

Planning Advisory Committee Meeting
June 27, 2023
Town Council Chambers

Present

Councillor M. Farrell, Chair
Mayor L. Boucher
Deputy Mayor W. Cormier
Councillor D. MacInnis

T. Barkhouse
C. Hughes
R. Sers

J. Lawrence, CAO
D. Sutherland, Senior Planner/Development Officer EDPC
K. MacInnis, Director of Community Development
D. Halfpenny, Secretary

The Chair called the meeting to order at 6:00 p.m.

1. Approval of Agenda

"It was moved and seconded, that the Agenda for the Planning Advisory Committee meeting of June 27, 2023, be approved." Motion carried.

2. Approval of Minutes

"It was moved and seconded, that the Planning Advisory Minutes of May 18, 2023, and May 31, 2023, be approved." Motion carried.

3. Staff Presentation

D. Sutherland, Senior Planner/Development Officer welcomed members of the public and provided a brief introduction to her Antigonish background and work with Eastern District Planning.

D. Sutherland explained that this is a Planning Advisory meeting to discuss consideration of amendments to the Municipal Planning Strategy and Land Use By-law to allow for low-density residential units in the Institutional (1) Zone. She noted that there will be an opportunity for questions and comments following her presentation. She stressed that this is not a forum for debate, speakers will be given 5 minutes to express their concerns, they are asked to provide their name and civic address to ensure we have the proper spelling of their name for the minutes, comments and questions are to be directed to the Chair, Councillor M. Farrell. Comments, she advised, must be specifically related to the subject. She stated that comments and questions related to personnel, current or potential litigation issues, or planning issues for which a public hearing has already occurred, but there has been no decision made by Council, will not be answered.

D. Sutherland commented that the Planning Advisory Committee during the May 31, 2023 meeting had reviewed the recommendation by Eastern District Planning and put forth a motion that recommended to Council that all property owners near institutional zones be notified by letter to provide consideration of concurrent amendments to the Municipal Planning Strategy and Lane Use By-law to allow low density, (dwelling 3 units or less) residential units in the Institutional (1) Zone and that the matter be brought back to the Planning Advisory Committee for further review.

D. Sutherland identified key elements of permitted uses in the institutional zone:

- I. maximum of three main buildings on a lot
- II. Minimums- lot area 500m², lot frontage 15m, front yard 4m, rear yard 6m, side yard 4m, flankage yard 6 m.
- III. Maximum building height 16m and lot coverage of 65%.

D. Sutherland stated that an application had been received by Eastern District Planning from A. Arbuckle and J. L. MacInnis to permit an existing institutional use and new residential development at 83 Kirk Street for three units. She advised that currently 83 Kirk has the following tenants which fit within the permitted use in an Institutional (1) Zone:

- i. Kids First
- ii. Highland Community Midwives

D. Sutherland provided a zoning map to identify the various institutional properties in the town of Antigonish. She stated that often institutional uses and zones are part of or near residential neighbourhoods and have minimal impact and offer compatible uses with little land use conflict. She noted that other municipalities have varying approaches to permissible uses in institutional zones and she provided examples. She commented that there is a housing shortage and allowing low density residential unit development in the Institutional zone would be in keeping with the Statement of Provincial Interest for Housing and Infrastructure.

D. Sutherland provided options to recommend to Council for consideration:

- I. Allow low-density residential (three or fewer units) through the Development Agreement process in the Institutional (I) Zone by amending the Municipal Planning Strategy and Land Use By-law.
- II. Allow low-density residential (three or fewer units) as-of-right (by development permit only) by amending the Municipal Planning Strategy and Land Use By-law.
- III. Allow low-density residential (dwelling, three or fewer units) through the site plan process by amending the Municipal Planning Strategy and Land Use By-law.
- IV. Recommend that Council refuse the application to amend the Municipal Planning Strategy. There would be no change. Low-density residential uses that are no accessory to the main use would not be permitted in the Institutional (1) Zone.

Senior Planner/Development Officer, D. Sutherland noted that Eastern District Planning Staff had made a recommendation to the Planning Advisory Committee of Option 2 to Allow low-density residential (three or fewer units) as-of-right (by development permit only) by amending the Municipal Planning Strategy and Land Use By-law. She advised that Option 2 would allow additional housing, which is

compatible with residential neighbourhoods. It would allow for a maximum of 3 dwelling units on the property subject to the Institutional (I) zone provisions.

4. Opportunity for questions and comments

The Chair called for members of the public to come forward if they would like to speak. She reminded the gallery of the rules of conduct and the 5-minute time limit.

Speaker 1

Dr. J. Chiasson of St. Ninian Street advised that he is not in favour of permitting amendments to the Municipal Planning Strategy and Land Use By-law to allow for low-density residential units in the Institutional (1) Zone. He agreed that the Kids First and Highland Midwives were a good fit for the Institutional (1) Zone at 83 Kirk but strongly disagreed with allowing residential apartments. He explained that all the families had left the area. He is bothered by the noise as are his pets. He mentioned damage to his lawn and fence that has not been repaired despite promises by the contractor to do so.

