

# Planning Advisory Committee Meeting Minutes

September 7,, 2017

Town Council Chambers

## **Present**

Mayor L. Boucher, Chair

Deputy Mayor, W. Cormier

Councillor D. MacInnis

P. Andersen, StFX Representative

B. Gottschall

C. Hanlon

C. Henderson

J. Kerr

K. Silver

J. Sullivan

S. Day, Director of Planning

B. Nheiley, Planner

D. Halfpenny, Secretary

## **Guests**

Z. Chatur StFX Vice President Student Union

## **Call to Order**

The Chair called the meeting to order at 6:32 p.m.

## **Approval of Agenda**

“It was moved and seconded, that the Agenda for the Planning Advisory Committee meeting of September 7, 2017 be approved with additions.” Motion carried

## **Approval of Minutes**

“ It was moved and seconded, that the Minutes of August 3, 2017 be approved.” Motion carried.

## **Conflict of Interest**

C. Henderson and J. Kerr advised that potentially they could be in a conflict of interest concerning Lodging units, however without seeing the working document they were unable to determine if they were in fact in conflict. C. Hanlon advised that she felt she would be in conflict of interest concerning lodging residences.

S. Day advised that matters discussed would include number of bedrooms concerning Lodging residences, intensity in an R1 zone and ensuring that a registry of non-compliant lodging residences be maintained and any safety concerns addressed.

Both asked to stay at the table until they could clearly identify if they were in conflict.

**Addendum:** *Further investigation indicates that members should declare conflict in situations where there is the possibility of conflict. Should discussion evolve to a point where it is clear that the member is NOT in conflict the member may be re-introduced to the discussion. In this scenario the reasons that the member is no longer at risk of conflict should be clearly stated, and the minutes should reflect these reasons.*

## New Business

### Lights on the Bridge

Mayor L. Bougher advised that the 2017-18 fiscal budget included lights on the bridge near the Wheel Pizza shop as a capital item.

Committee members agreed that it would add to the aesthetic of the entrance to the downtown core.

### Parking Requirements for two new developments

B. Nheiley reported that the StFX Brian Mulroney building project under current parking calculations would require that 210 additional parking spaces be added to campus and the Antigonish Arras Branch 59 of the Royal Canadian Legion and CACL Redevelopment would require an additional nine parking spaces. She explained that a parking calculation amendment review is needed to determine if these specific types of commercial campus projects there would need to have additional considerations upon review of types of uses. She explained that the Legion/CACL project on closer inspection notes that the CACL workers do not have cars and therefore the workshop instructors would in reality be the only staff that would use parking spaces. Current parking for adult programs is based on number of beds, restaurant seating, etc and is in need of additional parameters to accurately reflect parking requirement based on the particular type of use created by the CACL. She advised that both projects have been given conditional development permits for the projects pending the Land Use ByLaw review outcome for parking requirement. She stressed that both projects have required the submission of a parking plan showing where current required parking spots may occur should the assessment determine that the spots are required.

### **Motion**

“It was moved and seconded, That the Planning Advisory Committee recommend to Council that supports considering parking amendments to the Land Use Bylaw by adding additional criteria to provide assessment of parking requirements based on the types of uses for commercial and institutional developments.” Motion carried.

## Department Updates

S. Day advised that being short a full time Chief Building Inspector remains a challenge to the Planning Department and that the Department will be further challenged by the loss of B. Nheiley. He went on to explain that B. Nheiley has accepted a full time position with the City of Hamilton as a senior planner. He noted that currently he has been doing the building inspections for residential properties in addition to his planning duties and that B. Nheiley has been the communication point person on the Legion project and the StFX project. He noted that with B. Nheiley gone at the end of the month it will be crucial to manage the transition and push forward with current initiatives to update the Land Use Bylaw, etc.

The Planning Advisory Committee expressed regret that B. Nheiley will be leaving the Town of Antigonish Planning Department and wished her all the best in her new position.

B. Nheiley provided an update on cold case file status. She advised that NSCC co-op summer student C. Rankin had been tasked with the review of files, determining what was needed to close the file, writing a letter to the owner, coordinating inspection appointments with S. Day or B. Poirier and informing the owner when the file was closed. She noted that over 100 files had been closed , with approximately 10 requiring further follow up, a few that have received no response from owners and were closed after 30 days.

