

Planning Advisory Committee Meeting Minutes

August 29, 2019

Town Council Chambers

Present

Mayor L. Boucher, Chair

Councillor W. Cormier

T. Barkhouse

C. Hughes

R. Sers. via Skype

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

P. Dec, Planner

A. Jones, Senior Planner/Development Officer

W. Ryan, Development Officer

A. Dunphy, Planner

J. Lawrence, CAO

S. Scannell, Director of Community Development

D. Halfpenny, Secretary

Absent

Deputy Mayor D. MacInnis

Guests

Jenny Lugar, WSP

Christina Lovitt, WSP

Councillor D. Roberts

Councillor M Farrell

Councillor A. Murray

Councillor J. MacPherson

D. Wilson, Deputy Clerk

K. Proctor. Director of Public Works

Call to Order

The Chair called the meeting to order at 9:00 a.m.

Mayor L. Boucher welcomed all in attendance to the Workshop to review Draft 2 of the Municipal Planning Strategy and Land Use ByLaw. She thanked WSP, EDPC staff, the citizens that participated in the engagement sessions and Town of Antigonish Council & staff for the hard work involved in updating the 1994 documents to the proposed 2019 documents. She acknowledged that the workshop today would be informative, require compromise and mindfulness from the participants of the citizens priorities identified through the engagement sessions. She explained that changes

are necessary to MPS and LUB to create guidelines for decisions for the Town of Antigonish for today and the future.

C. Lovitt and J. Lugar handed out copies of the Workshop Agenda and circulated Zoning and GFLUM maps. They provided an overview of how the day would progress, how Draft 2 would be edited and tested against priorities ensuring that broadstroke priorities are to modify, clarify or remove from the draft as the group reaches consensus. They asked that each section of the presentation be completed before questions be put forward for discussion and evaluation.

J. Lugar noted that the direction of the 1994 MPS was quite broad. It identified urban development, commercial land use, vibrant downtown, neighbourhood character, tourism, environmental concerns, regional issues and opportunities. She advised that the goal of the 2019 documents is designed with the specific purpose to guide council decision making, provide a growth strategy for the Town of Antigonish and to simplify the development approval process.

J. Lugar provided a comparison of the 1994 Municipal Planning Strategy and highlighted the changes made to create the proposed 2019 MPS. She reviewed the priority sections of Residential and Mixed Use policies, Flood Plains and GFLUM, Transportation and Proposed Future Projects. She stated that the specific purpose of updates are to guide council's decision making; make growth strategic and simplify the development approval process.

The proposed 2019 Draft list community priorities as diversity, active transportation, compatibility, environmental station, art, economic development, accessibility, collaborative partnerships such as the County, and citizen engagement as per the MGA directives. She stated that the MGS mandates such as creation of a Planning Advisory Committee and Public Hearing standards have been updated since 1994. However it doesn't preclude the creation of other advisory committees as Council may want to add such as additional Youth in Planning, more specific process roll outs, etc to make planning more accessible and inclusive..

Residential and Mixed Use

A greater emphasis on Heritage Conservation with 3rd party registration of Heritage properties, building onto existing heritage homes through Development Agreement, creating districts of heritage properties that are restored, maintained, and fit design guidelines. Incentive to maintain existing property instead of tearing down to build new while increasing density.

J. Lugar advised that this works well in other municipalities and has had good results. She showed a map of heritage properties in Antigonish Town. She commented that heritage properties will help maintain the unique Antigonish heritage.

P. Dec commented that currently there are 13 registered heritage properties in Antigonish, 2 Federal, 3 Provincial and the remaining as Municipal. However, he noted that work done by the Antigonish Heritage Museum to create a directory of the pre 1914 buildings with photos and descriptions identifies many other properties that could be encouraged to register as a heritage property. He advised that having the ability to build out in the back will benefit the property owner and encourage the repurposing of larger homes while maintaining the esthetics of a heritage property.

