

Planning Advisory Committee Meeting Minutes

April 11, 2016

Town Council Chambers

Present

Councillor Willie Cormier, Chair

Councillor S. Cameron

Councillor J. MacPherson

B. Gottschall

C. Hanlon

C. Henderson

J. Kerr

K. Silver

J. Sullivan

D. Watling, STFX rep

S. Feist, CAO

S. Day, Planner

B. Nheiley, Planner

S. Scannell, Special Project Coordinator

D. Halfpenny, Secretary

Guests

Deputy Mayor L. Boucher

Members of the Public

Absent

Mayor C. Chisholm

S. Hargreaves

Call to Order

Chair, W. Cormier called the meeting to order at 5:00 p.m.

Approval of Agenda

“It was moved and seconded, that the Agenda for the Planning Advisory Committee meeting of be approved with the addition of Planning Advisory Committee membership.”

Motion carried.

Approval of Minutes

“It was moved and seconded that the Minutes of the Planning Advisory Committee meeting held on March 7, 2016 be approved.” Motion carried.

New Members

Councillor W. Cormier, Chair welcomed new committee members C. Hanlon, C. Henderson, J. Kerr, K. Silver, and J. Sullivan.

S. Feist, CAO reviewed rules and regulations for serving on the Planning Advisory Committee and circulated a copy of the Conflict of Information document taken from the local government handbook.

J. Sullivan inquired about copies of the Municipal Planning Strategy and the Land Use By-Law.

S. Day said all documents are available on the Town Website at <http://www.townofantigonish.ca/planning-and-building-services.html>

Business Arising from Minutes

Flag Lot Development

W. Cormier, Chair provided a brief overview of the flag lot development in Antigonish. He noted that currently flag lot development is not permitted in the Town of Antigonish.

S. Day explained that several developers had expressed interest in developing flag lots in Antigonish and that the Planning Advisory Committee recommended to Council that flag lot development be reviewed.

W. Cormier said that Council had agreed that flag lot development be reviewed by staff. He said Council would only consider if flag lots were developed through a Development Agreement on a case by case bases. He explained to new members how a Development Agreement worked and pros and cons to Developer. He said that Development Agreements have worked well in the community.

B. Nheiley said she has been reviewing Flag lot development and that a public consultation process will be undertaken with some additional methods of engaging people such as a kiosk. She said it is important to reach people that for whatever reason are unable or unwilling to attend a public hearing.

S. Feist said that Development Agreements take more time than 'As of Right' builds but that new committee members should be aware that staff follow a process as per the requirements of the Municipal Governments Act, the Municipal Planning Strategy, and the Land Use By-Law. He said that delays can be avoided by developers if they supply a completed application with all required documents and show the policy support for consideration of a Development Agreement.

Councillor S. Cameron reported that the Police and Licensing meeting had been cancelled as a quorum couldn't be reached. He said he will bring the concerns of parking areas in R1 zones to his next Police and Licensing meeting.

Transportation Structures as Buildings: By-Law Amendment

B. Nheiley provided a presentation on current By-Law rules and potential change to allow for shipping containers being used as storage buildings. She said there are currently 36 shipping containers being used on 22 properties. She said it is difficult to determine without a large amount of staff research as to when these units were placed on these properties. She provided comparison of existing section and proposed changes to the Land Use By-Law..

S. Day noted that the shipping container at the former Sears location is an example of a shipping container that was placed before the section was added to the Land Use By-Law prohibiting their use. S. Day said however, since Sears is no longer operating at 66 West Street he would ask the owner if the storage unit could be removed from the site.

B. Nheiley provided examples of locations where storage units are located that are enhancing the ability of the business owner to grow his/her business. She explained that proper buffering and a series of rules and regulations would allow the businesses to use these storage units but she had concerns with the placement of some of the containers in floodplain areas and said that some units may be required to be relocated to prevent flooding issues.

B. Nheiley showed examples of how storage units are being converted and explained the different types of storage units at issue.

Discussion followed.

Further staff review required and item will be placed on Planning Advisory Committee meeting agenda for May.

Lodging House Related Matters

S. Day provided a quick review of R1, R2 and R3 zoning. He explained the type of development that could be found in each area. He said anyone that wants to develop a property with more than 4 units requires a Development Agreement. He reviewed the Development Agreement process and highlighted areas where public input is sought, advertising requirements and opportunities for challenges during the process.

S. Day spoke about other university towns that are faced with similar challenges in R1 zones. He said he had sought legal advice concerning lodging house related matters and the lawyer had contacted him at noon time. S. Day said he would provide a brief overview and that the report will follow.

S. Day said that the first thing the lawyer noted is that the Town is clarifying the rules not changing the original intent but seeking to have clear definitions. He said that the legal non-conforming lodging houses have to be defined.

