

MUNICIPALITY OF THE COUNTY OF
ANTIGONISH

Agenda

Planning Advisory Committee Meeting

6:30 p.m. Monday, 20 January 2025

(In-person, with virtual attendance if requested)

- 1) Call to Order – Chair, Mary MacLellan
- 2) Approval of Agenda
- 3) Minutes PAC Meeting Minutes from September 3, 2024
- 4) Staff Planning Reports:
 - a) Application by Tallgrazz Adventures Limited to rezone the property located at PID 01252956 on East Tracadie Road from Rural (R-1) to Residential Multi-unit (R-2) Zone.
 - b) Proposed amendment to redesignate PID 01212117 on Highway 7 from Rural Development to Commercial and to rezone the same property from Local Commercial (C-1) to General Commercial (C-2). Furthermore, to add small-scale automobile sales as a permitted use in the General Commercial (C-2) Zone.
 - c) Application to rezone a portion of property (PID 10137115) located on Mount Cameron Circle, Antigonish Landing, Antigonish County from the Residential (R-1) Zone to the Residential Multi-unit (R-2) Zone to allow for the development of a quadplex residential development.
 - d) Application to rezone 1648 Addington Forks Road from Local Commercial and Rural General zones to Residential to match the existing residential use.
- 5) Discussion Items
- 6) Other Business Arising
- 7) Adjournment

Next Meeting: To be determined

MUNICIPALITY OF THE COUNTY OF
ANTIGONISH

Planning Advisory Committee Meeting Minutes

Monday, September 3 2024, 6:30 pm

Municipal Administration Building

285 Beech Hill Road

Beech Hill, NS B2G 0B4

In Attendance: Councillor John Dunbar, Acting Chair
Councillor Bill MacFarlane
Morgan Peters (by Zoom) Colleen Briand
Mike MacEachern

Staff Present: Shirlyn Donovan, Interim CAO
Beth Schumacher, Deputy Clerk
John Bain, EDPC
Mikayla Tait, EDPC
Yusiang Li, EDPC

Regrets: Councillor Mary MacLellan, Chair

Also Present: Gallery

1) Call to Order – Chair, Councillor Mary MacLellan

The meeting of the Planning Advisory Committee was called together by the Acting Chair, Councillor John Dunbar, at 6:37 pm.

2) Approval of Agenda

Councillor Dunbar called for any additions or deletions to the agenda. There were no additions or deletions to the agenda.

Moved and Seconded

THAT the agenda be approved as presented.

Motion Carried

3) Staff Planning Reports

Review of Kennel Provisions within the: West River Antigonish Harbour, Central Antigonish, and Keppoch-Beaver Mountain Plan Areas.

Ms. Tait presented the staff report and recommendation by planning staff. A review regarding the necessity of kennels as a land use was provided, and a review of the different plans where provisions are and are not made for kennels to be a permitted use as of right were also spoken to. Staff is recommending that kennels be

permitted in the plan areas where it is currently not noted as a permitted use, subject to specific provisions such as minimum lot area.

Due to an interruption from the gallery, the recess to the meeting was called for five minutes. The meeting was called back to order at 6:55pm.

Ms. Tait continued to review the site-specific provisions proposed, outlining those that could be regulated by the land use by-laws, and those that would require a separate by-law. Staff also provided an overview the function of a kennel licensing by-law, that would regulate the elements that the land use by-law could not, such as soundproofing, insulation, and the maintenance of those features. The kennel by-law would also look to limit the use of dog runs at night, as a means to minimize the nuisance of barking. Staff also reviewed the impact of the proposed amendments on existing legal operations.

The members of the committee were then invited to ask any questions that they had. A question was asked regarding the size of a kennel, and how that size relates to the number of dogs that could be on a site. The Committee felt that this question had to be addressed before the committee could put forward a recommendation. A question was asked about the definition of kennel, and Ms. Tait explained that the definition of kennel would be standardized across all of the plan documents and read out the proposed definition. A question was asked regarding notification measures and consultation with those in the sector in advance of the next step of the review process.

Staff is recommending that that the Committee approve the motions as proposed.

Moved and seconded:

That the Planning Advisory Committee gives their approval and recommends that Municipal Council give first reading to, and schedules a public hearing for, the following plan and by-law amendments:

1. West River Antigonish Harbour Plan Area Municipal Planning Strategy

a. Amendment to Policy L-1.2 to add kennels to the list of permitted uses in the Rural Development (RG-1) Zone.

b. Amendment to Policy L-4.8 to add kennels to the list of permitted uses in the Business Commercial (BC-1) Zone.