J. Lugar reviewed home businesses permitted in an R1 zone from 1994 and proposed permitted uses in 2019 MPS RN-1 & RN-2 zone. She noted that the proposed update would see a total floor area of 50 m² up to a maximum of 10% of the total floor area for an owner/resident home based business. The permitted commercial proposed uses are studios, daycares, instructional classes, offices, medical clinics, personal services, and retail of products produced on the premises, or associated with a service on the premises.

P. Dec noted that the main change is medical based businesses such as massage therapy would no longer require approval through a DA and could be as of right.

J. Lugar commented that with the expansion of the types of businesses that are permitted as home based businesses, there is an opportunity for more incubator style businesses. J Lugar used the example of a knitting business that may grow to require store frontage.

J. Bain advised that it is important to note exclusions. He explained that the Planning and Development staff are reviewing a submission based on how it would be deemed as permitted. He provided the example of a cafe style business and stressed that it is important to clearly state that it is not a permitted usage in RN-1 or RN-2 zones.

C. Lovitt stated this section will require further clarification. J. Lugar, C. Lovitt and P. Dec will address concerns and identify exclusions for final draft.

Manufactured Home Designation and Zone

J. Lugar stated that the proposed 2019 document provides through policy ADM16 for the expansion of a manufactured home community in addition to the potential for redevelopment to allow for small lot development subject to the requirements of policy RN31.

J. Lugar explained that this could be expanded to allow for larger development if it were the will of Council. However she noted that consideration was given to affordable housing options and to the avoidance of displacement of a large number of low income citizens.

It was noted that there are currently four Manufactured Home Parks in the Town and that two are well maintained and the remaining two are currently for sale and require major work.

Active Transportation

J. Lugar commented that the public engagement sessions identified active transportation as a priority. She noted that active transportation deals within the Town of Antigonish boundaries, maintains the current street classifications, and takes into account the consideration of budgetary constraints and the will of Council going forward to implement plans. She acknowledged that Council is not bound to take any action as indicated in the MPS, but noted that Council cannot take any action that is inconsistent to the MPS either. She acknowledged that joint parking strategy, Town support for community transit, further bike infrastructure, and street classification are all based on priorities and the cost to implement.

Floodplain Designation

J. Lugar compared the 1-20 Floodplain Mapping to the updated 2019 Floodplain Mapping and respective GFLUM Maps. She introduced 2050 Mapping model that was developed with climate change considerations. Review of the Maps showed changes to the Church Street properties located adjacent to the Highway as being in the floodplain zone and therefore identify a high risk associated with the current development and precluding any future development. However, she noted that this is a political decision and previous decisions were made based on old floodplain mapping.

T. Barkhouse asked that if it were clearly identified that any future development on a 1-20 site was required to hire architectural and engineering professionals to provide a Floodplain mitigation plan and the developer were to assume all liability would the developer then be able to build on the property?

C. Lovitt and J. Lugar advised that a legal opinion would need to be obtained and that this is another issue that needs further consideration as liability issues would need to be addressed.

Discussion followed on the Antigonish Market Square and it was noted that under the 1994 LUB the Mall has been unable to increase its square footage due to parking restrictions. It was identified that the parking section is severely out of date. The new 2019 Floodplain map identifies the Mall being in the floodplain therefore any additional development would increase the stormwater management risk. Further consideration is required.

Discussion followed on adoption of the 2050 Floodplain mapping.

C. Hughes commented that the science is there, developers want to know what they are allowed to build and where and that the 2050 mapping would be the one to use.

It was noted that certain sections of the new Floodplain mapping show a decrease in the risk of flooding and therefore will be less restrictive.

J. Lugar asked that those participating in the workshop indicate their preference to adopt the 2019 Mapping or the 2050 Mapping that takes climate predictions into account.

Consensus was reached that the 2050 Floodplain Mapping will be adopted.

