



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

**August 16, 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, August 16, 2023, at 7:00 p.m. the following members were present:

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

Electronic - PAC Member John Tanner.

Paul Nopper, Clerk - Senior Administrator, Alexander Gopen, Senior Planner, and Judy Hartford, Development Officer, Southwest New Brunswick Service Commission.

Absent - PAC Member Jeremiah Kerr.

B. APPROVAL OF AGENDA

Motion: 035 - 08/23

Moved By PAC Cross

Seconded By Councillor Harland

That the Agenda for the 230816 Planning Advisory Committee Meeting 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 230719 Planning Advisory Committee for Wednesday, July 19, 2023, 7:00 p.m.**

Motion: 036 - 08/23

Moved By PAC Cross

Seconded By PAC Simmonds

That the Minutes of the 230719 Planning Advisory Committee for Wednesday, July 19, 2023, at 7:00 p.m. be adopted.

5 - 0

Carried

F. AGENDA ITEMS

1. PRESENTATIONS/DELEGATIONS

2. ZONING APPLICATIONS

3. VARIANCE APPLICATIONS

1. Variance Application for Accessory Dwelling Unit at PID 01322080, 57 Ernest Street for Carla and Rory Linton, PAC230805

Planner Gopen provided a presentation on the proposed variance application for 57 Ernest Street. The property is a corner lot with 0.3 acres and is zoned Serviced Residential. There is an existing 2.5-storey building and two accessory buildings, one accessory building would be demolished, and one would be rebuilt as a 2-storey, 600 sq. ft. garage and accessory dwelling unit. Accessory structures are limited to 904.2 sq. ft. in gross floor area. The owners are requesting an accessory structure with a 1,200 sq. ft. gross floor area. Aerial, street view pictures and site maps were provided as visuals for the Planning Advisory Committee. Municipal Plan Section 2.1.2(5) Environment and Climate Change and Section 2.8.5(5) Housing were referenced. The Town received several letters of concern regarding the proposed variances that highlighted the process of notification, densification, variances, the definition of "garden suite", and stormwater runoff. To ensure streetscape continuity the main entrance must be on Ernest Street, the height of the building cannot exceed the building at 45 Ernest Street, Town Public Works needs to provide approvals, a grading plan is needed, and the driveway and parking need to conform to the Zoning By-Law Z22-01, and if the accessory dwelling unit is to be a short-term rental, it must conform to By-Law 23-01, Tourism Accommodation Levy. It is recommended to the Planning Advisory Committee that the following variances be approved with conditions that the main entrance of the accessory dwelling unit faces Ernest Street, the structure does not exceed the height of the existing main building at 45 Ernest Street, approval from Public Works is required for water and sewer hookups and a new driveway before construction, a driveway meeting the conditions of Zoning By-Law Z22-01 is installed, and if used as a short-term rental, complies with By-Law 23-01, Tourism Accommodation Levy. The Planning Advisory Committee can approve the variances and accept staff recommendations, motion to approve variances with modified or additional conditions, motion to table the application for more information and specify what information, or motion to reject variances.

The Planning Advisory Committee thanked Planner Gopen for the presentation on the variance application for 57 Ernest Street. PAC asked that the new structure would need to have a new driveway. Planner Gopen noted the use requires a parking space and there would have to be one for that structure. It would have to meet the requirements of the Zoning By-Law Z22-01 but could use the driveway if it was big enough and would need to be reviewed prior to construction. It would require 1 additional parking space in the Serviced Residential Zone. The main use requires 1 space, and the accessory dwelling unit would require 1 space. PAC asked if there

