



TOWN OF SAINT ANDREWS
PLANNING ADVISORY COMMITTEE MEETING
MINUTES

May 17, 2023, 7:00 p.m.
W.C. O'Neill Arena Complex Council Chambers

A. RECORD OF ATTENDANCE

At the Planning Advisory Committee Meeting on Wednesday, May 17, 2023, at 7:00 p.m. the following members were present:

Chair Jill Stewart, Vice Chair Jeff Cross, PAC Members Dwight Ingalls, Jeremiah Kerr, Kevin Simmonds, and Councillor Annette Harland.

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

Absent - PAC Member John Tanner.

B. APPROVAL OF AGENDA

Motion: 016 - 05/23

Moved By PAC Cross

Seconded By PAC Harland

That the Agenda for the 230517 Planning Advisory Committee Meeting of Wednesday, May 17, 2023, at 7:00 p.m. be approved as presented.

5 – 0

Carried

C. LAND RECOGNITION OF THE PESKOTOMUHKATI NATION

D. DECLARATION OF CONFLICT OF INTEREST

E. CONFIRMATION OF MINUTES

- 1. Minutes of the 230315 Planning Advisory Committee Meeting on Wednesday, March 15, 2023, 7:00 p.m.**

Motion: 017 - 05/23

Moved By PAC Kerr

Seconded By PAC Harland

That the Minutes of the 230315 Planning Advisory Committee Meeting on Wednesday, March 15, 2023, at 7:00 p.m. be adopted.

5 – 0

Carried

F. AGENDA ITEMS

- 1. PRESENTATIONS/DELEGATIONS**
- 2. ZONING APPLICATIONS**

1. Amendment MP20-07 to the Town of Saint Andrews Municipal Plan MP20-01, Rose Lane, PID 01325505, Henry Hansen, PAC230503

Planner Gopen provided a presentation on the request for views of the Planning Advisory Committee on Amendment MP20-07 to the Municipal Plan MP20-01, for PID 01325505, Henry Hansen, to remove the Residential Growth Area and to allow for a 1 lot subdivision PID 01235505 is unserviced and is a 13.5-acre lot abutting Bar Road and Rose Lane. It is currently zoned Estate Residential, which allows for subdivision. The Municipal Plan MP20-01 requires rezoning to High Density Multiple Residential (MR-2) Zone in the Residential Growth Area. The applicant is seeking to amend the Municipal Plan to allow for a 1-lot subdivision to be used for a use allowed in the Estate Residential Zone. The net lot and remainder would have frontage on Bar Road. Visuals were provided to the PAC on the location and the site of the property. Municipal Plan Policies 2.4.2 General Land Use and Development and 2.8.3 Housing Proposal were reviewed. It was noted that the proposed Amendment would not compromise the overall intent of the Residential Growth Area with the potential for future high-density development. Future development of the remainder of the PD will be regulated by the Residential Growth Area.

PAC thanked Mr. Gopen for the presentation. PAC asked for clarification that the proposed Amendment would not impact future high-density proposals. Mr. Gopen noted that this was correct and that high-density development can still occur. PAC asked how much property is between the edge of the property and adjacent lands. Mr. Gopen noted at least 20 m and is the requirement for a road to be built. It was noted that discussions with the surveyor that there is adequate space for higher density.

Motion: 018 - 05/23

Moved By PAC Simmonds

Seconded By PAC Cross

That the Planning Advisory Committee for the Town of Saint Andrews provides the following views on Amendment MP20-07 to the Town of Saint Andrews Municipal Plan MP20-01, Rose Lane, PID 01325505, for Henry Hansen:

