



TOWN OF SAINT ANDREWS
PLANNING ADVISORY COMMITTEE MEETING
MINUTES

January 22, 2025, 7:00 p.m.
W.C. O'Neill Arena Complex Council Chambers

A. RECORD OF ATTENDANCE

At the 250122 Planning Advisory Committee Meeting of Wednesday, January 22, 2025, at 7:00 p.m. the following members were present:

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

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

Absent: PAC Member Dwight Ingalls.

B. APPROVAL OF AGENDA

Motion: 001 - 01/25

Moved By Councillor Harland

Seconded By PAC Tanner

That the Agenda for the 250122 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 241218 Planning Advisory Committee Meeting, Wednesday, December 18, 2024, 7:00 p.m.**

Motion: 002 - 01/25

Moved By PAC Kerr

Seconded By PAC Tanner

That the Minutes of the 241218 Planning Advisory Committee Meeting of Wednesday, December 18, 2024, at 7:00 p.m. be adopted.

4 – 0

Carried

F. AGENDA ITEMS

1. PRESENTATIONS/DELEGATIONS

- 1. Planning Advisory Committee Rules of Operation Review and Appointments of Chair and Vice-Chair, PAC250110**

The Planning Advisory Committee reviewed the Rules of Operation as standard practice at the beginning of each year. PAC noted that they will change the term limits for members. The new term limits will be 2 years for all new members of PAC with the ability to renew for an additional 1, 2, or 3-year term.

Motion: 003 - 01/25

Moved By PAC Simmonds

Seconded By Councillor Harland

That the Planning Advisory Committee of the Town of Saint Andrews updates the Rules of Operation and Procedures for 2025 to change Section 31 to include that new members of PAC will be appointed for a term of 2 years. PAC members will have an option to renew their term on the Planning Advisory with a 1, 2 or 3 year term limit.

4 – 0

Carried

Motion: 004 - 01/25

Moved By Councillor Harland

Seconded By PAC Tanner

That the Planning Advisory Committee of the Town of Saint Andrews appoints Jill Stewart as Chair of the Planning Advisory Committee for 2025.

4 – 0

Carried

Motion: 005 - 01/25

Moved By PAC Stewart

Seconded By PAC Simmonds

That the Planning Advisory Committee of the Town of Saint Andrews appoints Jeremiah Kerr as Vice Chair of the Planning Advisory Committee for 2025.

4 – 0

Carried

2. Planning Advisory Committee 2024 Annual Report, PAC250111

Motion: 006 - 01/25

Moved By Councillor Harland

Seconded By PAC Simmonds

That the Planning Advisory Committee of the Town of Saint Andrews accepts the Planning Advisory Committee 2024 Annual Report as information.

4 – 0

Carried

2. ZONING APPLICATIONS

1. 1889863 Alberta Ltd. Private Access Subdivision Variance Application, PAC250107

Judy Hartford, Senior Development Officer, presented to the Planning Advisory Committee on a Subdivision Variance Application by 1889863 Alberta Ltd. to consider approving a private right-of-way for the proposed land. PAC is to consider the right-of-way based on the variance of the proposed length. A site plan was provided for review by the PAC. The lot is located in Bayside off Route 127. The

proposed lots will be accessed by an existing 20 m wide private access, approved by PRAC in 2015. The property is Zoned Rural under the Bayside Rural Plan and for use as a residential lot. The proposed lots have existing dwellings, septic, and drilled wells. The property is subject to the Town of Saint Andrews Subdivision By-Law Section C-1 standards. The private access was created before the enactment of the new Subdivision By-Law and exceeds the maximum length permitted. The request is for 365 m in length. Additional photos of the lot were provided for review by the PAC. PAC is being asked to consider the creation of three lots on the existing private access that do not meet the standards prescribed by the Subdivision By-Law for a Class C-1 Other Access regarding the length of the cul-de-sac. The proposed lots 1 and 2 are created around existing dwellings, currently accessed by the private right-of-way. As these structures exist, the proposed lots do not pose more of a safety concern than what currently exists. It is in staff's opinion that the proposed variance should be approved as it is reasonable or desirable for the development of land.

Questions for the Planner

PAC noted a housekeeping item that letters were provided for 200 m and not 1000 m as stated in the Rules of Operation. This was noted by Mrs. Hartford and future bailouts will be of 1000 m in Bayside and Chamcook. PAC asked how long the roadway is actually. Mrs. Hartford noted 680 m and would not expand. The new lots are 450 m - 500 m down the roadway.

Comments from the Applicant

Victor Morin - Some background on this land. This was formally owned by my parents and bought back 30 years ago. The right-of-way was created in 2015. I purchased land from my family on the water at this time and then bought the rest of the property after that. We moved back to the area and created two additional cottages on the property for rental which have been used for short-term rentals in the summer and students in the winter. We tried to sell everything as one lot but now trying to sell the cottages.

No comments from the Polling area or Public.

Motion: 007 - 01/25

Moved By PAC Kerr

Seconded By PAC Simmonds

That the Planning Advisory Committee of the Town of Saint Andrews approves the private right-of-way and the variance in the length of the cul-de-sac for the development of land shown on the plan "1889863 Alberta Ltd. Subdivision".