has been a more detailed plan or elevations brought forward. Planner Gopen noted that no further plans had been submitted for review. PAC asked if it would be normal if these plans would be provided at this time in the process. Planner Gopen noted that it depends on variances and PAC can ask for more information and to seek further renderings. PAC noted that through the correspondence, is there a clear definition or difference between an accessory dwelling unit and a garden suite. Planner Gopen noted that an accessory dwelling unit in an accessory structure is a garden suite. The building does not need to be one storey, the accessory dwelling unit has to be one storey and two bedrooms only. The definition of a garage allows for an accessory dwelling unit above it. PAC asked about the 904 sq. ft. for accessory dwelling units and that it was increased from the previously allowed amount. Planner Gopen noted it was 625 sq. ft. before for an accessory dwelling unit. PAC noted that they are seeing more applications for variances on accessory dwelling units over the 904 sq. ft. allowance and that this should be reviewed by Council. PAC asked for clarification that one of the existing buildings would be built onto. Planner Gopen noted that it would be rated as rebuilding and not closer to lot lines, so those demolished would be rebuilt. Under the Zoning By-Law demolishing and rebuilding would be the same as keeping part of the building and rebuilding in terms of footprints.

Applicant Rory Linton

PAC asked about the stormwater management on the property and that PAC does not know what the elevation of the land would be, do you have a plan for stormwater management? Mr. Linton noted there is a storm drain up from Water Street. I am open to paying for a lift station to move the water to this location at my own expense. PAC asked about rendered scaled drawings to see the finished product with the size of the house and lot. Mr. Linton noted he would do them and could submit them before the issuance of a building permit. I am trying to get a feel if this would be approved or not. PAC asked what the timeline would be for the development of site plans with mass and scale. Mr. Linton indicated they could be done within a month and hoped to shoot for two weeks if required. Mr. Linton added that he is allowed to do a single-storey without PAC, but a two-storey, used for the main level shed for the property and save the look of the property with an accessory dwelling unit. It would lend itself to better landscaping and views of the property. If this is approved, the poplar trees will be removed. PAC asked if the 600 sq. ft. footprint at the bottom 20 ft. by 30 ft. footprint would be. Mr. Linton indicated that would be the size with the 20 ft. facing Ernest Street. PAC noted this would mimic the house on the lot. PAC asked about exterior finishes. Mr. Linton was certain of either a cedar clapboard or an engineered LP smart side.

Comments from the Audience and Polling Area

Guy Groulx, 50 Ernest Street. The first thing I would like to say is there is a bait and switch here. The polling letter and the agenda items speak to an accessory dwelling unit and no mention of a garage, or a storage shed. The public has been misinformed. I provided a detailed submission of key areas of concern about the

variance requests and the planning process in general. The Planning Report is heavily biased and ignores other relevant information that does not support the variance. General clause 2.1 on Environment and Climate Change. This is a broad and general clause. It has a term called "where feasible and appropriate and limits the application of the clause. The proposed project is in the Town Plat, which is recognized as a Heritage District. There are special provisions in the Municipal Plan to guide development. The Municipal Plan provisions in Section 2.2 on Architectural Heritage are absent from the Planning Report. The Council shall encourage conservation elements of the Town's character and the major character-defining element are the generous-sized lots that have resulted in the community with a distinct look and feel. Paragraph 2.4.2 is more specific in that the Council shall implement guidelines that address the protection of the historic mix of large and small lots. Instead, the Planning Report speaks of gentle densification and the Town Clerk, in one comment, noted the Town encourages densification which is contrary to the policies set out in the Municipal Plan for the Town Plat. The Planning Report does not mention the provisions of the Municipal Plan in Section 2.4 on General Land Use Development and more specifically the subsection on compatibility of land use and structures in the Town. In 2.4.2.4 notes the Council shall recognize the special character of Saint Andrews as being worthy of retention and enhancement. The Council shall implement policy guidelines that address adequate buffering and screening of adjacent uses. The continuity of streetscapes with respect to scale, use, and design of buildings and other structures, and spillover effects that negatively affect the reasonable enjoyment of adjacent properties of surrounding areas. There was no effort in the Planning Report or by the Town to consult with the neighbours to determine their concerns prior to their recommendations of the variances. The only form of input by landowners is through the objection of the variance after the Town recommended approval of the variance. The objection process is inappropriate for addressing mediation measures to address adequate buffering, continuity of streetscapes, and spillover effects, and the level and quality of the information provided is both wrong and poor. To highlight that, how do you comment on the hand-drawn sketch? In addition, the objection process is confrontational, open only for a brief period of time, and heavily biased in favour of the applicant. If there are no variance then adjacent property owners have no say, a building permit is issued, and too bad for the neighbours. Clearly, this lack of consultation with the adjacent property owners and the failure of the compatibility of land uses does not meet the policy of the Municipal Plan and was not mentioned at all in the Planning Report. There were some discrepancies and misinterpretations in the Zoning By-Law, where the use of terms of accessory structure and accessory dwelling unit were used interchangeably. Stating that a short-term rental can be in an accessory dwelling unit is incorrect. The Plan states you can have an accessory dwelling unit and a short-term rental. The Planner also stated that multiple short-term rentals can be placed in an accessory dwelling unit when the By-Law states only 1. There was no examination of secondary uses by the applicant and the By-Law states you can have only one, either an accessory dwelling unit or a

