

Planning Advisory Committee Meeting Minutes

September 12, 2018

Town Council Chambers

Present

Mayor L. Boucher, Chair

Councillor W. Cormier

T. Barkhouse

C. Hughes

C. MacDonald & P. Anderson, StFX Representative

R. Sers

J. Bain, Director of EDPC, Planning & Development Services

P. Dec, Planner

D. Halfpenny, Secretary

Also in attendance

S. Scannell, Special Project Coordinator

D. Wilson, Deputy Clerk

Absent

Councillor D. MacInnis

Call to Order

The Chair called the meeting to order at 2:00 p.m

Approval of Agenda

"It was moved and seconded, that the Agenda for the Planning Advisory Committee meeting of September 12, 2018 be approved with additions." Motion carried.

First Meeting

First meeting of the new committee.

Round table introductions occurred.

The Mayor welcomed new committee members and advised that the Town of Antigonish has contracted the services of the Eastern District Planning Commission. She explained the structure of the new committee is in keeping with structure of the other Planning Advisory Committees under the umbrella of the EDPC. Chair, Mayor L. Boucher noted that the Planning Advisory Committee would be operating in a different manner than the previous town of Antigonish PAC.

J. Bain, Director of EDPC provided an overview of the services provided by EDPC. He noted that the Eastern District Planning Commission provides planning, subdivision, and building inspection services in eastern Nova Scotia for the Counties of Antigonish, Inverness, Richmond, and Victoria, and the Towns of Port Hawkesbury and new addition as of July 2nd, the Town of of Antigonish. He advised that the planners, development officers, building inspectors, and support staff work toward developing safe and healthy communities for the citizens, businesses and visitors of the six

municipal units. He explained that his currently staff consists of W. Ryan Development Officer; A. Jones, Development/Policy Planner; P. Dec, Development/Policy Planner; Bryne Butts, Civic Address Coordinator/GIS Technician, and Building Inspectors S. Donovan, C. LeBlanc, H. Martell, and D. MacKenzie; Building & Fire Inspector L. LeBlanc and recent hire J. Martin. He noted that T. MacLellan is the Receptionist/Bookkeeper and that as Director of EDPC he also provides services as a Development Officer. He further commented that EDPC is currently seeking to hire an additional Planner to add to the complement of staff.

J. Bain stated that the Eastern District Planning Commission is now located at the **Port Hawkesbury Civic Centre: Unit 3, 606 Reeves St., Port Hawkesbury.**

J. Bain provided a brief overview of the role of the Planning Advisory Committee members. He explained how certain decisions are administrative decisions which are based on how the application meets the Municipal Planning Strategy and the Land Use By-Laws of the Town of Antigonish. He stressed that the responsibility of the PAC is to make recommendations to Council and that it is important to note Council is responsible to make overall decisions. He explained how a Development Permit application for a single family dwelling would be a staff decision based on the Land Use By-Law. He noted that an appeal may only be made by the owner if the application was turned down. He stressed it could never be an appeal from a neighbour.

Mayor L. Boucher advised that the Town of Antigonish will be undergoing a complete review of the Municipal Planning Strategy and the Land Use By-Law.

J. Bain advised PAC members that their role will be crucial in looking at the rules; reviewing the MPS and LUB; giving advice as representatives of the community from a citizens point of view and making recommendations to council.

J. Bain stated that PAC members would receive a staff report with recommendations a week of so before a scheduled meeting. He apologized there wasn't sufficient time to do this for the current meeting but that P. Dec has provided in their packet of materials a simple request for a Development Agreement.

Planner, P. Dec reviewed application review process for an application received by 62 The Heights for the creation of a home operated Medical Massage business. He explained that the 450sq ft massage therapy practice would allow the tenant to dedicate two rooms of the apartment to the business. He showed how his staff report indicated the review of the Land Use By-Law, and took into account that the parking requirements would normally require four parking spots, but by applying the following rationale he had come to the determination that 2 spots would be sufficient.

62 The Heights

1. Low traffic and parking requirements-customer appointments are 60 to 90 minutes in duration. Approximately 5 patients per day.
2. Hours of operation- 8 a.m. -1 p.m. and 3 p.m.-8 p.m.
3. Medical Massage is under health care professional treated in same way as medical practice.
4. Temporary business location until suitable location becomes available. (24 month) maybe extend by request to council.

Robust discussion followed on the 24 month timeline, the Schedule B document that showed designated parking, parking issues and need to have personal parking included as even though the

business owner currently doesn't own and vehicle consideration be given that she may at sometime during the course of the two years purchase one, etc.

Motion

It was moved and seconded, that the Planning Advisory Committee recommend to Council that first reading be given to the proposed Development Agreement for 62 The Heights to permit a medical massage business to operate in an R1 zone with the exemption of schedule B". Motion Carried.

J. Bain explained that the Planning Advisory Committee Members have options to send a recommendation to Council without advice; send to Council with advice; or recommend to Council that it not be approved. He reminded that Council still has the option to approve.

Discussion followed on the following home based businesses and criteria that is established. It was note that the decision making takes place on the complete application within 120 days, if nothing happens by then it is deemed a refusal and may be appealed. It was noted that the Municipal Government Act requires a decision to take place. Further discussion focused on how home business by Development Agreement in accordance with how the current legislation is focused is almost overkill and if there could be ways to simply. Decisions are made on case by case based on completed application submission.

P. Dec will forward an education presentation to the Planning Advisory Committee members to provide a better understanding of how documents relate, subdivisions, etc.

J. Bain noted that the education presentation material would provide good points of reference.

Councillor W. Cormier informed Planning Advisory about a case where the town of Antigonish had lost a case where a developer had made an appeal to Utility and Review Board.

J. Bain explained that if the policies are followed and a staff report generated that shows how the proposed development fits the existing policy there is no basis to deny the developers proposal. He stressed this is why policy is important.

Discussion followed on:

1. R1 zones and intensification of business into the downtown core.
2. Site Plan rezoning
3. Change of Use
4. Notification requirements for Development Agreements
5. Plan Review Process
6. Parking
7. Public Hearings

S. Scannell, Special Projects Coordinator advised that WSP has been awarded the contract to do a complete review of the Town of Antigonish Municipal Planning Strategy and the Land Use By-Law. He stated that there will be a focus group held on either October 12th or October 13th and that the Planning Advisory Committee are encouraged to attend. Details will be circulated when the date is confirmed.

C. Hughes advised she will be unable to attend as she is out of country.

Mayor L. Boucher stated that the Eastern District Planning Commission provide a lot of knowledge to the town and because they deal with more than one municipality it opens up doors for shared information and the creation of a positive friendly development. She commented that it exciting to see the enthusiasm of the new PAC members and to see diversity they provide.

Highland Society request for Sea Can Container

Councillor W. Cormier advised he had been approached by the Highland Society to determine whether a Sea Can Container could be used for storage behind the Club 60 building.

P. Dec advised that a submission would need to be received from the Highland Society for full consideration. He noted that with a complete review of the Land Use By-Law taking place it would be a good time to review the rules and make possible changes to areas such as use of Sea Can Containers..

Councillor W. Cormier will have P. MacEachern drop in to see P. Dec on Wednesday to discuss the proposed plan.

Mayor L. Boucher advised that the next meeting time and will need to be decided. She noted that committee member Councilor D. MacInnis is unable to attend on Wednesday at 2 p.m. due to his work schedule.

Meeting adjourned at 4:10 p.m.