



**TOWN OF SAINT ANDREWS**  
**PLANNING ADVISORY COMMITTEE MEETING**  
**MINUTES**

**November 16, 2022, 7:00 p.m.**  
**W.C. O'Neill Arena Complex – Council Chambers**

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**A. RECORD OF ATTENDANCE**

*At the Planning Advisory Committee Meeting on Wednesday, November 16, 2022, at 7:00 p.m. the following members were present:*

*Acting Chair Jill Stewart, PAC Members Jeff Cross, Dwight Ingalls, Kevin Simmonds, Councillor Lee Heenan.*

*Paul Nopper, Clerk - Senior Administrator, Alexander Gopen, Senior Planner, Qi Vivian Peng, Junior Planner, Southwest New Brunswick Service Commission.*

**B. APPROVAL OF AGENDA**

**Motion: 071 - 11/22**

**Moved By** PAC Cross

**Seconded By** Councillor Heenan

*That the Agenda be approved as presented.*

**4 – 0**

**Carried**

**C. DECLARATION OF CONFLICT OF INTEREST**

**D. CONFIRMATION OF MINUTES**

1. **Minutes of the 221019 Planning Advisory Committee for Wednesday, October 19, 2022, 7:00 p.m.**

**Motion: 072 - 11/22**

**Moved By** Councillor Heenan

**Seconded By** PAC Simmonds

*That the Minutes of the 221019 Planning Advisory Committee Meeting of Wednesday, October 19, 2022, at 7:00 p.m. be adopted.*

**4 – 0**

**Carried**

**E. AGENDA ITEMS**

1. **PRESENTATIONS/DELEGATIONS**

2. **ZONING APPLICATIONS**

1. **Obtaining Views of the PAC on Amendment MP20-02-02 to the Secondary Municipal Plan MP20-02 for PID 15210289 Lot on Carleton Street for Mary Truemner, PAC221104**

*Planner Gopen provided a presentation on Amendment MP20-02-02 to the Secondary Municipal Plan MP20-02 for a lot on Carleton Street, at PID 15210289, for Mary Truemner. It was noted the*

*property is currently a vacant lot with a proposal for a 2-storey, 1,200 sq. ft. single-unit dwelling in the Cape Cod style. As the property in question is located in the Town Plat, it is subject to the Secondary Municipal Plan. Pictures of the property and concept of the Cape Cod dwelling were provided for review by the PAC. Due to the size of the lot and development, they are seeking an exemption from the Secondary Municipal Plan as it is an undersized lot and the smallest proposed house on the block. Municipal Plan MP20-01 Section 2.1.2(2)(8) Environment and Climate Change Policies were referenced. It was noted that the property is very walkable to amenities in the community. The intent of the Secondary Municipal Plan was discussed, as this is an unusual block lacking uniformity. Footprints of homes range from 1,750 to 3,700 sq. ft. The proposed development would be significantly set back and largely screened by taller hedges and trees. The Zoning By-Law would still apply in the process of development. A Public Hearing of Objections was hosted by Council and no public comments were provided.*

*PAC thanked Mr. Gopen for his report. The Committee posed a question to the applicant as to the reason the house is proposed to be built at the rear of the Property. Mrs. Truemner noted that the majority of the property is on a slope and the natural flat plateau is at the rear of the property. In addition, there is a large tree at the front of the property that they wish to keep. The property used to be an old garden for the housing lot directly behind the property. Concern was noted by PAC about the uniformity of the streetscape, but understood the design and process based on the slope of the property. PAC noted that the property might not have much of a backyard. Mrs. Truemner was aware of this and noted that there was still another 20-plus feet between the proposed back side of the home to the property line. She noted that the front yard more than compensated for the small rear yard. PAC asked Mrs. Truemner when reviewing her plans to see if she could move the house a bit more towards the street for consideration.*

**Motion: 073 - 11/22**

**Moved By** Councillor Heenan

**Seconded By** PAC Cross

*That the Planning Advisory Committee for the Town of Saint Andrews provides the following opinions and views on Amendment MP20-02-02 to the Secondary Municipal Plan MP20-02 for PID 15210289 Lot on Carleton Street for Mary Truemner:*