2. West River Antigonish Harbour Plan Area Land Use By-law

a. Amendment to subsection 6.A.11 to exclude kennel uses from undersized lots.

b. Amendment to Part 8, "Rural General (RG-1) Zone", to add clauses regarding kennels.

c. Amendment to subsection 15.1 to include kennels as a permitted use in the Local Commercial (C-1) Zone.

d. Amendment to Part 15, “Local Commercial (C-1) Zone”, to add clauses regarding kennels.

e. Amendment to subsection 16.1 to include kennels as a permitted use in the General Commercial (C-2) Zone.

f. Amendment to Part 16, “General Commercial (C-2) Zone, to add clauses regarding kennels.

g. Amendment to subsection 21.1 to include kennels as a permitted use in the Business Commercial (BC-1) Zone.

h. Amendment to Part 21, “Business Commercial (BC-1) Zone, to add clauses regarding kennels.

i. Amendment to Part 25, to update the definition of KENNEL.

3. Central Antigonish Plan Area Municipal Planning Strategy

a. Amendment to the preamble of Section 3.1 to note kennels in a list of example uses under Rural Development.

b. Amendment to Policy L-1.2 to add kennels to the list of permitted uses in the Rural

Development (RD-1) Zone.

c. Amendment to Policy L-3.1 to add kennels to the list of permitted uses in the Rural

Commercial (RC-1) Zone.

d. Amendment to the preamble of Section 3.2.4 to note kennels in a list of example uses under Hamlet Commercial.

e. Amendment to Policy L-12.1 to add kennels to the list of permitted uses in the Hamlet Commercial (HC-1) Zone.

f. Amendment to the preamble of Section 3.2.5 to note kennels in a list of example uses under Hamlet Highway Commercial.

g. Amendment to Policy L-13.1 to add kennels to the list of permitted uses in the Hamlet Highway Commercial (HHC-1) Zone.

4. Central Antigonish Plan Area Land Use By-law

a. Amendment to subsection 6.A.11 to exclude kennel uses from undersized lots.

b. Amendment to Subsection 8.1 to add kennels as a permitted use in the Rural Development (RD-1) Zone.

- c. Amendment to Part 8, "Rural Development (RD-1) Zone", to add clauses regarding kennels.*
 - d. Amendment to subsection 10.1 to add kennels as a permitted use in the Rural Commercial (RC-1) Zone.*
 - e. Amendment to Part 10, "Rural Commercial (RC-1) Zone", to add clauses regarding kennels.*
 - f. Amendment to subsection 16.1 to add kennels as a permitted use in the Hamlet Commercial (HC-1) Zone.*
 - g. Amendment to Part 16, "Hamlet Commercial (HC-1) Zone", to add clauses regarding kennels.*
 - h. Amendment to subsection 17.1 to add kennels as a permitted use in the Hamlet Highway Commercial (HHC-1) Zone.*
 - i. Amendment to Part 17, "Hamlet Highway Commercial Zone", to add clauses regarding kennels.*
 - j. Amendment to Part 19, to update the definition of KENNEL.*
- 5. Keppoch Beaver Mountain Plan Area Municipal Planning Strategy*
- a. Amendment to Policy 3.3 to include kennels in the list of uses permitted in the Rural Development (RD-1) Zone.*
- 6. Keppoch Beaver Mountain Plan Area Land Use By-law*
- a. Amendment to subsection 5.9 to exclude kennel uses from undersized lots.*
 - b. Amendment to subsection 6.1 to add kennels as a permitted use in the Rural Development (RD-1) Zone.*
 - c. Amendment to Part 6, "Rural Development (RD-1) Zone, to add Special Requirement clauses regarding kennels.*
 - d. Amendment to Part 9 to create a definition for KENNEL.*

Motion Carried

Moved and Seconded

That the Committee recommends that Municipal Council consider a by-law to license kennels, subject to that by-law including additional restrictions regarding the maximum number of dogs allowed to board overnight on the premises based on the kennel building's size.

Motion Carried.

Application by S.F. Smith Retirement Living to rezone a portion of property (PID 10132611) located between Highway 337 and Mount Cameron Circle (extensions to Harbour View Drive and Duykers Drive) as well as four properties (PIDs 10137099, 10137107, 10137115 and 10137131) located on Mount Cameron Circle, Antigonish Landing, Antigonish County from the Residential (R-1) Zone to the Residential Multi-unit (R-2) Zone to allow for the development of a quadplex residential development.

