

To: Planning Advisory Committee

Date: February 26, 2017

Submitted by: Brynn Nheiley, Acting Director of Planning & Development Officer

Regarding: **Amendments to the Municipal Planning Strategy and Land Use By-Law with respect to the periphery of commercial zones.**

Purpose

The purpose of this report is to stimulate discussion on the risks and opportunities associated with expanding the area which is designated as Commercial Periphery, as well as the functionality of the designation. This report also serves to draw ideas from the PAC as to mitigating potential risks, and enhancing potential opportunities.

Summary

Antigonish has a proud heritage that is reflected in its architecture. However, it is clear to see that Antigonish has reached near full capacity of developable lands, particularly with respect to traditional, low-density forms of housing.

There is a strong entrepreneurial spirit in the Antigonish Area, which in many cases lacks appropriately sized commercial spaces to suit their business needs. Some larger commercial spaces throughout our commercial areas have sat vacant for an extended period of time.

Finally, there is broad recognition that the best way to support local business, as well as to provide a wide range of housing necessary to support a diverse population, such as Antigonish has, is to introduce policies which enable and facilitate a wide range of housing types, particularly housing located in walkable distances to commercial districts.

These amendments to the Commercial Periphery designation aim to address each of these considerations in a way that preserves our architectural heritage, facilitates a more flexible range of housing types, and increases opportunity and support for commercial businesses.

Key details which inform this report are included in the Appendix, including:

- Appendix A: Map of existing and proposed districts;
- Appendix B: Draft amendments;
- Appendix C: Examples of similar transitional design types;

- Appendix D: Previous reports, excerpts; and
- Appendix E: References.

Background

Serious consideration of this amendment was initiated in 2016 when the Town of Antigonish was approached by the owner of commercial properties located in what would be considered the fringes of the James Street Commercial (c2-J) Zone and the Downtown Commercial (C1) Zone. This property owner identified that factors that may contribute to his inability to maintain stable tenancy of the commercial portions of his existing building, or to locate an anchor tenant for a development on a brownfield site, such as local business owners looking for smaller space, and lack of population living near the downtown, despite demand.

The presentation of these challenges led staff to more broadly consider the state of stable tenancy throughout all commercial zones, and reflect on previous discussions of what have been considered challenges to commercial properties at the edge of these zones.

These reflections combined with the ongoing effort to broaden residential opportunities and improve walkability, through greater development flexibility near the Town's commercial areas, while also adding greater stability to areas zoned Residential First Density (R1), where appropriate.

Previous Reports

This report has taken into consideration the following reports, with aligned goals, objectives and topics summarized below:

- [Antigonish Integrated Community Sustainability Plan, 2010](#)
- [Antigonish Municipal Climate Change Adaptation Strategy, 2013](#)
- [Antigonish Physical Activity Strategy, 2015](#)

These reports collectively speak to a desire to improve resiliency in the Town of Antigonish:

- They prioritize social factors such as housing affordability, healthy, active lifestyles, improved mobility options and equitable access to social, health and economic services.
- They include an economic focus toward encouraging a broad range of economic activities, celebrating our unique built heritage and attractive downtown, and making efficient use of public infrastructure while managing public costs.
- They suggest environmental priorities including reducing local dependence on fossil fuels, and strategically enabling development which recognizes our floodways and constrained developable land.

For specific detail, relevant points of these reports have been highlighted in Appendix D.

Discussion

This draft amendment can be considered a hybrid system of Form-Based Code (FBC) and the more traditional Euclidian Zoning: Specific use constraints exist for the majority of lands which are zoned for certain residential or commercial uses, while limited areas designated with FBC provide for a much wider mix of uses while preserving the physical characteristics that one might expect in the traditional zones. The physical building constraints and requirements of FBC have the potential to moderate the scale and nature of commercial use in residential zones. FBC can also preserve the commercial aesthetic in designated commercial zones despite purely residential use. The added flexibility of use can allow a more natural transition between commercial and residential zones

Following the local assessment of the current challenges faced in these “fringe” areas of Town, consultation with Planning Officials in comparable NS municipalities suggest that similar measures occurs, only to a limited extent in Mahone Bay. However, such planning tools are common a feature of New Urbanism and Smart Growth planning theory and strategies which have been adopted in jurisdictions throughout North America. A substantial body of journalistic and academic research of existing implementation of such strategies indicates a wide range of potential opportunities, with few potential risks to be mitigated.

Social Factors

Antigonish struggles to provide housing which is appropriate for our diverse population. Large, older homes, which used to house large families are consistently being converted into student accommodation, with high rental rates paid by the room. The smaller family sizes of today often find it difficult to rent or buy affordable, right-sized housing. Cooperative and supported housing throughout the town runs at capacity, with many who cannot be accommodated. Empty nesters reaching the end of a prosperous career often wish to live within walking distance to their favourite shops and services, but are forced to look outside of the Town for housing types that meets their wants and needs.

FBCs that enable a broader range of housing types have the potential to alleviate many of these issues simply by offering new residential units in close proximity to our commercial areas. It may also increase predictability in residential areas which are further from the liveliness of downtown. These areas are valued for their quieter atmosphere, but commonly find unanticipated, higher intensity residential uses forming in their neighbourhoods due to otherwise unmet housing needs.