- 1. That the placement of the house at the rear of the lot should be reviewed for the possibility of moving closer to Carleton Street to keep in line with the streetscape.*
- 2. That the PAC appreciates the efforts of the homeowner to compliment the neighbourhood with the housing design and that it fits well within the area.*
- 3. That the PAC appreciates the homeowner for finding a way to preserve the tree line and large maple tree on the property.*

**4 – 0**

**Carried**

### 3. VARIANCE APPLICATIONS

#### 1. Variance Application for PID 01324557, 126 Elizabeth Street Fence Request, PAC221105

*Before the presentation, Qi Vivian Peng updated PAC that the request before them was for terms and conditions and not a variance.*

*Qi Vivian Peng provided a presentation on terms and conditions for the construction of a fence for 126 Elizabeth Street, PID 01324557, for Tim Linehan. The terms and conditions are related to a request for a 5 ft. wooden fence enclosing part of the front, side, and rear yards for the protection of his dog. Terms and conditions are required as the front yard fence will be over 3.3 ft. Overview photos and maps were provided as references for the PAC. Zoning By-Law Z22-01 Section 2.3(3) and Secondary Municipal Plan MP20-02 Section 3.6 were referenced. It was noted that before the fence installation, Public Works be consulted on the placement due to water and sewer lateral lines. Recommendations were provided to the PAC for terms and conditions.*

*PAC thanked Ms. Peng for her presentation. The PAC asked for clarification from Clerk Nopper regarding Municipal snow clearing and if there were any issues with that process and the fence. Mr. Nopper noted that based on the distance away from the road, there should be no issue with Municipal snow clearing. PAC asked if the Southwest New Brunswick Service Commission had issued permits for the fence to date. Ms. Peng noted that no permits had been issued. PAC had concerns about the fence as it was already under construction without a permit and terms and conditions issued by the PAC. The Planners noted they were not aware that the construction of the fence had commenced. PAC noted they did not have an issue with the fence but that the proper processes were not being followed. Mr. Gopen noted that they do on occasion get files where construction has already occurred but usually not through this process. It was noted that they can issue retroactive permits if the work was still completed correctly and to specifications. Mr. Tim Linehan noted to PAC that he did not mean to overstep the process but wanted to get the fence installed before the winter season and that he was installing the 5 ft. fence along the whole property. PAC noted that although with good intentions, the process was not followed and should have waited until a decision was rendered and permits issued. Mr. Linehan apologized for the error and would ensure that the fence would meet all criteria that are outlined by the PAC and the Planners. PAC noted that the Planner's explanations were reasonable and that they were good with the recommendations for terms and conditions presented.*

**Motion: 074 - 11/22**

**Moved By** PAC Simmonds

**Seconded By** PAC Cross

*That the Planning Advisory Committee of the Town of Saint Andrews approves the following application to the proposed 5 ft. wooden fence to be located in the front yard of the property at PID 01324557, 126 Elizabeth Street for Tim Linehan with the following terms and conditions:*

1. *The applicant shall be responsible for locating the water and sewer lateral and ensuring that those lines are not damaged during fence installation.*
2. *The fence shall be built with high-quality materials as presented in the Development Permit Application and the fence shall be properly maintained to not become a hazard to the safety of the public or become dilapidated.*
3. *No fence shall be electrified or incorporate barbed wire or other sharp dangerous materials in its construction.*

**4 – 0**  
**Carried**

**4. TERMS AND CONDITIONS APPLICATION**

**5. SIGN APPLICATIONS**

**F. NEW BUSINESS**

**G. PAC MEMBER COMMENTS**

*PAC discussed with the Planners how to send stronger messaging to those applying for permits to not start work until all the necessary steps had been completed in the process before issuing a permit. The Planners noted that they discuss with applicants the processes before the permits are issued but sometimes those applying still do not comprehend the processes. The Planners noted they can look at enhancing the checklist process for those applying for permits. It was also noted that if they build without a permit, enforcement measures take effect, which can result in the demolition and rebuilding of a structure. This can be costly for the builder and they should be aware of the consequences.*

**H. CLOSED ITEMS**

**I. ADJOURNMENT**

**Motion: 075 - 11/22**

**Moved By Acting Chair Stewart**

*At 7:48 p.m. that the meeting be adjourned.*

**4 – 0**  
**Carried**

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 Jill Stewart, Acting Chair

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 Paul Nopper, Clerk - Senior  
 Administrator