Mr. Bain presented the staff report and recommendation by planning staff. A review of the anticipated impact of the increase in residential unit density was provided. Several maps and arial photographs of the proposed development area were reviewed. Staff noted that the increase in density supports housing initiatives encouraged by the federal government. Mr. Bain reviewed how the proposed development complied with policies L-2.9 and I-1.10 in the Municipal Planning Strategy. Mr. Bain noted that the road extension would include sidewalks to replace the informal trail that currently runs through the development area. Staff is recommending that the Committee approve the proposed motion. There were no questions from the Committee.

Moved and seconded:

That the Planning Advisory Committee recommends that Municipal Council give First Reading and set a Public Hearing date for the rezoning of a portion of a property (PID 10132611) located between Highway 337 and Mount Cameron Circle as well as four properties (PIDs 10137099, 10137107, 10137115 and 10137131) located on Mount Cameron Circle Antigonish Landing, Antigonish County from the Residential (R-1) Zone to the Residential Multi-unit (R-2) Zone to allow for the development of a quadplex residential development.

Motion Carried.

4) Discussion Items

Councillor MacFarlane provided his thanks to the Chair and staff for their composure during the meeting and noting that the situation at the meeting this evening would be brought to Council's attention.

5) Other Business Arising

There was no business arising.

6) Adjournment

Moved

THAT, there being no further business, the meeting be adjourned at 7:50pm.

Motion Carried

To: **Antigonish County Planning Advisory Committee
Antigonish County Council**

From: **Planning Staff (EDPC)**

Date: **January 20, 2025**

Reference: **Application by Tallgrazz Adventures Ltd to amend the Eastern Antigonish Land Use By-law by rezoning a portion of PID 01252956, located at 385 East Tracadie Road, East Tracadie, Antigonish County, Nova Scotia.**

Staff Recommendation:

Planning Staff’s recommendation is to approve the proposed rezoning of a portion of property PID 01252956 from R-1 to R-2 to allow for an increase in the potential housing stock on the property by allowing a “grouped dwelling” development consisting of four semi-detached buildings.

Background Information:

Staff received a request to rezone a portion of 385 East Tracadie Road, PID 01252956, East Tracadie, Antigonish County, Nova Scotia. The subject property currently has an existing single-unit dwelling constructed on it and is currently zoned as Rural (R-1). The applicant would like to get the property rezoned to Residential Multi-Unit (R-2), to construct a “grouped dwelling” development consisting of four semi-detached buildings on two onsite sewage disposal systems in the section of the property closest to the road without subdividing the property for each individual unit (See Appendix B: Site Plan).

	Description
Designation:	Rural
Current Zoning:	Rural (R-1)
Request:	Rezone to R-2, Residential Multi-Unit See Figure 1, Page 2
Identification #:	PID 01252956,
Total Lot Area:	31.33 Acres
Site Visit:	June 27, 2024

Analysis:

The property is currently designated Rural and zoned Rural (R-1). The current policy in the *Eastern Antigonish Secondary Planning Strategy* describes that a rezoning to the Residential Multi-Unit (R-2) Zone may occur in the Rural Designation. Policy 2(c) of the *Eastern Antigonish Municipal Planning Strategy* allows for a rezoning to the Residential Multi-Unit (R-2) Zone. The policy reads as follows: *The Residential Multi-Unit (R-2) Zone shall permit residential buildings of more than two (2) units including grouped dwellings... New multi-unit buildings shall be considered by a rezoning in any part of the Planning Area designated “Rural”, “Rural Settlement” and “Commercial”.*

