



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

**June 21, 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, June 21, 2023, at 7:00 p.m. the following members were present:

Chair Jill Stewart, PAC Members Dwight Ingalls, Jeremiah Kerr, Kevin Simmonds, John Tanner, and Councillor Annette Harland.

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

Absent – Vice Chair Jeff Cross.

B. APPROVAL OF AGENDA

Motion: 022 - 06/23

Moved By PAC Kerr

Seconded By Councillor Harland

That the Agenda for the 230621 Planning Advisory Committee Meeting on Wednesday, June 21, 2023, 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 230515 Planning Advisory Committee for Wednesday, May 17, 2023, 7:00 p.m.**

Motion: 023 - 06/23

Moved By PAC Simmonds

Seconded By PAC Tanner

That the Minutes of the 230517 Planning Advisory Committee for Wednesday, May 17, 2023, at 7:00 p.m. be adopted.

5 – 0

Carried

F. AGENDA ITEMS

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

1. Obtain Views of the Planning Advisory Committee on Proposed Amendment Z22-04 to the Zoning By-Law Z22-01 for PID 01325240, Evans Land Development Ltd., PAC230602

Planner Gopen provided a presentation on the proposed Amendment Z22-04 to the Zoning By-Law Z22-01 for PID 01325240, Evans Land Development Ltd. This is a rezoning from Serviced Residential to Multiple Residential 2 Zone for the purposes of developing multi-residential apartment units. It is a 5.5 acre vacant lot at the end of Bar Road at Mowat Drive. The proposal is for 70 - 120 dwelling units, up to 12 buildings, and the property to be subdivided to 4 properties. The goal of the developer is to a campus-style development with a public road. Visuals of the property were provided for the PAC including a draft of the site plan concept. Municipal Plan Section 2.1.2(5) Environmental and Climate Change Policies, Section 2.5.2(1) Economic Policies, and 2.8.2(1) Housing Policies were reviewed. It was noted progress on rental housing is ongoing with still a large shortage. The current zone would allow up to a 14-lot subdivision with 3 - 4 units on each lot, approximately 42 - 56 units. The proposed site plan meets parking amenity space requirements, public street requirements, and land for public purposes. It was noted that the Town needs middle rental and affordable rental units.

The PAC thanked Planner Gopen for the presentation. PAC asked for clarification on the number of units a Serviced Residential Zone could host for a 14-lot subdivision. Planner Gopen noted that each lot could have 3 to 4 units equating to 42 to 56 units. PAC asked for clarification that the Multiple Residential 2 Zone could allow up to 120 units. Planner Gopen stated that under the Zoning By-Law, 120 units would be allowed in Multiple Residential 2 Zone. PAC indicated that they liked the access for future streets on the plan versus a cul-du-sac with an opportunity for active transportation. PAC was happy to note there would be a public road access that links directly across to the Bar Road intersection. PAC asked why the developer was looking to subdivide into four lots. Planner Gopen indicated this would help in the phased approach to the buildout and that in the future the developer could sell individual subdivided lots if they chose to. There would also be Subdivision and Development Agreements that would outline timelines, processes and any additional terms and conditions that the Council wanted to add. Clerk Nopper also noted that there are performance bonds in place to ensure development follows the phased approaches. If the development were to stop, the bonds would be used to ensure lands not developed were returned to a natural state. The PAC asked if sections of the development did not proceed, and what happens to the zoning of those lots. Planner Gopen indicated that under the Zoning By-Law, after a certain time, the lots would revert to the Serviced Residential Zone. The PAC was supportive of the rezoning process that was proposed.

Motion: 024 - 06/23

Moved By PAC Simmonds

Seconded By PAC Kerr

That the Planning Advisory Committee of the Town of Saint Andrews provides the following views on proposed Amendment Z22-04 to the

Zoning By-Law Z22-01 for PID 01325240, Evans Land Development Ltd:

That the Planning Advisory Committee has no concerns or objections to the application for the zoning amendment. We agree that the new zoning will complement the area and appreciate that the preliminary plans call for access for future streets.