1. PAC has no objection to the proposed subdivision of land.

5 – 0

Carried

3. VARIANCE APPLICATIONS

4. TERMS AND CONDITIONS APPLICATION

1. Terms and Conditions Application for 228 Montague Street, PID 01320787, James Geneau, PAC230502

Planner Vivian Qi Peng provided the Planning Advisory Committee with a presentation on the Terms and Conditions application for 228 Montague Street, PID 01320787, James Geneau for a fence. The property is zoned Serviced Residential and located in the Town Plat. Proposal for an 8-ft. fence in the rear and flankage yard. A 1.4 ft. variance has been granted for the rear yard fence. Visuals were provided for an overview of the planned fence for PAC review. The

request is for Terms and Conditions for a 3.3 ft. in height fence in the front and flankage yard. Section 2.3(3) of the Town of Saint Andrews Zoning By-Law Z22-01 was noted. In speaking with Town Staff, n concerns regarding in-ground infrastructure. Staff recommends that the applicant shall ensure that no municipal infrastructure is damaged during fence installation, that the fence shall be built with high-quality materials as presented in the Development Permit Application and that the fence shall be properly maintained to not become a hazard to the safety of the public or become dilapidated, and no fence shall be electrified or incorporate barbed wire or other sharp dangerous materials in its construction.

PAC thanked Planner Peng for her presentation. PAC noted that they have concerns about the fence as the portion that is to be reviewed by the PAC has already been constructed and looks like it is really close to the property line on the Frederick Street side. Have setbacks been checked, identified, and respected? Planner Peng noted that the fence meets the setback requirements and that the builders know they were not supposed to build in the flankage yard yet until PAC approval. PAC asked if permits had been issued for the fence. Planner Peng identified that the rear yard permit was issued but not the one for the flankage yard. PAC asked why the Service Commission would have given the overall variance in height to 8 ft. Planner Peng stated that under the Community Planning Act, Development Officers can issue in-house variances for fence heights if proper discussions and vetting with the neighbours occurred. The neighbours did not object to the height or style of the fence and the fence style keeps with the overall character of the heritage look and feel. PAC asked if there has been any follow-up by the Service Commission and has anyone investigated the fence during construction. Planner Peng said that building inspectors complete regular visits and communicate with the Service Commission on what they see. When permits are issued, terms and conditions are followed up on. PAC noted that the fence section was built with no permit and no terms and conditions set. This was a concern. Planner Peng noted that it is the risk of the builders to move forward with a build without a permit and terms and conditions set as it could result in a structure being removed. PAC noted concerns regarding the rear yard allowance and how the rear yard blends into the flankage yard as it is a corner lot. Planner Peng said they consulted the neighbours on the fence and height and both provided letters of support. PAC noted concerns about the flankage yard fence being at 8 ft., with a look like a wall, and the views from the public realm. Planner Peng and Planner Gopen noted that they would discuss the internal policies of variances and that would be brought back for discussion with the PAC based on the variance processes and approvals. PAC noted that they do not have enough information to be able to make a motion and that the decision on Terms and Conditions would be tabled to the next meeting.

Motion: 019 - 05/23

Moved By PAC Simmonds

Seconded By PAC Ingalls

That the Planning Advisory Committee for the Town of Saint Andrews sets the following Terms and Conditions for an 8-ft. wooden fence to be located in the flankage yard for the property 228 Montague Street, PID 01320787, James Geneau:

- 1. The applicant shall ensure that no municipal infrastructure is 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.*

Amended

Motion: 020 - 05/23

Moved By PAC Simmonds

Seconded By PAC Ingalls

That the Planning Advisory Committee of the Town of Saint Andrews tables the Terms and Conditions for an 8-ft. wooden fence to be located in the flankage yard for the property at 228 Montague Street, PID 01320787, James Geneau.

3 – 2, Nay PAC Harland and PAC Cross

Carried

5. SIGN APPLICATIONS

G. NEW BUSINESS

H. PAC MEMBER COMMENTS

I. CLOSED ITEMS

J. ADJOURNMENT

Motion: 021 - 05/23

Moved By PAC Stewart

At 8:05 p.m. the meeting be adjourned.

Carried



Jill Stewart, Chair



Paul Nopper, Clerk - Senior
Administrator