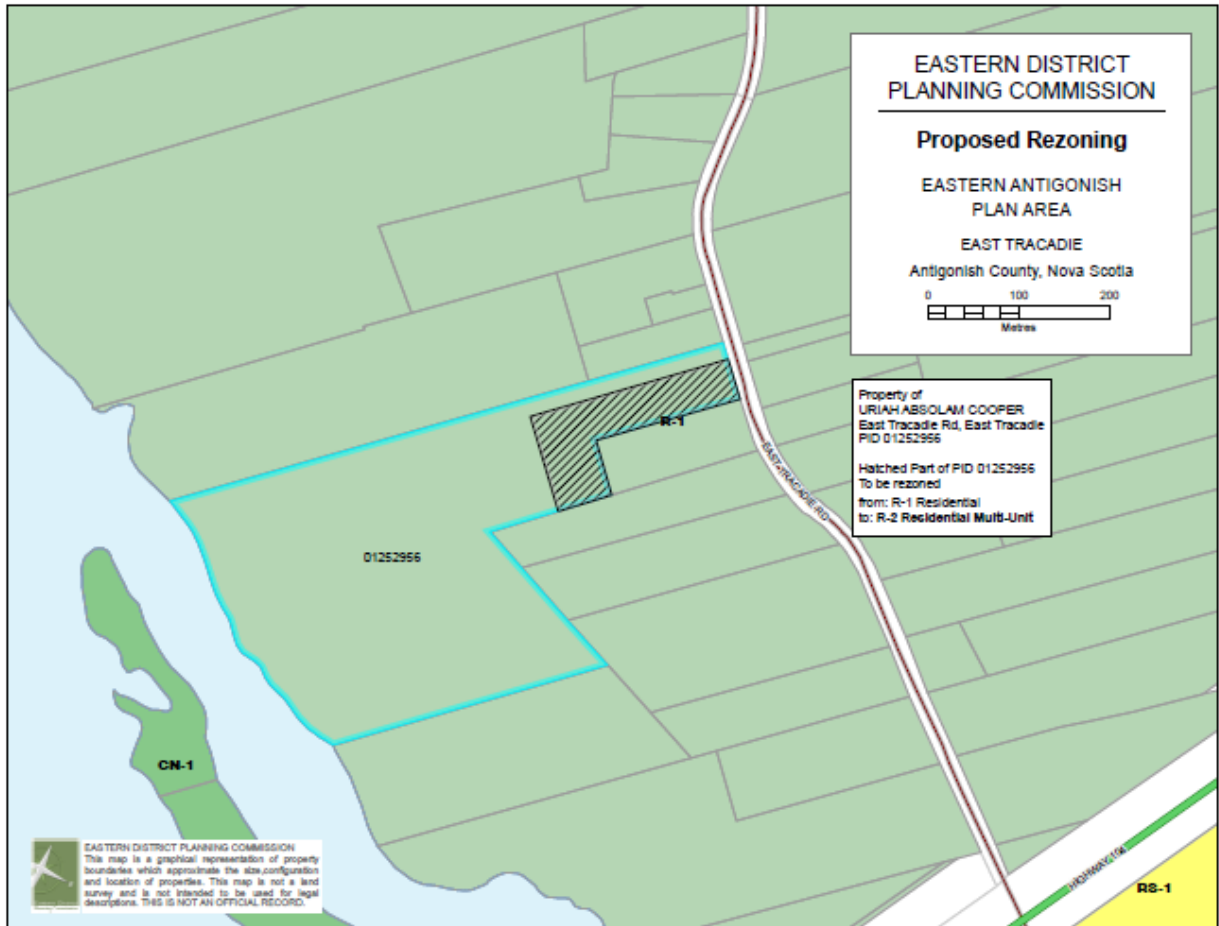


Figure 1: Rezoning Map of 385 East Tracadie Road, PID 01252956.

Policy 6 of the *Eastern Antigonish Municipal Planning Strategy* is the specific policy for rezoning to the Multi-unit Residential (R-2) Zone within the plan area and includes criteria for new residential multi-unit buildings in areas designated “Rural”, “Rural Settlement” or “Commercial” as shown on the Generalized Future Land Use Map applying for a rezoning to the Residential Multi-Unit (R-2) Zone must meet. Policy 6 is as follows:

It is the intention of Council to permit new residential multi-unit buildings in areas designated “Rural”, “Rural Settlement” or “Commercial” as shown on the Generalized Future Land Use Map by a rezoning to the R-2 Zone subject to the following criteria to direct these uses to suitable locations and those criteria listed in Policy 39:

- (a) *the proposed development is compatible with adjacent residential uses with respect to scale, mass and use;*
- (b) *the location of the proposed development does not create any major traffic problems;*

(c) the lot on which the proposed development is sited is adequately served by a centralized sewer system and/or central water system or if on-site services are to be used, these services are adequate for R-2 Zone uses.

Policy 39 of the *Eastern Antigonish Secondary Planning Strategy* lists the general rezoning criteria Council shall consider when considering any rezoning. The rezoning criteria is laid out in full in Appendix “A” of this report. Policy 39 considers such factors as traffic, sewer and water services, contamination of watercourses and parking requirements.