## Lodging Residences

S. Day presented his working document, 'Proposed Amendment to the Land-Use Bylaw Concerning Lodging Residences.' He advised that the process has been a long one to move towards making the necessary changes to the Land-Use Bylaw. He referenced a 1977 zoning bylaw definition for Antigonish which read as follows:

***Boarding or Rooming house means a dwelling in which the proprietor supplies either room or room and board for monetary gain, to more than four exclusive of the lessee or owner thereof or members of his family and which is not open to the general pub.***

S. Day stated that he is proposing that the number of bedrooms for rent be a maximum of four, those that are above four at this time would be grandfathered. The owner's of the grandfathered properties would be required to register their properties with the town and set up an inspection. S. Day noted that the inspection may reveal additional building code and fire safety requirements which may result in upgrades to the property such as increased fire separation, egress windows, etc.

S. Day acknowledged that the National Building Code and the NS Fire Safety Act do not match up. The National Building Code has more requirements in place after 4 bedrooms and the Fire Safety regulations have additional requirements after 3 bedrooms.

***J. Kerr declared conflict of interest and moved away from the table.***

***C. Hanlon declared a conflict of interest.***

Discussion followed on the number of bedrooms.

W. Cormier, Deputy Mayor advised that he would prefer greater than 4 bedrooms as the number designated for lodging residences.

Councillor D. Macinnis noted that 5 bedrooms would be a good number.

B. Gottschall noted that four bedrooms would be a good number.

K. Silver advised that she would be comfortable with either four or five bedrooms.

Z. Chatur commented that he knew of several rental properties that had more than five bedrooms in an R1 zone and that the tenants all operated as a family and looked after one another.

S. Day explained that R1 zones are intended for lower intensities. He reiterated that it has been found that in the case where a fire or emergency occurs it may be a case where every man/woman for themselves, or with a large number of adult people operating on their own schedules the awareness of whether someone is in the home or somewhere else is difficult to determine. S. Day went on to explain the increased safety with separate units and how increased fire separation allows additional time for tenants to get out of a burning building.

Z. Chatur thanked S. Day for clarification and agreed that it could be the case in some circumstances. He noted that often students live in large numbers in a house to keep costs down. He noted that he had personally lived in a six person home and that everyone got along and worked well together.

J. Sullivan agreed with Z. Chatur that students become like a family very quickly and look after each other. He suggested that disruptions in an R1 zone have more to do with enforcement of noise bylaws and traffic bylaws than number of students.

C. Henderson stated that a large number of adults living together in a lodging residence is different than a family with often two adults and children of various ages.

Discussion followed: There was mention of an fire on Acadia Street where a local resident passing by had rescued a student from a burning building. Concerns as to whether students may have locks on their bedroom doors and whether the other residents are aware of their location should there be a fire. of a fire with an adult trapped in a bedroom where as in a home full of adults with independent schedules.

S. Day identified the policy discussion relating to the proposed amendment. He identified the Municipal Government Act, the Municipal Planning Strategy, and current Land-Use Bylaw and the Integrated Community Sustainability Plan. He provided a

summary of the recent amendments aimed at increasing residential growth in the town through the use of tools such as site plan approval, through Commercial Periphery where flag lots could be developed in a R2 zone and residential flag lot could be developed behind a commercial property and through Development Agreement.

S. Day acknowledged that landlords fulfill a valuable role in Antigonish and that these stakeholders have expressed concerns as to the proposed amendments respecting insurance and financing. He noted that within the insurance industry many companies consider anything above four bedrooms to be a commercial operation; bankers make their own determination based on plans and site visits. He stated that at the end of the day it is about safety and ensuring that there are housing options for everyone who wants to make Antigonish their home, or temporary residence. S. Day noted that there are a number of rental property owners with more than four bedrooms that have taken additional steps to increase fire separation and make improvements to their property. He stated that in one case the business owner markets his properties as having up to date fire inspections and highlights the improvements. The owner indicated that it has benefited his business and stated that “what parent wouldn’t want their child to be in a safe, well maintained property when attending university”. S. Day identified that a second owner of a property that has 14 bedrooms has proposed dividing the residence into two 7 bedroom units with separate entrances and has increased fire protection measures due to issues arising from the large number of bedrooms.

S. Day noted that neighbourhoods are also stakeholders and their voices need to be heard. he reiterated that the goals of the amendment are to strive for complementary development, the health and wellbeing of tenants, to foster welcoming neighbourhoods, augment a range of housing options and to preserve heritage.

The Mayor concluded that being a very complex issue discussion will resume at the next Planning Advisory Committee meeting. She resolved that the time has come to make these amendments and to move forward with consideration to the voices of all stakeholders. She thanked all those in attendance and noted that the process has been a long one but things are moving forward in a positive direction.

### **Motion**

“It was moved and seconded, that the meeting be adjourned.” Motion carried

**Meeting adjourned.**