Healthy, active lifestyles may be supported by the draft amendments by enabling a higher percentage of residents to live within walking distance of places to conduct their errands and

engage in social and recreational activities. When walking to destinations is both practical and enjoyable, we become more willing to make physical activity part of our daily routine.

While we recognized these potential benefits to FBC in the commercial fringe areas, there are also potential areas of concern to be aware of. One such concern is of further student ghettoization of students concentrated in the downtown. Such an outcome might alienate permanent residents, while also stigmatizing the student population as a homogenous group. Working with developers to ensure a range of housing types to suite the diversity of our population will be critical to the success of such an amendment.

Allowing nearby residential to be more easily used for commercial purposes may impact residential pricing in the designated area. However, high demand for housing has already contributed to higher housing costs near the core, so the concurrent enabling of multiple residential units within the designated commercial areas may counteract this risk.

Enabling commercial uses in designated residential areas near the downtown may contribute to increased nuisance issues, such as noise levels in the area. Increased light pollution for safety may also impact residents, along with traffic and parking concerns. These potential impacts can be managed directly, rather than biasing a particular use. An example of a management tool could be to lift the notion that all business types require minimal levels of on-site parking, regardless of location, and supporting the acceptability of walking some moderate distance to reach ones destination. Additionally, the enforcement of existing by-laws, such as the Noise Control By-law, is a tool to manage these concerns.

Economic Factors

Policies and by-laws “must be calibrated to accommodate transitional markets that can over time attract and evolve” (Rangwala, 2013). FBC have the potential to increase the range of economic activity by supporting small businesses, those not suited to the more traditional commercial spaces on our commercial streets, starting in close proximity to our commercial centres. With these areas able to respond to the needs of the local market, FBC will assist in upholding the community’s visual identity, and increase the economic feasibility of reinvestment in our existing built heritage, conserving architectural heritage, and its associated embodied energy and resources.

With virtually no available vacant land to develop in the Town, developers have been looking to available lands in as close proximity to the downtown that is economically viable for residential development. Challenging development regulations in Town, such as extensive use of Development Agreement tools, likely discourage developers from considering opportunities for redevelopment within the Town. As one report noted, “In some cases, the solution to achieving better outcomes from development may be simply identifying and removing the regulatory

obstacles that have prevented the construction of compact, mixed use developments or hindered reinvestment in existing commercial centres” (Nadejda Mishkovsky, 2010).

Public infrastructure includes everything from roadways, sidewalks, water and sewer lines and treatment facilities, and our electric utility. Facilitating development near our commercial cores, and toward existing infrastructure, has the additional benefit of directing private investment in a way benefits the broader community by focusing maintenance and improvements into public infrastructure.

Although many of our municipal documents rightfully speak of the importance of investing in public transportation, walking and rolling are equally important transportation options to be supported through private and public investment in sidewalks, trails and cycling infrastructure. This becomes more economically feasible where there is shared benefit to a higher concentration of residential and commercial users. As an added benefit, enabling more residents to use active transportation reduces the pressure to increase parking availability for those who are not able to travel without their personal vehicle.

Consideration must be given to the question of whether enabling commercial uses in locations just off Main Street have the potential risk of reducing interest in commercial businesses occupying commercial areas to affordability. This risk may be countered by increasing the number of residential units in the downtown, thereby growing our ability to support the range of business sizes and types.

Environmental Factors

By accommodating demand for a wide range of development types, FBC becomes a tool that can reduce pressure to develop within the floodway fringe despite our severely constrained developable land. It also supports preservation of the natural and agricultural lands surrounding the Town that are so crucial to our identity.

The mixing of residential and commercial uses also reducing local dependence on fossil fuels by giving residents the choice to walk, ride bikes, or use other modes active transportation rather than driving.

Although more residents in the downtown will be able to lead healthier, more active lifestyles in their daily routines, this will not eliminate the high usage private vehicle. Additional surface parking in the commercial cores would be counter to the benefits that can be gained through infill development, so demand for parking should be addressed in the very near future through a review of current parking requirements, and include strategies for demand-side management.

Considerations

The following are a list of questions that the PAC and members of the community may wish to keep in mind as they review the draft amendments in Appendix B. This list is by no means exhaustive, but will be used to stimulate discussion at the March 6 PAC meeting.

Within Designated Commercial Zones

- Is there a valid concern of ghettoizing any one demographic within the commercial areas?
- If these amendments result in compressed commercial nodes, do we risk pushing up the cost of commercial space beyond accessibility of local businesses?

Within Designated Residential Zones

- Does allowing commercial uses in adjacent residential zones risk undermining commercial spaces within Commercial Zones?
- Are there risks to the quality of these residential streets that have not yet been discussed?
- What performance standards should be monitored if these draft amendments are implemented (ex. Parking, noise control, etc.)?
 - How can these impacts be managed?
 - Alternatively, how can unfounded perception of these impacts be mitigated?
- Does allowing commercial uses in adjacent residential zones risk driving up housing costs for already financially fragile members of our community?

Conclusion

Once again, the purpose of this report is to stimulate discussion on the risks and opportunities associated with expanding the area which is designated as Commercial Periphery, as well as implementing the tool of Form-Based Codes to expand the functionality of the CP designation. This report intends to stimulate discussion in the PAC about ideas to mitigate risks, and enhance potential opportunities.