

**Planning Advisory Committee Minutes  
October 14, 2010  
Council Chambers**

**Present**

Councillor W. Cormier, Chair  
Deputy Mayor L. Chisholm  
Councillor D. MacInnis  
M. MacDonald  
B. MacLean  
A. Murray  
T. Sherrington

Mayor C. Chisholm  
S. Day, Planner  
D. Kampen, MPA, Chief Administrative Officer  
D. Wilson, Deputy Clerk

**Absent**

D. MacFarlane

**Call to Order**

The Chair called the meeting to order at 5:04 PM.

**Approval of the Agenda**

Moved by M. MacDonald  
Seconded by Deputy Mayor L. Chisholm  
"That the Agenda be approved as circulated." Motion carried.

**Approval of Minutes**

Moved by Deputy Mayor L. Chisholm  
Seconded by A. Murray  
"That the Minutes of the Planning Advisory Committee meeting (Special) held on September 15, 2010, be approved as circulated." Motion carried.

**West Street Parking Issues**

The Chair acknowledged recent correspondence received from Mr. L. MacLellan of St. FX University which appears to attempt to justify allowing the parking lot on West Street to continue for the time being. He noted that the intent was to have the parking removed by October 1, 2010. He further noted that the University does have room for some parking in the area of Lane Hall and that the University has, through continued development, removed some parking from the University campus.

S. Day, Town Planner, noted that there is room to the rear of the former Municipal Building for overflow parking and, as well, some land in the vicinity of the Priests' residence that could be developed for parking by the University.

Brief discussion took place on the political will of the Committee, with S. Day, Town Planner, noting that the matter could very well end up in the courts. It was generally agreed by the Committee not to permit parking to continue on the lot created by the University on West Street,

and to request the existing parking be removed by October 18, 2010. Brief discussion took place on parking that is permitted as-of-right on West Street.

#### **Delegation – Mr. L. MacLellan, P.Eng., St. FX University**

At 5:30 PM, the Chair welcomed Mr. L. MacLellan, P.Eng., of St. FX University to the meeting. The Chair explained that the letter was received and discussed by the Planning Advisory Committee. He then spoke on the implications of the Municipal Planning Strategy (MPS) and Land Use By-law (LUB) as they related to what the Town is trying to create, and noted that it was the generally agreement of the Committee that the parking be removed.

Mr. L. MacLellan, P.Eng., noted that currently there is approximately 1,000 parking spaces on campus and only thirty-five (35) in the existing parking lot on West Street. Following a reiteration by the Chair that the parking lot would be required to be removed, Mr. L. MacLellan, P.Eng., left the meeting at 5:33 PM.

Following brief discussion, it was agreed that S. Day, Town Planner, would e-mail further comments on the removal of the parking lot to Mr. L. MacLellan, P.Eng., with a hard copy of the correspondence to be sent via Canada Post with the intent of having the parking cease on Monday, October 18, 2010, and have temporary barriers installed until such time as grass can be put in place in the Spring.

S. Day noted that should parking continue on West Street, a court order would have to be obtained to have the parking use discontinued.

#### **Residential Licensing Update**

CAO D. Kampen noted that she had been advised by Mr. D. Smith of Service Nova Scotia Municipal Relations that residential licensing of rental units can be done. Mr. B. MacLean made reference to a section of the Municipal Government Act which states that the entire Town would have to be required to be licensed and not just specific areas.

The Chair noted that he had been approached by two (2) landlords who raised concern that the Town was not doing anything to ensure quality of life for all residents. He noted his vision is that the licensing process would not be to raise revenue but, more importantly, to have a local contact for all rental units not occupied by the owner.

Brief discussion took place on the possibility of holding a public meeting and having Mr. D. Potts come to Antigonish. S. Day, Town Planner, suggested inviting Mr. D. Johnston of the Residential Tenancy Board attend a Planning meeting in order for the Committee to understand the Board's job. S. Day agreed to come up with a list of questions which will be circulated to the Committee for comments and/or additions. Mr. B. MacLean noted he is still in touch with Mr. D. Potts who is still interested in coming to Antigonish. It was generally agreed to first extend an invitation to the Mr. D. Johnston, to be followed by Mr. D. Potts. S. Day agreed to make the arrangements.

### **Curry Development off Mariner**

S. Day, Town Planner, acknowledged correspondence received from Ms. P. Liengme, representing the Parish of Three Harbours, concerning a proposed development they fear may impact their current parking for church functions. He noted that the proposed development would see the currently building expanded to two (2) units. S. Day, Town Planner, further noted that he plans to discuss current front yard parking with the developer and does not foresee the Church's parking being impacted. S. Day agreed to speak with the church representative on the proposed development.