5 – 0

Carried

2. Obtain Views of the Planning Advisory Committee on Proposed Amendment Z22-05 to the Zoning By-Law Z22-01 for PID 01323591, Dominique Berlenger and Mieke Elza Van De Capelle, PAC230603

Planner Gopen provided a presentation on the proposed Amendment Z22-05 to the Zoning By-Law Z22-01 for PID 01323591, Dominique Berlenger and Mieke Elza Van De Capelle. The 1.18-acre 2.5 storey 3650 sq. ft. residential building, a former veterinary clinic, is being proposed to be turned into a rooming house. It is proposed to have private rooms, shared kitchen, bathrooms, and common areas. Rooming houses are defined but not clearly allowed use in any zone. A boarding house is allowed in the Multiple Residential 1 Zone. However, the definitions do not meet the requirements requested. The proposed Amendment would also require text amendments under the Multiple Residential 1 Zone to clarify use. Changes to the definition include lodging is provided with six or more bedrooms that are served by a common kitchen and bathrooms but do not include short-term rentals, a hospital, a care facility, senior housing, motels, group homes, etc. There is also a requirement for changes to frontage based on the 6 bedrooms plus requirements. Visuals of the property and site plan were provided to PAC for review. The Municipal Plan Sections 2.4.2(4) General Land Use and Development Policies, 2.5.2(1) Economic Policies, and 2.8.2(1) Housing Policies were reviewed. Discussion items brought forward included walkability to schools and downtown, life safety being addressed through Fire Code and Building Code, Town By-Laws including Noise, Animal Control, Water and Wastewater, and Zoning By-Law.

PAC thanked Planner Gopen for the presentation. PAC asked the developer to consider that all parking should be located at the rear of the property to keep the continuity of the streetscape as it is a multiple residential building. PAC noted the improvements that have already been seen in the processes and were appreciative of the developer taking time to complete repairs on the building. PAC also acknowledged that the rooming house is a great use of the building and close to all amenities.

Motion: 025 - 06/23

Moved By PAC Simmonds

Seconded By PAC Tanner

That the Planning Advisory Committee for the Town of Saint Andrews provides the following views on the proposed Amendment Z22-05 to the Zoning By-Law Z22-01 for PID 01323591, Dominique Berlenger and Mieke Elza Van De Capelle:

That the Planning Advisory Committee has no concerns or objections to the application for zoning amendment and we support the text amendment changes proposed. We agree that the new zoning will complement the area by converting an existing building and appreciate that the preliminary plans call for plenty of parking behind the building.

5 – 0

Carried

3. Obtain Views of the Planning Advisory Committee on Proposed Amendment By-Law No. 09-BS-009-01, A By-Law to Amend Bayside Planning Area Rural Regulations, PAC230604

Planner Gopen provided an update regarding the proposed Amendment No. 09-BS-009-01 to the Bayside Planning Area Rural Plan. The proposed Amendment was brought forward by staff as a change for three rural zone properties that were not accurately zoned when the plan was originally developed. The properties were zoned Industrial, which was not accurate to the residential uses of the properties. One property owner wants to sell a section of land but the Industrial Zone does not allow residential use. It was discovered several properties were non-conforming due to inaccurate zoning. Thus, staff are proposing to have these properties moved from Industrial Zone to Rural Zone.

The PAC has no comments or questions regarding the staff amendment to the zoning from Industrial to Rural.

Motion: 026 - 06/23

Moved By PAC Simmonds

Seconded By PAC Kerr

That the Planning Advisory Committee for the Town of Saint Andrews provides views on proposed Amendment By-Law No. 09-BS-009-01, A By-Law to Amend Bayside Planning Area Rural Regulations:

That the Planning Advisory Committee has no concerns or objections to the application for the zoning amendments, and that it will better reflect the current land use.

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 Peng gave a brief overview of the Terms and Conditions application for the fence located at 228 Montague Street, PID 01320787, James Geneau. The property is Zoned Service Residential and located in the Town Plat. Proposal for an 8-ft. fence in the rear and flankage yard. A 1.4 ft. variance was granted for the rear yard fence. The request for the flankage yard is for a 3.3 ft. in height fence variance to match the rear yard fence. It was noted that this item was tabled by the PAC at the last meeting for further information and clarification.

PAC thanked Planner Peng for her updated report. PAC asked if the fence bump outs were in the original plan or due to the placement of the heat pump. PAC also inquired if the heat pump had the ability to be moved. Mr. James Geneau noted that the fence had been designed with the bump outs and the placement of the heat pump was based on design. The cost to move the heat pump now would be substantial. Additionally, from the additional information provided to PAC, the historical fence that was there had bump outs, and want to ensure continuity to the history of the property. PAC provided clarification to Mr. Geneau about the reason for tabling the motion as it related to protocols of building permits being issued. PAC accepted Mr. Geneau's comments and apology for moving forward before the process was completed.

Motion: 027 - 06/23

Moved By Councillor Harland

Seconded By PAC Tanner

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.*

5 – 0

Carried

5. SIGN APPLICATIONS

G. NEW BUSINESS

H. PAC MEMBER COMMENTS

I. CLOSED ITEMS

J. ADJOURNMENT

Motion: 028 - 06/23

Moved By PAC Stewart

At 8:00 p.m. that the meeting be adjourned.

Carried



Jill Stewart, Chair



Paul Nopper, Clerk - Senior
Administrator