short-term rental, not both. The Planning Report also did not highlight the historic drainage issues on the property. The amount and quality of the information provided to the public are insufficient to make any informed comments and the sketches provided are primitive and no information to determine the structure or use. It is therefore difficult for adjacent landowners to make comments without the facts. There was no reason why a variance was requested. It is difficult to see the sketch and the small one-paragraph blurb that is not accurate can meet any reasonable standard for a variance. In this case, we have a new building, where the applicant is seeking a variance as they do not want to build based on the Zoning By-Law. If the Planners are not willing to enforce the Zoning By-Law, who will? The Zoning By-Law and Municipal Plan are the agreed-upon tools that guide development. They are the development rules of the road for the Town. It is unfair that the Town Planner is an advocate for the applicant to recommend and fight for the applicant for a variance that violates these rules that determine the neighbours without talking with them. This advocacy role by the Planner leads the Planning Reports to be biased with information that supports the variance while omitting relevant information against the variance. It also leads to misinterpretation of the Zoning By-Law in favour of a variance that reinforces bias. It also leads to deep resentment towards adjacent property owners who have played by the rules and who are seeing others be given special treatment, this leads to a sense that the Municipal Plan and Zoning By-Laws are not important. I would respectfully request or suggest that there be a major change to the planning process in Saint Andrews and the PAC has the authority to be the instrument to drive this change. PAC can insist that minimum criteria be set for information to make a variance application such as scaled site plans, drawings of the buildings showing dimensions, and parking. As part of the process, PAC can insist that adjacent owners are consulted, identifying concerns, minimize spillover and maintain streetscapes, and buffering. These should be included in the Planners Report for consideration by the PAC. The Planners should provide a neutral posture with the Zoning By-Law and Municipal Plan as the standards and justify deviation from the plan. The Planner can educate the applicant on the rules of the By-Laws, but the onus should always be on the applicant and why they cannot conform to the existing by-Law. PAC can simply reject applications that do not meet the above criteria and make planning recommendations for the need to consult adjacent property owners when approving building permits. The ball is in your court. Thank you for your time.

Gillian Pedersen-Mjaanes, 54 Ernest Street. Have several concerns. There was such minimal information provided by the Town. Plans only showed a rectangle. It did not show whether it was one or two storeys, did not show where the parking would go, or indicate where the building would go, and how close it would be to the property line. Tonight, I have just discovered that you have already provisionally approved the plan and that it can be a long-term and short-term rental and the main entrance must face Ernest Street. When I originally got the letter, I thought the entrance would be on Queen Street as there is more space there. I did not understand how you could approve it without speaking with the neighbours. If the plan is accurate, the proposed building would replace the shed on the

property, which is 5 ft. from the neighbour's property. This is distressing for the neighbours. There has been a water issue on 57 Ernest St. The neighbours at 45 Ernest St. had to build a French drain to deal with it and the problem still exists. When they were working on the street last year, they put a drain under the road to my ditch. I wonder if the ditch can handle the additional flow. I would like to know if the proposed commercial structure meets all the heritage standards of Saint Andrews and if are they going to be strictly imposed. How much additional traffic will be on the street, will it be for business or what? The other thing is the trees that need to come down, 9 or 10, which will affect drainage. Will the streetscape be radically changed?