Financial:

According to Policy 39 in the *Eastern Antigonish Secondary Planning Strategy*, the proposed development cannot be premature or inappropriate by reason of the financial capacity of the Municipality to absorb the costs relating to the proposal. Staff circulated letters and received responses from several municipal departments and one provincial department. According to the Finance Department there is no issue with the ability to absorb any of the costs associated with the proposed development. The developer will be absorbing all the costs of the proposed development.

Recreation Facilities and Schools:

Staff also received comments from the Strait Area School Board Director, who said that the Eastern Antigonish Education Centre has the capacity to accommodate a number of new students should the need arise from more residential development in the area.

Scale and Mass:

The majority of buildings in the vicinity are either single detached dwellings or agricultural buildings, as this was predominantly a farming area historically. The proposal is to construct four semi-detached buildings on this portion of the lot (See Appendix B: Site Plan). Semi-detached buildings are not very different in building mass from a single-detached dwelling unit, so this is not an unreasonable proposal. What Council should consider is whether having that many new units is of reasonable scale of new units in comparison to the surrounding area. From a staff point of view this would be considered a low-density development.



Figure 2: Existing dwelling at 385 East Tracadie Road.

Staff Report

Transportation network:

Staff received correspondence indicating that the Nova Scotia Department of Public Works is satisfied with the road leading to the properties and they currently have no concerns with the surrounding road networks nor public street access. The Department also added that a completed 'Work Within a Highway Right-of-Way Permit' will be required prior to any construction activities; at which time they may ask to review detailed engineering drawings for access as well as on-site drainage.

Soil Erosion and Sedimentation:

During construction the developer will need to comply with the Provincial regulations for erosion of soil and water drainage systems on the properties. The applicant (Uriah Cooper on behalf of Tallgrazz Adventures Ltd.) received a letter from Nova Scotia Environment and Climate Change after requesting their comments on the proposed rezoning. The letter stated that NSECC has no objections to the proposed rezoning if all NSECC regulations and requirements are met, including a requirement that on-site systems are designed and installed in accordance with the On-site Sewage Disposal Standard (2022) and *On-site Sewage Disposal Systems Regulations (2018)*. NSECC made it clear in the correspondence that they are aware that the intent is to construct up to four semi-detached buildings on this portion of the property. The response also stated that if any wetland or watercourse alterations are required, a notification or application of approval as per Section 5A/5B under Division I of the *Activities Designation Regulations (2022)* must be made to NSECC.



Figure 3: Front of lot where proposed semi-detached buildings are proposed to be located.

Statements of Provincial Interest:

The purpose of the Statements of Provincial Interest (SPI) is to protect the common public interest and encourage sustainable development in municipalities. The SPI are policy statements adopted by the provincial government under the powers of the Municipal Government Act (MGA s.193). They are set out in Schedule "B" of the MGA and legislation requires that municipal planning documents are "reasonably consistent" with the SPI. As such, the following comments are offered with respect to consistency of the proposal with the SPI:

1. Drinking Water: The proposed development does not impact the provision of drinking water.

The property is not located within a well field or an area covered by a Source Water Protection Plan.

2. Flood Risk Areas: Not in an identified flood risk area.
3. Agricultural Land: This proposed housing will not be impacting agricultural lands.
4. Infrastructure: Will not be using municipal water or sewer.
5. Housing: The proposed development will provide eight (8) new housing units, which will increase the availability of new housing stock in the area.

The proposed development is reasonably consistent with the Statements of Provincial Interest.

Conclusion:

The rezoning application for 385 East Tracadie Road (PID 01252956), East Tracadie, meets the intent of the relevant policies of the *Eastern Antigonish Municipal Planning Strategy* and is reasonably consistent with the Statements of Provincial Interest. Staff recommend the approval of rezoning a portion of PID 01252956 from the Rural (R-1) Zone to the Residential Multi-Unit (R-2) Zone, to allow the construction of up to four semi-detached buildings as shown on the proposed site plan.

Proposed Motions:

If supported by the Planning Advisory Committee, the motion could be as follows:

Planning Advisory Committee recommends that Municipal Council approve the amendment to the Eastern Antigonish Land Use By-law to rezone a portion of 385 East Tracadie Road, PID 01252956, East Tracadie from Rural (R-1) to Residential Multi Unit (R-2) as per the Rezoning Map attached in Appendix "C".