Proposed Future Projects

J. Lugar acknowledged that there are future projects that will require a more in depth study than what can happen within the timelines for the existing MPS and LUB review. such as Subdivision By-law identifying that 'Street Connectivity and Standards' section of the MPS; Infrastructure Charges Study; Central Servicing Capacity Study; Density Bonus Opportunities to arrive at cash-in lieu structure; Heritage Conservation District Study; Parking Cost Review Study; Alternate Transportation initiatives such as car share, etc; and many other potential projects for consideration.

C. Lovitt reminded the group to save their questions and to evaluate against priorities.

The group took a 10 minute break.

J. Lugar explained that the documents goals are to create community priorities. She noted that the drafts that we are working with come from public input that was gathered from participants of the engagement session and that the aim is to match these community priorities with Council's priorities. Increasing density in residential zones, creating mixed use zones allows for seniors to stay in their homes longer, and creating affordable housing options were all noted as matching priorities.

J. Lugar compared the 1994 Land Use ByLaw to the proposed 2019 LUB. She explained that the new zoning classifications RN-1 allows for multi-unit dwelling up to a proposed 9 units by Development Agreement.

Councillor J. MacPherson commented to put 9 units in the lowest density zone would create too high a density. He advised that he would be comfortable with a smaller number.

J. Lugar advised that there are very few lots that would be large enough to meet the required setbacks and lot size requirements in an RN-1 zone.

Discussion followed and it was agreed that 9 units is too high and that 6 units would be an acceptable number of units in an RN-1 zone.

Accessory Building Dwelling Units

J. Lugar explained that there are two types of accessory building dwelling units the first being a granny suite that is limited in size to a total of 1100 sq ft, and the second type is an apartment over a garage. She noted that the opportunity to create an accessory building dwelling is subject to proper set backs and lot size.

Councillor W. Cormier noted that his concern with creating an additional dwelling unit behind the existing house is the number of bedrooms and the parking requirements. He commented that a developer may list the property as two bedrooms and a den and then turn the den into a bedroom. He noted that intensity of use in an RN-1 or RN-2 zone as set in the current Land Use Bylaw.

J. Lugar reminded those present that any Development Agreement would have to be endorsed by Council and that it is a negotiated process.

P. Dec advised that the MPS is intertwined with with the LUB to preserve heritage buildings by allowing for alternate uses on the same property. The LUB provides the depth of what it will look like. He noted it will promote building in this way and increase flexibility subject to the Development Agreement process which requires negotiation and Council approval.

J. Bain commented that the UARB makes its determinations based on how the proposed development meets policy. He noted that the Development Agreement is not a magic kill switch and negotiated properly the test is whether it is meeting policy.

Mayor L. Boucher agreed stating that the control is to test against the policy and that it is important to have an even playing field with developments being negotiating in the best interest of the community.

W. Cormier reiterated that being clear on the number of bedrooms, design elements and parking spaces are very important points that he considers linchpin controls to have in the LUB.

P. Dec referred to Policy ADM16 9.26 Terms and Conditions relating to DA Applications. He noted that it is pretty broad, but remains compatible with design elements.

R. Sers stated that the Development Agreement is a binding contract between a municipality and developer. Therefore it wouldn't be enforced if the Developer exceeded the number of bedrooms as agreed to in the DA.

K. Proctor inquired as to the timeline for a Development Agreement.

P. Dec advised that the timeline is negotiated but not beyond a 1-2 year period as then the DA would become null and void.

J. Lawrence commented that the LUB provides the controls. It is important to provide a comfortable balance with affordability housing for the community as per the MPS, and the LUB will provide clarity on the number of bedrooms and parking requirements.

Old Town

J. Lugar advised that the section B notes that it is at the discretion of the Development Officer to ensure that the proposed designs meet the guidelines and maintain the character of the neighbourhood.

