



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

**September 18, 2024, 7:00 p.m.
W.C. O'Neill Arena Complex Council Chambers**

A. RECORD OF ATTENDANCE

At the Planning Advisory Committee Meeting on Wednesday, September 18, 2024, at 7:00 p.m. the following members were present:

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

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

Absent - PAC Member John Tanner and Dwight Ingalls.

B. APPROVAL OF AGENDA

Motion: 065 - 09/24

Moved By Councillor Harland

Seconded By PAC Kerr

That the Agenda for the 240918 Planning Advisory Committee Meeting be approved as presented.

4 – 0

Carried

C. LAND RECOGNITION OF THE PESKOTOMUHKATI NATION

D. DECLARATION OF CONFLICT OF INTEREST

E. CONFIRMATION OF MINUTES

- 1. Minutes of the 240822 Planning Advisory Committee Meeting Wednesday, August 22, 2024, 7:00 p.m.**

Motion: 066 - 09/24

Moved By PAC Cross

Seconded By PAC Kerr

That the Minutes of the 240822 Planning Advisory Committee for Wednesday, August 22, 2024, at 7:00 p.m. be adopted.

4 – 0

Carried

F. AGENDA ITEMS

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

3. VARIANCE APPLICATIONS

1. Variance Application for PID01320894, 258 Montague Street for Ben and Zainub Faulkner-Malik, PAC240907

Alexander Gopen, Senior Planner, presented to the Planning Advisory Committee on a Variance Application for PID 01320894 for 258 Montague Street, Ben and Zainub Faulkner-Malik. The property is 0.63 acres and hosts the Montague Rose Bed and Breakfast. It was rezoned to Tourist Commercial in 2021 to allow for food service expansion to the public. The application is to add a residential extension into the side yard, 35 ft. from the property line. In the Tourist Commercial Zone, the side yard abutting residential use needs to be 2x the height of the main building, so 77.4 ft. Site plans and pictures were provided to the PAC for review. Statements of Public Interest 1, 2, and 5 were noted highlighting efficient development patterns, range of housing options, and prioritizing development in areas of communities where infrastructure exists. Municipal Plan policies 2.1.2(8) Environment and Climate Change and 2.8.2(1) Housing were noted. A mailout was sent to property owners within 100 m and no concerns were noted. The applicant has obtained signoffs from adjacent residential neighbours stating no concerns. Staff recommend PAC approve the side yard variances with terms and conditions.

PAC thanked Mr. Gopen for the presentation and had no questions. Mr. Ben Faulkner-Malik spoke to PAC noting with a third child they are a growing family in need of more space and this buildout would be for their family and not the business. PAC asked if the new addition would match the rest of the building. Mr. Faulkner-Malik noted that they are putting new siding on the whole building and the new addition will match without knowing it is an addition.

Motion: 067 - 09/24

Moved By Councillor Harland

Seconded By PAC Simmonds

That the Planning Advisory Committee for the Town of Saint Andrews approves the Variance Application for PID 01320894, 258 Montague Street, for Ben and Zainub Faulkner-Malik to allow a side yard variance of 42.4 ft. to allow an extension of the main building subject to the following conditions:

- 1. Construction plans, including exterior concepts, will be provided to the Development Officer to ensure compatibility with the existing structure before any building permit is issued for the extension.*
- 2. The extension shall not exceed the height of the existing structure.*

4 – 0

Carried

2. Variance Application for PID 01323831, 49 Alexandra Crescent, Danny Bird, PAC240908

Mrs. Judy Hartford, Senior Development Officer, provided a presentation to the Planning Advisory Committee for a Variance Application for PID 01323831, 49 Alexandra Crescent for Danny

Bird. The property is in a Serviced Residential (SR) Zone. The parent property has a single unit dwelling with an area of 2,226 m². The lot standards for the SR Zone are 8,010.5 ft² with lot frontage of 24.4 m and lot depth of 20.5 m. The applicant is seeking to subdivide the land for the purpose of building a second home. The proposed lot has the minimum area and depth but would need a variance on the width. A site plan and drawings were provided to the PAC for review. The PAC is being asked to consider a variance of 3.06 m or 12.5% of the width. The general intent of the Zoning By-Law Z22-01 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 the undersized lot does meet the general intent of the By-Law as the setbacks and lot coverage can be met. Therefore, it is in the opinion of staff that the proposed variance is reasonable or desirable for development of land and is within the general intent of the By-Law.

PAC thanked Mrs. Hartford for the presentation. Clerk Nopper noted that PAC had received 4 letters on this file. PAC asked what the intent of the structure was. Mrs. Hartford noted the applicant was seeking to build another home for their retirement and the home they currently live in would be for their daughter. There was no intent of an Airbnb. PAC asked if there were any regulations in place in the Zoning By-Law as it pertains to short-term rentals in the SR Zone. Planner Gopen noted it has to be a secondary use as per the Zoning By-Law. Mr. Danny Bird reiterated to the PAC the intent of the property was for a retirement home and that their family would be moving into their current home. They would like to retire and be with family in Saint Andrews without having to move to another community. PAC asked if the hedge in the front would be maintained. Mr. Bird noted yes but a section would need to be cut out for the driveway.

Margaret Harriott of 21 Alexandra Crescent spoke to PAC on the concerns of the look and feel of the neighbourhood. She noted she was at a loss to know that there are exceptions for properties to be added on to or squished homes together. Rules are not to be broken and are made for a reason for a property to have a certain amount of footage. This is going to take away from a lot that has footage.

PAC asked in the past 5 - 10 years, have there been similar subdivisions of properties in the community? Staff noted several properties have been subdivided or added onto with accessory dwelling units in a similar size lot. PAC further discussed the merits of lot sizes, accessory dwelling units, and gentle densification. PAC asked if the building proposed to be constructed would be 1.5 storeys or 2 storeys. Mrs. Hartford was unable to show a rendering of the house as it was not provided as part of the application process but would have to meet the Zoning By-Law standards.

Motion: 068 - 09/24

Moved By PAC Kerr

Seconded By PAC Cross

That the Planning Advisory Committee of the Town of Saint Andrews approves the Variance Application for PID 01323831, 49 Alexandra Crescent, for Danny Bird, to create a lot with an undersized width in

the Serviced Residential (SR) Zone as it is reasonable or desirable for the development of land and is within the general intent of the Zoning By-Law.

4 – 0

Carried

4. TERMS AND CONDITIONS APPLICATION

5. SIGN APPLICATIONS

G. NEW BUSINESS

H. PAC MEMBER COMMENTS

I. CLOSED ITEMS

J. ADJOURNMENT

Motion: 069 - 09/24

Moved By PAC Stewart

At 7:39 p.m. that the meeting be adjourned.

4 – 0

Carried



Jill Stewart, Chair

Paul Nopper, Clerk - Senior
Administrator