The motion for Council could be the following:

Council approves the amendment to the Eastern Antigonish Land Use By-law to rezone a portion of 385 East Tracadie Road, PID 01252956, East Tracadie from Rural (R-1) to Residential Multi Unit (R-2) as per the Rezoning Map attached in Appendix "C".

Appendix ‘A’: Summary of Applicable Policies

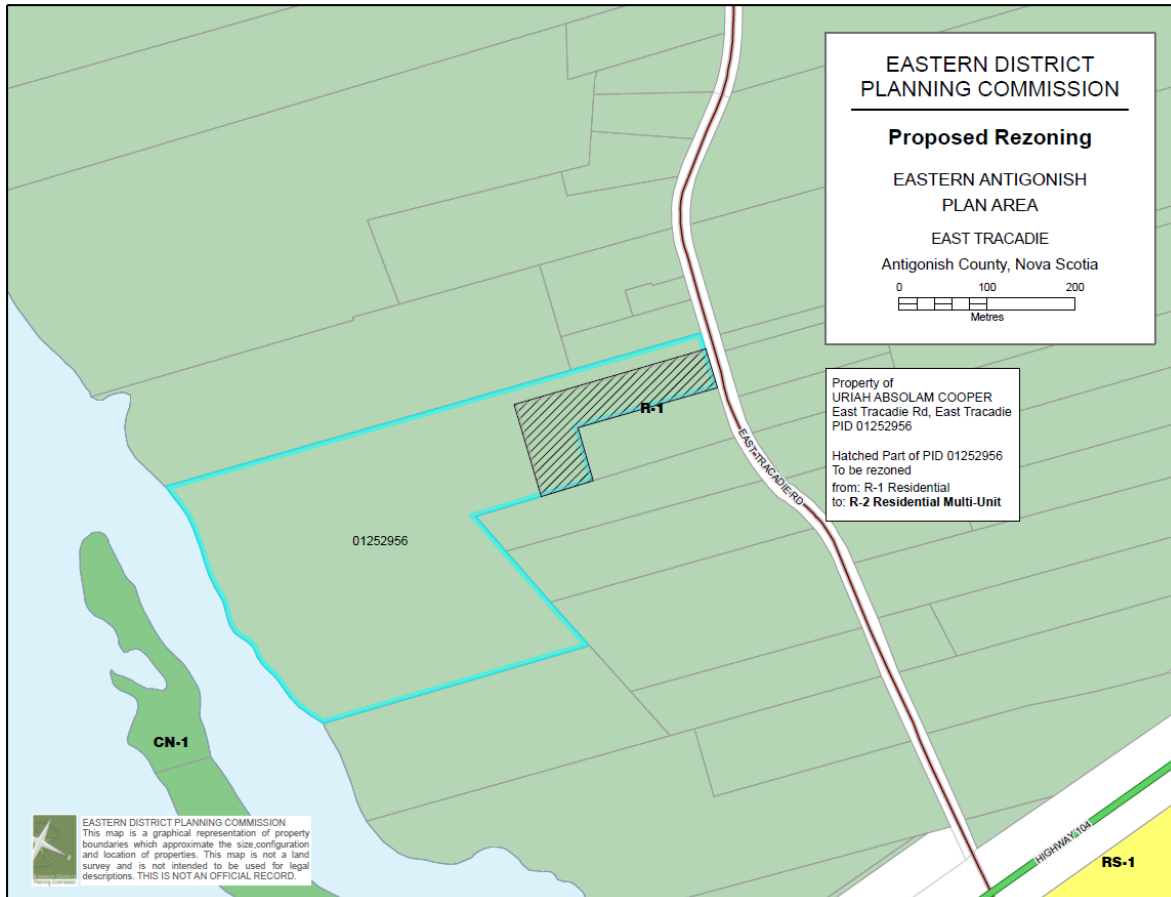
<p>Policy 6</p> <p>It is the intention of Council to permit new residential multi-unit buildings in areas designated “Rural”, “Rural Settlement” or “Commercial” as shown on the Generalized Future Land Use Map by a rezoning to the R-2 Zone subject to the following criteria to direct these uses to suitable locations and those criteria listed in Policy 39:</p>	
<p>a. the proposed development is compatible with adjacent residential uses with respect to scale, mass and use;</p>	Complies
<p>b. the location of the proposed development does not create any major traffic problems;</p>	Complies
<p>c. the lot on which the proposed development is sited is adequately served by a centralized sewer system and/or central water system or if on-site services are to be used, these services are adequate for R-2 Zone uses.</p>	Complies