Dan Roe, 45 Ernest Street. From my letter, I have three concerns. Number 1 is stormwater. I did install a French drain and there is a ponding issue at the front of the property. At full saturation, the pond will grow and become a hazard in the winter for not just myself but delivery drivers. Without an engineered solution, there can be no resolution there as it is the lowest point. It is landlocked. There is a drain in proximity, but it is blocked by a sidewalk structure, causing a dam issue. Secondly, the trees are a hazard for me and the property owner and know that they need to come down. However, this is a privacy concern with a two-storey dwelling unit built within 5 ft. of the property line with site lines to my side and back yard. It is going to affect the enjoyment of my property. There will be an ongoing change out of strangers, not community people and we do not know who these people are. For them to have access to my privacy is a major invasion. Perhaps if this goes ahead, it can be farther from the property line and replanting of trees for a privacy screen. Those are my three issues. Can we get a copy of the timeline of work to be completed? Thank you for your time.

Laurie Taylor, 50 Ernest Street. We moved here because it was a quaint Town. There are so many Airbnbs going up. Not sure if it will affect our schools but it is quite worrying. The Planners said that this area is residential, but a short-term Airbnb is not. Is it going to be a long-term rental, B and B, used for other things that were there in the past, is it a shed, or garage, is it for his business even as a residential area? We do not know the uses. Once built, this could change. Along with the By-Laws, we thought they were laws and only changed as necessary. We have not heard why it is being changed now. How many driveways can a property have? Is one property allowed to have two driveways on two streets? Appreciate the opportunity.

Rory Linton addressed the concerns of residents. The trees if a condition, they can come down. The Poplars are a hazard. There were questions raised on the necessity of a variance, for me, it is to be used for a shed for storage for the property and maintenance equipment. I am volunteering to address the drainage issues at my own cost. I would like to clean up the property and be aware of the dilapidated state it has been. I am purchasing the property, removing the two sheds, and replacing them with a more heritage-designed structure. Other than that I have nothing.

Gillian Pedersen-Mjaanes asked if the storage unit will be used for business or for the residential property. Have a concern with someone who has a contracting business and to be used for storage.

Rory Linton noted that he has 7000 sq. ft. in St. Stephen for his business. The shed will hold residential property maintenance gear. Nothing to do with the operation of my current business.

PAC asked when the drawing was done and dropped on the current location, have you considered a larger setback from the property lines and front of the property to save the trees?

Rory Linton noted the trees need to go and are a hazard if the roots are disturbed. It would be a good time to fall the trees with the shed removed. The Ash trees there have a good rooted system and need to be cleaned up but would like to save them as a buffer. There is one Spruce tree that can be saved in the backyard. I do intend to use the dwelling unit as a short-term rental and will ensure the design of the unit has windows on the ends of the units and not to 47 Ernest St.

PAC indicated parking would be the location where the van currently sits in the picture.

Rory Linton noted that was the plan to ensure enough parking. Gardening would be done for beautification. There needs to be work on the drainage of the front as it is in my best interest to deal with in addition to my neighbours. Before hiring an engineer, I think it is worth knowing if this is a go from PAC or not.

PAC asked if a detailed rendering could be provided within a month's time.

Rory Linton noted yes.

PAC noted the design should show the massing and placement of the building. We cannot comment on the look but are concerned about the placement. You should look at options for the movement of the building. There are concerns about the lack of information to decide currently. If more information on massing and scale, this will help with the review.

Councillor Harland indicated the drawings need to show the adjacent property and placement. It cannot be in isolation. There needs to be a fit within the context of the street.

Rory Linton asked for clarification on what the PAC is asking for.

