

## Planning Advisory Committee Meeting

June 27, 2022

Town Council Chambers

### Present

Councillor M. Farrell, Chair

Mayor L. Boucher

Councillor W. Cormier

Councillor D. MacInnis

T. Barkhouse

R. Sers

J. Lawrence, CAO

K. Gorman, Director of Community Development

J. Bain, Director of EDPC Planning & Development Services

D. Halfpenny, Secretary

### Absent

C. Hughes

The Chair called the meeting to order at 5:03 p.m.

### Approval of Agenda

“It was moved and seconded, that the Agenda for the Planning Advisory Committee meeting of June 27, 2022 be approved.” Motion carried.

### Approval of Notes

“It was moved and seconded, that the Planning Advisory Notes of February 14, 2022. be approved.” Motion carried.

### Development Agreement Application 23 Main Street, Antigonish.

J. Bain, Director of EDPC reported that he had met with J. Paradis of Paradis Investments Limited to discuss the proposed development of a mixed-use retail commercial and professional office building to be built at 23 Main Street. He noted that a site visit had taken place on September 9, 2021. He stated that there are currently eight properties in the area owned by the developer and that consolidation will need to take place to facilitate the proposed development. J. Bain advised that three preliminary proposals for the site had been reviewed by EDPC staff prior to the official application and he stated that

he had provide guidance for compliance with the development agreement and zone requirements. On March 30, 2022, EDPC staff received an application to enter into a development agreement

J. Bain referred the Planning Advisory Committee members to the series of four drawings he had sent via email which showed the progression of the development plans as EDPC worked with Paradis Investments Limited to ensure that the design that would comply with the Architectural Standards of the Town of Antigonish and comply the applicable sections of the Municipal Planning Strategy and Land Use Bylaw.

J. Bain outlined the challenges faced by Paradis Investments Limited to develop the site which is designated Mixed Use (MU-1) with portions of the property zoned as High-Risk Floodplain. He noted that portions of the property are also subject to the Moderate Risk Floodplain restrictive overlays. He reviewed the Development Agreement requirements as outlined in the Planning Staff report circulated.

J. Bain reported that as per policy ES22 the proposed development does not include any of the following: residential institutions such as hospitals, senior citizen homes or homes for special care; any use associated with warehousing or production of hazardous materials; or institutions relevant for emergency response. He acknowledged that all proposed structures are required to be at least 0.1m above the projected flood level for the area (based on finished floor elevation) and that basements are prohibited. He stressed that a hydrotechnical study, carried out by a qualified professional is required to be provided by the developer to show that the proposed development will not contribute to upstream of downstream flooding or result in a change to floodwater flow patterns.

J. Bain reported that there is currently a new method of flood protection being introduced in New Brunswick and that it is under review by the NS Fire Marshall. Concerns are that the automatic flood barriers once activated may trap citizens and make it difficult for rescuers to reach them. He noted that the wording of the agreement is such that should this become a permitted use in NS that the option be available to the developer without having to amend the Development Agreement.

J. Bain advised that soil cuts must not result in long-term ponding, and that changes to site contour are integrated with high-quality professional landscaping and floodproofing as per a plan by a Professional Landscape Architect. He noted that a detailed soil erosion and sedimentation prevention plan will need to be submitted by the developer and that as per the requirement of the CAO include a clause that holds the Town harmless from future responsibility related to the development under this section.

J. Bain stated he had meet with K. Proctor, P. Eng., Director of Public Works to discuss municipal servicing permit requirements. He advised that K. Proctor wanted to ensure that the developer was aware of the Active Transportation plans for the area to avoid costly infrastructure changes and the developer being upset with the Town for making changes following Paradis Investments Limited's completion of the Development Agreement landscaping requirements. J. Bain reviewed the "Guidelines for New Development in Proximity to a Railway" and determined that it was not applicable to this proposal as the development is 65m from the train tracks. J. Bain advised that a performance surety of \$25,000 value has been agreed upon, allowing the Town to access the funds for completion of the works on-site in case of a contractual breach. He stated this is based on 1% of the 2.5-million-dollar projected cost of the development.

J. Bain reported that a sign has been located on the site at 23 Main Street and that he has personally hand delivered material to residents, and businesses within a 30 m range of the proposed development to advise of the proposed development and provide avenues for them to voice their opinions. He noted that the area is primarily commercial. He advised that parking is not an issue, and that lighting is required to be such that it doesn't negatively impact adjacent businesses or residential properties.

Discussion followed on specifics of the Development Agreement.

Planning Advisory Committee members agreed that the clauses requiring a professional hydrotechnical plan and architectural landscaping plan to mitigate any flood plain risk is essential to the proposal.

R. Sers asked if M. Foley had been contacted concerning the development.

J. Paradis member of the public in attendance asked the chair to address the committee. The chair granted permission.

J. Paradis stated that during the November 2022 flood he had assisted M. Foley to pump out his basement. He advised that M. Foley was contacted immediately after the property was purchased and that they have a good working relationship. J. Paradis noted that to protect his investment it is in his best interest to mitigate flooding concerns and that he would in no way want to negatively impact flooding onto neighboring properties. He commented that based on the November flood which was identified as a 1:100-year occurrence and experiencing it firsthand having been on site during the flood he is committed to having a professional plan developed to decrease flooding to the area.

The Chair thanked J. Paradis for his input.

The Mayor commented that it will be a nice anchor to have the development at the East end of Main, and that it will fit well with the Town's plans to make improvements on Bay Street.

Councillor W. Cormier agreed that having attractive developments from one end of Main Street to the other will enhance the look of the town. He noted recent projects that developers had completed in the past two years and their positive impacts.

Councillor M. Farrell acknowledged that the residents of the apartment buildings will enjoy the walkability to the proposed development and that it fits well with the active transportation plans.

Planning advisory committee members agreed that the proposed development will be a marked improvement to the look of the East end of Main Street.

### **Motion**

"It was moved and seconded, that the Planning Advisory Committee recommend to Council approval of the proposed development agreement attached to the staff report between Paradis Investments Limited and the Municipality of the Town of Antigonish with respect to the construction of a mixed-use retail commercial and professional office building by development agreement at 23 Main Street on Property PID# 01229590, 01229608, 01229616, 01229624, 01295336, 01295344, 10081347, and 10135291 in accordance with the Town of *Antigonish Municipal Planning Strategy and Land Use By-law.*" Motion carried.

### Other Business Arising

None noted.

### Adjournment

Meeting was adjourned at 5:55 p.m.