<p>Policy 39</p> <p>In considering amendments to the Land Use By-law, in addition to all other criteria as set out in various policies of this planning strategy, Council shall have regard for the following matters:</p>	
<p>a. Whether the proposal conforms with the intent of this Strategy and with the requirements of all other Municipal by- laws and regulations;</p>	Complies
<p>b. Whether the proposal is premature or inappropriate by reason of:</p>	
<p>(i) the financial capability of the Municipality to absorb any costs relating to the proposal;</p>	Complies
<p>(ii) the adequacy of sewer and/or water services to support the proposal;</p>	On-site Water and Sewer
<p>(iii) the adequacy and proximity of school, recreation and other community facilities;</p>	Complies
<p>(iv) the adequacy of road networks, in, adjacent to, or leading to the development and the adequacy of proposed accesses and parking facilities;</p>	Complies
<p>(v) the potential for the contamination of abutting watercourses or the creation of erosion or sedimentation as a result of the development as determined by a qualified person from the appropriate government department;</p>	Complies
<p>(vi) suitability of the proposed site in terms of steepness of grades, soil and geological conditions, marshes, swamps, or bogs as determined by a qualified person from the appropriate government department and proximity of highway ramps and railway rights-of-way.</p>	Complies

Staff Report

Appendix 'C': Rezoning Map

The Eastern Antigonish Land Use By-law shall be amended by changing the Zoning Map for the properties shown in the map below.



This is to certify that the By-law, of which this is a true copy, was passed at a duly called meeting of the Council for the Municipality of the County of Antigonish on _____, 2025. Given under the hand of the Chief Administrative Officer and under the corporate seal of the said Municipality this ____ day of _____, 2025.

Shirlyn Donovan
CAO

To: **Antigonish County Planning Advisory Committee
Antigonish County Council**

From: **Planning Staff (EDPC)**

Date: **January 20, 2025**

Reference: **Amending the West River Antigonish Harbour Municipal Planning Strategy and Land Use By-law by Redesignating and Rezoning property (PID 01212117) to the Commercial Designation and General Commercial (C-2) zone respectively and by adding small-scale automobile sales as a permitted use in the General Commercial (C-2) zone.**

Staff Recommendation:

It is the recommendation of Staff that Council amend the West River Antigonish Harbour Municipal Planning Strategy and Land Use By-Law to 1) redesignate the property identified as PID 01212117 from Rural Development to Commercial Designation on the Generalized Future Land Use Map; 2) rezone the same property from the Local Commercial (C-1) Zone to the General Commercial (C-2) zone on the Zoning map; and 3) add small-scale automobile sales as a permitted use in the General Commercial (C-2) Zone.

Background Information:

The automobile service station located at PID 01212117, now known as Foston's Gas Station, has been in operation on the property since at least 1985 when the property was first leased to Gulf Canada. Staff are of the opinion that the General Commercial (C-2) zone is a more appropriate zone for this business, however during the last plan review process, it was zoned as Local Commercial (C-1). Staff would like to amend the by-law now to more appropriately zone the property to better reflect the current use. The current owners would also like to operate a restaurant and a small-scale auto sales business on the lot. Presently, the restaurant is a permitted use on the property, but the auto sales business is not.

Analysis:

The Local Commercial (C-1) Zone in the West River Antigonish Harbour (WRAH) Land Use By-Law allows a variety of commercial uses, however it does not permit automobile sales. The General Commercial (C-2) zone permits automobile sales but only by development agreement. Given the specific circumstances of this situation for a property that has an existing gas station in operation, Planning Staff see an alternative solution to negotiating a development agreement.

There is currently a provision in the WRAH Land Use By-law that allows small-scale automobile

sales as a home occupation in the Rural General (RG-1) zone. Staff are of the opinion that a similar provision should extend to the C-2 Zone provided that there is adequate landscaping to buffer the side and rear lot lines if the property abuts a residential use.

The policy in the RG-1 zone is as follows:

6.A.41 Automobile sales shall be permitted as a home occupation in the Rural General (RG-1) Zone subject to the provisions of Section 6.A.39. There shall be a maximum of twelve (12) vehicles for sale at any one time and buffering of at least 1.5 metres (5 feet) must be present and maintained along all lots lines that abut an existing residential use. No storage or parking of cars that are for sale will be permitted in the front yard.