PAC Ingalls noted that the drawings must show the mass and scale of the proposed building on the lot, placement, and show streetscape accesses with adjacent properties.

Councillor Harland asked Planner Gopen if the Accessory Dwelling Unit needs to be determined as a long-term or short-term rental.

Planner Gopen stated that they need to be mutually exclusive at the same time. They must be separate uses, i.e., you cannot have a short-term rental room with a long-term rental room. This could not happen. A short-term rental is a secondary use in the zone and so is an Accessory Dwelling Unit. You can only have one secondary use

at a time. In my opinion, the question of use is not an issue, but more mass and scale.

PAC asked Planner Gopen about stormwater management and whether conditions can be set by PAC.

Planner Gopen noted that conditions can be set by the PAC on stormwater. Given the concern over stormwater and the applicant's willingness to address it, it is a term or condition that PAC can add.

PAC asked about the stormwater on the property and if it is a preexisting condition.

Rory Linton noted that it is an existing condition and has been for over 20 years.

PAC asked if the additional building would exasperate the problem.

Rory Linton indicated that it might cause further issues but was willing to address the stormwater management at my cost and try to mitigate the issues.

Motion: 037 - 08/23

Moved By Councillor Harland

Seconded By PAC Simmonds

That the Planning Advisory Committee for the Town of Saint Andrews approves the Variance Application to allow a two-storey Accessory Dwelling Unit with a 600 sq. ft. footprint (1,200 sq. ft. gross floor area) that has a gross floor area over the allowed 904.2 sq. ft. for accessory structures for PID 01322080, 57 Ernest Street for Carla and Rory Linton with the following conditions:

- 1. The main entrance of the Accessory Dwelling Unit faces Ernest St.*
- 2. The Accessory Dwelling Unit does not exceed the height of the existing main building at 57 Ernest St. to maintain streetscape.*
- 3. Approval from Public Works is required for water and sewer hookups and a new driveway before construction.*
- 4. A driveway meeting the conditions of Zoning By-Law Z22-01 is installed.*
- 5. If used as a short-term rental, complies with By-Law No. 23-01 Tourism Accommodation Levy.*

Amended

Motion: 038 - 08/23

Moved By Councillor Harland

Seconded By PAC Simmonds

That the Planning Advisory Committee for the Town of Saint Andrews requests from Carla and Rory Linton of 57 Ernest Street the following information:

- 1. Detailed rendering of the proposed Accessory Dwelling Unit and structure.*
- 2. A building lot drawing to scale from the streetscape of 45 and 57 Ernest Street to show the proposed design with removal of trees.*
- 3. An aerial top down view design drawing to see the placement of the Accessory Dwelling Unit and building placement on the property of 57 Ernest Street.*
- 4. Storm water elevations need to be addressed and a plan to be presented.*

5. Consideration for a further setback from the property line greater than 5 ft. with preference of a minimum of 10 ft.

6. A site plan that shows all elevations, dimensions, and setbacks for the Accessory Dwelling Unit and building.

5 – 0

Carried

2. **Variance Application for Accessory Dwelling Unit PID 01318443, 62 Edward Street, for Ann McIntosh and Rory Linton, PAC230806**

Planner Gopen provided a presentation on 62 Edward Street for Ann McIntosh's variance request. The property is 0.3 acres and in an L-shaped corner lot. It is in the Serviced Residential Zone with an existing 2.5-storey building and one accessory building. All accessory structures are limited to 904.2 sq. ft. in the ground floor area. The request is for an Accessory Dwelling Unit of 600 sq. ft. which would bring the total GFA to 1,220 sq. ft. or 9.4% of the total lot area. Property visuals and a site map were provided to the PAC for review. Municipal Plan Section 2.1.2(5) Environment and Climate Change and 2.8.2(5) Housing were provided for reference. Additional requirements to issue building permits include Public Works approval, grading plan, and driveway and parking must conform to the Zoning By-Law. Short-term rentals and accessory dwelling units are both clearly allowed uses in this zone. Legal authority under the Community Planning Act Sections 55(1)(b) and 53(2)(a) were referenced. It was recommended by staff that PAC approve the variance request with the following terms 1. Approval from Public Works for all water and sewer hookups and a new driveway before construction 2. If used as a short-term rental, complies with By-Law 23-01 Tourism Accommodation Levy.