S. Day said that currently the Municipal Government Act is being reviewed and he will ask that this section pertaining to legal non-conforming lodging houses get looked at.

S. Days said that NS Building Code and Fire Safety Code have a lower threshold. He said Fire Inspectors can enter a building that they deem unsafe and enforce safety violations.

S. Day said in the definition of a dwelling it is identified as not needing to be a home that it can be part of a structure.

S. Day said that policy makes it clear that R1 zones have a limited number of bedrooms for rent. R1 zones are intended for families. He said that definition of a family is difficult to define and that there are many version of what constitutes a family but primarily it is a cohesive group of people that look out for each other's well being. He said that strangers renting a room don't have the same level of concern for each other.

Councillor W. Cormier, Chair said that the number of bedrooms in R1 zones is one of the areas that the Planning Advisory Committee has been looking at to tighten the By-Law to prevent high density in the R1 zone. He asked that each committee member voice their opinion as to whether limiting the number of bedrooms in an R1 zone makes sense to them.

B. Gottschall said he agreed with limiting the number of bedrooms to 4.

Councillor S. Cameron said that he would like to see the number of bedrooms be increased in areas where traditionally there are large family homes.

C. Hanlon agreed that limiting the number of bedrooms is a good idea, but wasn't sure what the number of bedrooms should be.

C. Henderson said that yes limiting the number of bedrooms is necessary in an R1 zone.

J. Kerr agreed that limiting the number of bedrooms is necessary but perhaps a larger number is needed. He said perhaps supply and demand should dictate.

J. Sullivan said he would need more information to determine if it was a good idea. He said with Antigonish being a university town it is necessary to meet the needs of the community and market demand.

D. Watling said that she thought 6 was a good number. She said she currently lives in an R1 zone in a 6 bedroom home and it works well. She said that the market should be considered when determining the number of bedrooms. She said as a student it is important to have

affordable off campus housing. She said with the expected larger enrolment it is important to factor this into the decision.

S. Day said that R1 is intended to service the needs of family and potentially some R1 zones could be rezoned to R2 to allow for higher density if the Town requires.

Councillor J. MacPherson said that he had concerns with a high number of bedrooms if parking issues are not considered. He agreed the rezoning in some areas may need to happen in areas with older homes that have a large number of bedrooms.

S. Day said that a report will be circulated concerning the legal advice received.

Court Street Parking

W. Cormier provided a brief overview of the Court Street Parking project.

S. Day said that he had received updated plans today. He said that a parking lot will contain a rain garden to manage stormwater, the first of its kind in Antigonish. He said although it is not his first choice of use for the property it will enhance the streetscape and the parking lot will be buffered by the fence, the rain garden's selection of planting materials, boulders and gravel material.

Sylvan Valley Addition

W. Cormier said that a developer had expressed interest in expanding his development.

S. Day said that no new information has been submitted by the developer and an attempt to facilitate a meeting with their architect had meet with a resounding no. He said the developer has not supplied a clear direction as to what they plan to do. He said requests from the developer to obtain information on servicing requirements is not possible to provide until basic details are made available by the developer as IAO standards requests requires details such as material being used in construction to determine water pressure requirements for fire suppression.

Discussion occurred. New Committee members expressed opinions that perhaps the Town could do the work and bill the developer.

S. Day explained that the Planning Department is prohibited from designing projects, developers must submit completed plans. He reminded the new members that the town doesn't have sufficient staff to work on projects in this fashion or the software.

S. Day said that a precedent could not be set to do the work for a developer. He said rules and regulations are put in place and staff must follow them. He said in addition, this particular development requires rezoning, a letter from the Department of Transportation and approval by the County of Antigonish as the access road is in the County. He said the developer must

bring professionals to the table to iron out the details . He said when further information is received he will bring the project forward to the Planning Advisory Committee.

Car Sharing

Deferred to next meeting

Updates

Gateway Commercial Amendments:

Nothing new to report

DA Updates

Nothing new to report.

Court St. Correctional Facility

The Municipality of the County of Antigonish is in the process of accepting a proposal from a developer interested in purchasing the property.

Environmental Amendments:

Nothing new to report.

Sidewalk Cafe By-Law

Under review to potentially allow other businesses to expand their display onto the sidewalk.

Building By-Law

Work Ongoing.

New Business

Engagement Week

B. Neiley said a full week of engaging the public through a kiosk to gain public opinion on various issue such as Flag Lot development is being planned.

Fire Protection Related

S. Day said that he had received information from a company that provided private hydrant testing at a cost of \$150 per hydrant. He said that currently those with private hydrants were complaining that they couldn't find a professional service to perform the yearly testing. He said that the local fire departments will not use certain private hydrants as they are unsure of the performance.

Motion to Adjourn

"It was moved and seconded that the meeting be adjourned." Motion carried.

Meeting adjourned at 7:34 p.m.