Mobile Home Parks

J. Lugar noted that small lot development is proposed as an acceptable use but does the group want to consider broad scale redevelopment; she commented that it is not prohibited but not an easy process to change the designation and rezone. She advised that with two manufactured home parks for sale the new owners will be required to maintain existing use, fix up to meet the standards and potentially do some small lot conversions through Development Agreement.

Discussion followed with the group agreeing that small lot development with consideration for low income residents is a priority.

J. Lugar noted that the development process allows for slower development, more flexibility. She commented that the Indian Gardens Manufactured Home Park is partially in a flood plain. She advised that Adam Street has the area to potentially develop an additional manufactured home park but it would need to be determined if that was the best use of land. She noted it was doable but would be difficult. It would require a rezone for the land and would be a decision Council would have to make based on the MGA.

P. Dec stated that the best use of land is important, Adam Street is a comprehensive development district zone, any proposed property for a manufactured home park would require a rezone and application for a Development Agreement.

Mixed Use

J. Lugar noted that currently Flag Lots are developed by Site Plan Approval. In the proposed 2019 Land use Bylaw there is a Downtown Mixed Use and James St Mixed Use. She asked the group to reinvision James Street as a mixed use opportunity to transition into an area where people would want to live. She noted that being closed to StFX, close to food establishments, and to have increased walkability .

Discussion on elimination of drive through for any new developments. no parking in front yards,, no automobile sales permitted. Focus on strong downtown with increase in retail on main floors, filling holes on Main Street, outlining exclusions, encouraging pedestrian events such as street fair.

Parking

J. Lugar review proposed changes to the parking requirements, reviewed cash in lieu, increase in charging stations for electric cars, more requirements for bike parking and a general move towards more active living.

Discussion followed on university parking, off campus parking at businesses and residential parking on lawns.

J. Lugar advised that lodging homes are through development agreement only and parking enforcement is important to manage parking violations.

Councillor A. Murray asked for clarification on sea cans. He noted that there are lovely designs for converted housing options.

J. Lugar advised that they are treated as vehicle bodies, in order to be used as a housing option the sea cans would require architectural and engineered design. She went on to explain that this is often very cost prohibitive. Sea Cans are only permitted for commercial storage purposes and not in residential zones.

J. Lugar noted that multilevel buildings may require fire pump provisions for height.

Discussion on Accessory Dwellings

Accessory buildings on a corner lot must deal with vision triangle. They must fit within the design guidelines. The design guidelines help guide the conversation and identify of the plans of the developer fit the neighbourhood.

J. Bain advised that when a home is on a corner traditional the shorter line regardless of which way the house is facing is used to determine whether there is the required set back for an accessory dwelling.

J. Lugar noted in the case of a duplex that is subdivided into two lots down the middle, providing the set back are available each could have a garden suite. However, a duplex with a basement apartment would not be eligible for a garden suite or a granny suite.

J. Lugar clarified that it is not permissible to do a home business in a secondary suite.

J. MacPherson stressed that his concerns with secondary suits are privacy for the neighbours.

P. Dec stated that accessory units are limited to approximately 1000 ft² so it limits the number of occupants.

Mayor L. Boucher commented that in order to move forward as a town it is necessary to bring more people into the downtown by providing more affordable housing,

C. Hughes noted that she supports secondary units.

D. Roberts advised she supports good development, like secondary units providing they meet the guidelines to ensure it is done correctly.

W. Cormier commented that he doesn't know if Council has the political will to create repercussions for bad landlords and therefore he has concerns about secondary units.

R. Sers commented that perhaps the town shall have a licensing and registry system rather than should.

Councillor A. Murray asked for clarification of exterior cladding materials specifically clarification of materials the types of plastics that aren't allowed.

J. Bain acknowledged that it difficult to enforce exterior cladding material.

S. Scannell will bring the group together to finalize these decisions. Meeting date(s) to be determined.

Motion to Adjourn.

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

The meeting was adjourned at 4:25 p.m.