### **Project News**

- Floodway Mapping Project

S. Day, Town Planner, updated the Committee on the floodway mapping project noting that permission has been received to use the Nova Scotia Department of Transportation and Infrastructure Renewal's data. He noted C.J. MacLellan and Associates are carrying out stream work with Conestoga Rovers doing computer modeling. He noted that in conversation with Mr. A. Bond of the County of Antigonish, the Planning Advisory Committee does not appear to be concerned with the impact the twinning of the TransCanada will have with respect to hard surface runoff as it relates to floodway. He provided comment on the impact the development on Market Street, Antigonish County, had on floodway flows. S. Day, advised that he has applied to the Province for \$15,000.00 in funding to support this project and has heard that the application is looking favourable.

- Wetland Mapping Project

S. Day, Town Planner, noted that wetland mapping has now been completed and additional information regarding the lands of Eastern Sanitation Limited are available. Mr. M. MacDonald provided comment on the Town not taking a hard line with Eastern Sanitation but doing so with the University. S. Day stated he hopes to have the final details in the near future.

- Town Public Works Lot Survey and Demarcation

In response to a query from S. Day, CAO D. Kampen agreed that he should proceed with the survey and demarcation of the Public Works land. S. Day noted that survey pins placed in the area would not likely last long due to the type of activity carried on at the site. He further noted that the RK MacDonald development would likely result in A. MacNeil Construction Ltd. moving their stockpiles in the near future.

### **Studies**

- Gateway Study

S. Day updated the Committee of the Gateway Study which is being undertaken by the Antigonish Regional Development Agency, noting that the interim report is ongoing and is expected to be released in December 2010. In response to the Committee's desire to ensure adequate public input, the Chair agreed to contact Gerry Grant of the Antigonish Regional Development Authority, to discuss the public consultation process. S. Day noted that he had provided Ekistics, the Consultants for the Gateway Study, with comments in an attempt to ensure that the Nova Scotia Department of Transportation and Infrastructure Renewal is involved and that there is sufficient public input.

- Exhibition Grounds Master Plan

S. Day advised that the Antigonish Regional Development Authority is also having a study carried out regarding the future of the Exhibition Grounds and that Ekistics is the consultant for this project as well, with funding coming from the Town, County, and Province. He noted that

some of the stakeholders include the local skateboard group and the Farmer's Market. In response to a query from CAO D. Kampen, the Chair advised that he is representing the Town in response to a request from the Mayor. S. Day further noted that the first presentation of Ekistics' findings will be presented to the Town and County, hopefully by November or December.

### **Other Business and Updates**

- CareVan Building Update

S. Day, Planner, noted that work is ongoing in an effort to ensure the CareVan building can be constructed. He noted that K. Proctor, P.Eng, is working with the developer on a surface water plan for the area.

- Cenotaph Project

S. Day, Planner, updated the Committee on the Cenotaph project, noting that he has reviewed the proposed Agreement for the project to see what is needed and that a meeting between the Legion representatives and the Knights of Columbus has been scheduled.

- GIS Project

S. Day, Planner, advised that he is still working on GIS matters and displayed LiDAR mapping to show how various layers of information can be added. He noted that he expects to be spending a couple of days in Halifax to further his knowledge of GIS.

- Hillcrest Street Right-of-Way

S. Day, Planner, reminded the Committee that the Town was seeking a right-of-way from St. FX University which would benefit the Town by having a proper cul-de-sac for turning Town equipment, such as the snowplow, and would also make two (2) lots developable. However, he has been advised by the University that they are in the process of purchasing the N. Nunn property and do not see a benefit in giving the Town the right-of-way at this time.

- Summary Offence Ticket (SOT) Case: St. FX University

S. Day, Planner, advised the Committee that the Town had issued a Summary Offence Ticket to the University approximately one and a half (1 ½) years ago as a result of construction being carried out without the benefit of a building permit. He noted that the University would like to resolve the issue by coming to some agreement that would not require a permit application for every project. He noted that he has contacted the Nova Scotia Building Code Advisory Committee in this regard and is awaiting a response.

### **Other Infraction Updates**

- 57 Hillcrest Street re Small Claims Court

S. Day, Planner, noted that Mr. A. Armsworthy had been ordered to pay back some of the rent to his former tenants as a result of the Small Claims Court; he has appealed this decision. However the Town was found at fault for not issuing an Occupancy Permit, following the issue of a Building Permit. He further noted that in reviewing the Judge's decision, the Judge appeared to ignore the responsibilities of the owner. It was generally agreed to have a lawyer review the case, with the possibility of an appeal by the Town.

### **Action List**

- MPS/LUB

S. Day advised this matter is ongoing.

- MacNeil Infill

The MacNeill Infill matter was previously discussed.

- Site Grading

The Chair noted that the Site Grading Policy had gone back to the Public Property and Streets Committee; however, the Town Engineer is of the opinion that this is not a matter for him to look after. S. Day, Planner, noted that as far as he is aware, the only other municipality with such a policy is Halifax Regional Municipality.

- Integrated Community Sustainability Plan (ICSP)

CAO D. Kampen noted that a special meeting of the Planning Advisory Committee would be required to determine how the Integrated Community Sustainability Plan will fit with the MPS/LUB as it is amended.

### **Adjournment**

Moved by Mayor C. Chisholm

Seconded by Councillor D. MacInnis

“That the meeting be adjourned.” Motion carried.