PAC asked in terms of the mailouts to property owners, the property next to it is an Airbnb. Who receives the letter? Planner Gopen noted the letters go to the property owners who are registered with Service New Brunswick. PAC noted concerns about encroachment with additional adjacent properties. Planner Gopen noted that it should not encroach at all and must be on the property identified. It is an L-shaped property. PAC asked about access to the dwelling unit and indicated no driveway. Planner Gopen said it would share the driveway with the current house and that is all that is required. PAC asked if there was a thought of putting the dwelling unit on top of the existing accessory unit. Planner Gopen indicated that they have not discussed putting the dwelling unit on top of the existing accessory unit. PAC noted there is also limited buffering identified but is not necessarily needed.

Ann McIntosh noted that her contractor is Rory Linton. She noted that there might be a problem with the variance request as the total space is at 1,220 sq. ft. and that there is still up to 10% GFA that can be met. Planner Gopen confirmed this. Ann McIntosh noted that her dwelling unit could be up to 648 sq. ft. of space with variance and that the unit would be a single-storey garden suite. With the change of the allowed sq. ft. of space the variance be rejected and will reapply.

Feedback from the Public

Mark Gauley noted he was in support of the Accessory Dwelling Units as they help relieve pressures on housing in the community and allow for continued living in Saint Andrews, but must be viewed on a case-by-case basis.

Motion: 039 - 08/23

Moved By PAC Ingalls

Seconded By PAC Tanner

That the Planning Advisory Committee for the Town of Saint Andrews approves the Variance Application to allow a 620 sq. ft. Accessory Dwelling Unit that would bring a total area of accessory structure to 1,220 sq. ft., 315.8 sq. ft. over the maximum allowed area for PID 0131843 at 62 Edward Street for Ann McIntosh and Rory Linton with the following conditions:

- 1. Approval from Public Works is required for water and sewer hookups and a new driveway if necessary.*
- 2. If used as a short-term rental, complies with By-Law 23-01, Tourism Accommodation Levy By-Law.*

0 – 5, Nay Councillor Harland, PAC Simmonds, Cross, Ingalls, and Tanner.

Defeated

3. Variance Application for Lot Creation at PID 01320977, 133 Carleton Street, David and Deborah Wright, Mark Gauley, PAC230810

Development Officer Judy Hartford provided a presentation on the 133 Carleton Street variance application for David and Deborah Wright. The applicants are seeking four variances in the area and the depth of two lots. A site plan was shown for the subdivision of the lots. The property is in the Serviced Residential Zone in the Town Plat. Its parent property has a single-unit dwelling with an accessory structure with an area of 1,266m². The property is subject to the Secondary Municipal Plan guidelines on development including setbacks, maximum lot coverage, building height, and massing. The proposed lots have the minimum width but require variances in the area and depth. Historically lot requirements in the SR Zone in the Town Plat were 24.4 m frontage and 24.4 m in depth with an area of 595m² from 1979 - 2011. Undersized lots would still maintain the Town's character. The proposed dwelling footprint for lot 1 is identical to another main residential building on the block, compliant with Section 3.4.1(1) of the SMP. The general intent of the By-Law is to regulate the minimum area of a parcel of land to be developed to ensure setbacks and lot coverage standards are met to maintain the Town's character. The proposed creation of these undersized lots does meet the general intent of the By-Law. Visuals of the proposed new lot were provided to PAC. Staff are recommending the four variances for area and depth with the following terms and conditions

- 1. that the development of the main use be limited to 188 m² or less according to the site plan unless the zoning were to be changed by Council in such a way that it would allow the subject lot size by right*
- 2. the deck and the accessory structure to be demolished and removal of debris to an authorized disposal site prior to the stamping of the final plan.*

PAC asked for a review of the pictures of the lots again. Mrs. Hartford shared the pictures again with a background briefing. PAC asked how far the current deck is off the main house and how far from the main house is the lot line. Mrs. Hartford noted the deck will have to be removed. The house is currently 5.2 m from the lot line. The Secondary Municipal Plan notes that the properties must mirror the main house on the parent property and do not need further variances.