4 – 0

Carried

2. All Saints Corporation Proposal for Land for Public Purpose, PAC250109

Judy Hartford, Senior Development Officer, presented to the PAC on Land for Public Purpose from the All Saints Corporation near 512 Glebe Road, Chamcook. The parent property fronts on Route 127 and Glebe Road in Chamcook. The property is zoned Rural under

the Chamcook Rural Plan. The applicant will be conveying the large parcel of land to Nature Trust of New Brunswick, a small parcel of approximately 200 m² fronting Birch Cove is separate from the large parcel, that has been used as a public boat launch. A site plan and photos were provided to the PAC for review. The property is subject to the Subdivision By-Law as it relates to Land for Public Purpose. LFPP is not required for lots fronting on a rural road maintained by the Department of Transportation. The applicant is requesting the small parcel of land be considered for the location so that LFPP can continue the access use for the public. Staff are recommending that the Planning Advisory Committee recommend Council accept the land for public purposes.

Questions for Planner

Clerk Nopper noted to PAC that this file has been discussed with Council. There are concerns about safety, liability, parking, access, etc. It was brought forward that the Town has recently spent funds to update Dock Road which has more parking opportunities, off the main roadway, and provides safer access to the water for the launching of vessels. PAC addressed the concerns of staff and debated the use of the property in question. PAC had similar concerns to what was presented by Town Staff.

Motion: 008 - 01/25

Moved By PAC Simmonds

Seconded By Councillor Harland

That the Planning Advisory Committee for the Town of Saint Andrews does not recommend to Council the location of land for public purposes as shown on the plan "All Saints Corporation Subdivision" due to the following concerns of liability, safety, limited uses of land, and ongoing maintenance.

4 – 0

Carried

3. Charles and Troylyn Ball Private Right of Way Subdivision Request, PAC250108

Judy Hartford, Senior Development Officer, presented to the Planning Advisory Committee on a private right-of-way request for Charles and Troylyn Ball. The proposal is for one residential lot located off Beandy Cove Road. The parent property is accessed by an existing driveway. This proposal will create a parcel of land to be added to an adjacent property, creating the need for the private right-of-way. The property is subject to the Subdivision By-Law Section C-2 noting standards of 10 m minimum width and a total length of a cul-de-sac shall not exceed 90 m from the point of access from a publicly maintained road. The property is zoned Estate Residential, allowing for the existing use of residential. The proposed lot exceeds the dimensional standards for lots within the Estate Residential Zone. Site plans and pictures of the property were provided to the PAC for review. PAC is being asked to consider the creation of a lot accessed by a private right-of-way. The tentative plan meets the requirements for minimum lot sizes as prescribed by the Zoning By-Law Z22-01 and all standards prescribed form Class 2 Other Accesses under the

Subdivision By-Law. Staff recommends that the PAC approves the private right-of-way for the development of lands.

Questions for the Planner

PAC thanked Mrs. Hartford for the presentation. Council asked for clarification on the division of property and how the accesses will be defined off of the public access. Mrs. Hartford provided visuals to the PAC on the division of land, how the properties will be reconfigured, and the location of the accesses for the properties in question. PAC asked if there would be any interference with the subdivision of the land and the access as it relates to the creeks feeding Pottery Creek. Mrs. Harford indicated that the creeks would not be affected by the subdivision of property nor would the private access affect it. However, as the work could be within the watercourse area, the project would need approval under the Clean Water Act before proceeding.

Motion: 009 - 01/25

Moved By Councillor Harland

Seconded By PAC Simmonds

That the Planning Advisory Committee of the Town of Saint Andrews approves the private right-of-way for the development of land as shown on the plan "Charles and Troylyn Ball Subdivision". The final plan of subdivision must be stamped with the "Private Right-of-Way" note and the following statement must be present on the final plan: "this area is subject to Regulation 90-80 – Watercourse and Wetland Regulation – Clean Water Act."

4 – 0

Carried

3. VARIANCE APPLICATIONS

4. TERMS AND CONDITIONS APPLICATION

5. SIGN APPLICATIONS

G. NEW BUSINESS

PAC Member Tanner asked about compliance and enforcement of the decisions of the Planning Advisory Committee and what follow-up occurs specifically as it relates to files that are rejected or pending a decision of the PAC.

Clerk Nopper noted that there are enforcement processes on files that are rejected. Rejected PAC files are enforced by the Town By-Law Enforcement and the Southwest New Brunswick Service Commission. If the mechanisms in place are not followed by the applicant, files can go before the Council of the Town of Saint Andrews for further enforcement or for enforcement that can be applied by the Town to rectify a rejected file. There are levels to the enforcement and the goal is to gain compliance with the By-Laws.

PAC asked that at the next meeting if staff can provide a background report on the processes related to rejected files and the enforcement process, this will help PAC better understand how the system works. Clerk Nopper noted that staff will work together to develop a report and perhaps provide additional training in the future based on enforcement processes.

H. PAC MEMBER COMMENTS

I. CLOSED ITEMS

J. ADJOURNMENT

Motion: 010 - 01/25

Moved By PAC Stewart

At 8:29 p.m. that the meeting be adjourned.

4 – 0

Carried



Jill Stewart, Chair



Paul Nopper, Clerk - Senior
Administrator