Speaker 2

Mr. G. Leuschner of Kirk Street commented that he lives next to a large rental residential property that has changed his quality of life. He is concerned about additional vehicles and insufficient parking at 83 Kirk and the potential for more student rentals. He advised that his daughter has hearing loss and that he had concerns about her safety walking to work at the CACL workshop. He inquired as to whether a traffic study has been conducted by the contractor to identify any potential issues. He stressed that he is not in favour of permitting amendments to the Municipal Planning Strategy and Land Use By-law to allow for low-density (1-3) residential units in the Institutional (1) Zone.

Speaker 3

D. Kane of Fairview Street noted that as a minimum he supported Option 1 Development Agreement as it allows for the public process, including neighbour notifications, public hearing, and an option to appeal to the Nova Scotia Utility and Review Board.

He expressed concerns about the type of development that may occur on 24 West Street, PID 01222025. He referenced that one such use identified is a nursing home as a use in the Omnibus amendments. He drew attention to wetland conservation and protecting natural habitat when any future development occurs on the 24 West Street lot. He also raised concerns regarding changes to the zoning map made due to recently approved Omnibus amendments.

Speaker 4

Dr. E. Schuegraf advised that he was not in favour as he had concerns about insufficient parking in the area for the Highland Midwives, their patients, and other workers in the 83 Kirk Street building. He noted that traffic in the area is an issue.

The Chair asked three times if anyone else would like to speak. There were no further comments from the gallery. She asked that the PAC meeting resume with the Business Arising.

5. Business Arising

Discussion followed with Planning Advisory Committee members reviewing the options.

R. Sers noted that as per the previous meeting on May 31, 2023, the Planning Advisory Committee members had deemed it was necessary to include local citizen's input. He commented he was comfortable with allowing low-density residential (three or fewer units) in the Institutional (I) zone through the Development Agreement approval process.

Deputy Mayor Cormier asked D. Sutherland to provide a quick overview and the process for a Development Agreement, and Site Approval process.

D. Sutherland, Senior Planner with EDPC advised that the Development Agreement approval process is lengthy and, on average, is running 8 to 9 months. There are notifications to residents, publication twice in the Reporter as we have no Casket newspaper and opportunity at a Public Hearing for public engagement.

The Site Plan Approval process requires a negotiation process where the developer signs a contract to maintain parking requirements, buffering, cladding, landscaping. She noted it takes 2-3 months to move forward.

Deputy Mayor Cormier stated that during the lengthy Municipal Planning Strategy and Land Use By-law review the consultants had not recommended at any time that institutional zones should permit the addition of residential units in an Institutional (I) Zone. He therefore was in support of the recommendation that the Council refuse the application to amend the Municipal Planning Strategy. There would be no change. Low-density residential uses that are not accessory to the main use would not be permitted in the Institutional (1) Zone.

C. Hughes expressed concerns that, although there is a need for additional housing, the institutional zone may not be correct space to add the housing. She noted that a Development Agreement would provide the consultation process needed to ensure neighbouring property owners were aware of any potential developments.

Mayor L. Boucher commented that she had visited the proposed development on Kirk Street and that it is a good development. The Kids First and Highland Midwives are both good services for Antigonish. She noted that she had spoken to the developers and that they were looking at maximizing the potential of their building by adding a couple of one-bedroom or two-bedroom apartments that potentially would be rented as an apartment for the NS Health travelling nurses, etc. She acknowledged that it is impossible to dictate who lives in the apartments. However, she stated there is an urgent need for housing in Antigonish and in fact everywhere in the province. She noted that she would be in support of as of right development.

T. Barkhouse stated that good development is important as is community input and therefore, he would support a recommendation to council to allow low-density residential (three or fewer units) in the Institutional (1) Zone through the Development Agreement approval process by amending the Municipal Planning Strategy and Land Use By-law.

Chair M. Farrell agreed that a recommendation to council to allow low-density residential (three or fewer units) in the Institutional (1) Zone through the Development Agreement approval process would allow all council to take a closer look and seek further community input.

Councillor D. MacInnis noted that that he would like all the council to decide. He stated that more deliberation is needed to determine if low-density residential (three or fewer units) in the Institutional (1) Zone should be permitted.

Motion

A motion was made and seconded, "that the Planning Advisory Committee recommend to Council to allow low-density residential (three or fewer units) through the Development Agreement process in the Institutional (I) Zone by amending the Municipal Planning Strategy and Land Use By-law."

Motion Carried.

The Chair thanked the Planning Advisory Committee and the members of the public for their input.

She advised that the next Town of Antigonish Council meeting takes place the third Monday of the month which is July 17th, 2023.

Adjournment

The Planning Advisory Meeting adjourned at 6:55 p.m.