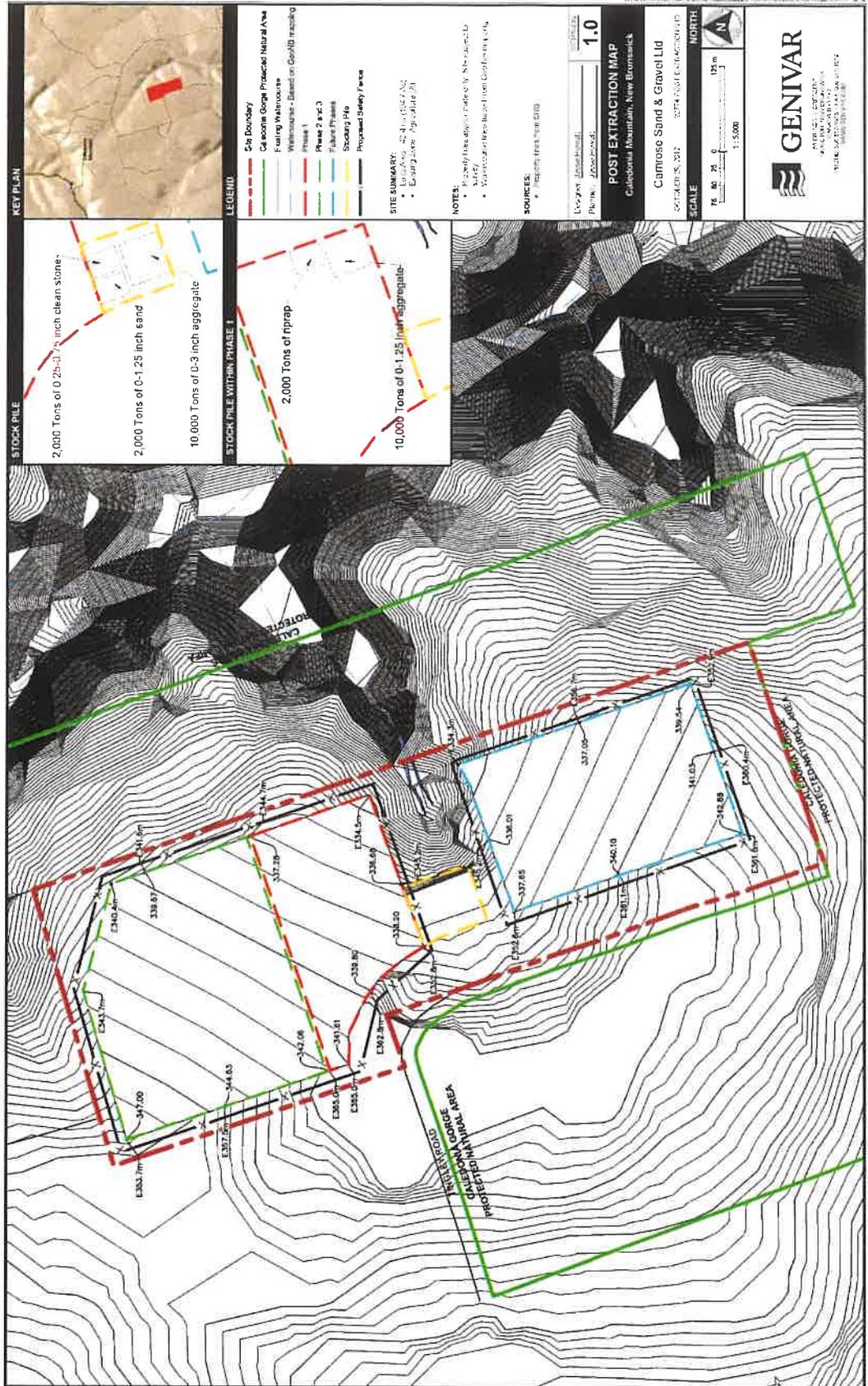


APPENDIX B – *Post Extraction Plan*

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APPENDIX C – *Phasing Plan*

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APPENDIX D – *Constraints Map*

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