Applicant

Mark Gauley on behalf of the applicant noted that the By-Laws used to allow 80 ft. x 80 ft. lot meeting existing criteria. Existing housing will meet current.

PAC asked if there could have been developed with no variances. Mrs. Hartford noted that due to the parent lot, it needs variances or is not feasible.

Christine Clark of 140 Parr Street asked that in the application were there provisions for similar or same designs of build similar to the six lots on the street as they are 80 ft. x 160 ft. The recommendation by staff is to build similar-sized homes and lots. Suggest checking into that to ensure that the 188 m² is similar in size. The other item is the stormwater drainage and issues with drainage onto adjacent properties. Perhaps a condition can be added.

Motion: 040 - 08/23

Moved By PAC Simmonds

Seconded By PAC Cross

That the Planning Advisory Committee for the Town of Saint Andrews approves the following variances:

Proposed Lot:

1. A variance of 135.2m² (18.2%) in area.
2. A variance of 5.569m (18.3%) in depth.

Remnant Portion:

3. A variance of 87.2m² (11.7%) in area.
4. A variance of 4.437 m (14.5%) in depth.

to allow for the creation of a lot at PID 01320977, 133 Carleton Street for David and Deborah Wright and Mark Gauley with the following terms and conditions:

1. The development of the main use be limited to 188m² or less according to the site plan unless the zoning were to be changed by Council in such a way that it would allow the subject lot size by right.

Amended

Motion: 041 - 08/23

Moved By PAC Simmonds

Seconded By Councillor Harland

That the Planning Advisory Committee for the Town of Saint Andrews approves the following variances:

Proposed Lot:

1. A variance of 135.2m² (18.2%) in area.
2. A variance of 5.569m (18.3%) in depth.

Remnant Portion:

3. A variance of 87.2m² (11.7%) in area.
4. A variance of 4.437 m (14.5%) in depth.

to allow for the creation of a lot at PID 01320977, 133 Carleton Street for David and Deborah Wright and Mark Gauley with the following terms and conditions:

1. The development of the main use be limited to 188m² or less according to the site plan unless the zoning were to be changed by Council in such a way that it would allow the subject lot size by right.
2. Removal of the deck and accessory buildings at 133 Carleton Street.
3. Stormwater management considerations to not negatively impact adjacent neighbours.
4. The housing building will stay within the 80 ft. x 80 ft. lot.

5 – 0

Carried

4. TERMS AND CONDITIONS APPLICATION

5. SIGN APPLICATIONS

G. NEW BUSINESS

H. PAC MEMBER COMMENTS

Councillor Harland noted that Mr. Guy Groulx identified several procedural issues and that he felt that these could be brought forward by the PAC to the Council.

Clerk Nopper noted that any concerns can be brought forward to the Council and that staff can review the procedures. PAC would have to direct it to the Council.

Councillor Harland asked about what the building is going to be used for. As identified by Planner Gopen, it needs to be identified as short-term or long-term use and has to be one or the other.

Clerk Nopper noted it is up to the proponent that they can identify the uses of the Accessory Dwelling Units but short-term rentals must follow By-Law 23-01, Tourism Accommodation Levy.

I. CLOSED ITEMS

J. ADJOURNMENT

Motion: 042 - 08/23

Moved By PAC Stewart

At 9:07 p.m. that the meeting be adjourned.

5 – 0

Carried

Jill Stewart, Chair

Paul Nopper, Clerk - Senior
Administrator