The West River Antigonish Harbour Land Use By-law already allows small-scale automobile sales as a home occupation in the RG-1 zone, therefore Staff recommend adding this same provision to the Local Commercial zone with a similar maximum of twelve cars for sale at any one time on the property. The gas station typically has a number of vehicles on the lot waiting to be serviced, so having a small number of vehicles for sale would be a similar use and in keeping with the use that is already permitted on the property. This is the main reason why Planning Staff recommend adding this use to the General Commercial zone. A small-scale automobile sales business aligns well with the existing commercial land use. The scale would be comparable to that of Albie’s Auto Sales in Lakevale.

The West River Antigonish Harbour Municipal Planning Strategy will also need to have the designation of the property changed from Rural Development to Commercial Designation on the Generalized Future Land Use Map to reflect the fact that this property was a commercial operation under the previous Antigonish Fringe Municipal Planning Strategy. The property continues to operate as a commercial property, therefore the designation and the zoning should reflect more accurately what has been an automobile service station for many years.



Photo 1: Foston Gas Station on Highway 7

The property located at 5229 Highway 7 has been an automobile service station for many years.

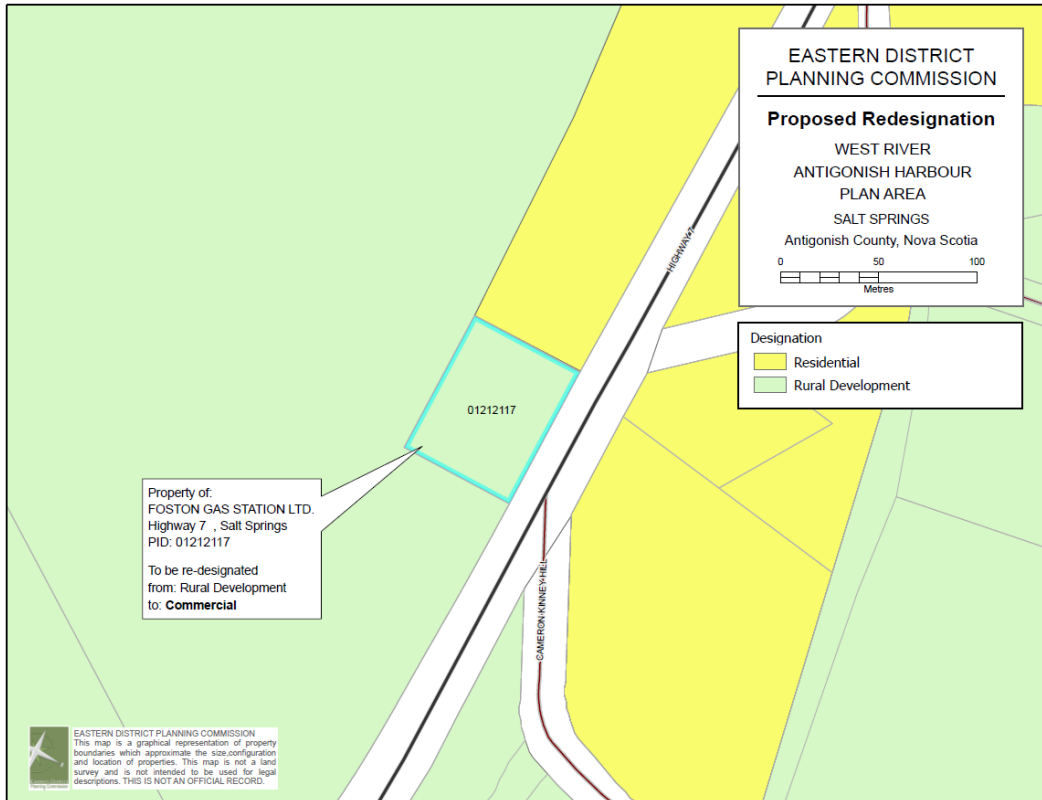
Staff are of the opinion that a small-scale automobile sales business will be a similar land use to what is already permitted and occurring on the property. In addition, the property should have been given the C-2 zone when the plan was adopted, it was inaccurate for this business to be zoned C-1.

In conclusion, Staff recommend that Planning Advisory Committee recommend to Council amendments the West River Antigonish Harbour Municipal Planning Strategy and Land Use By-Law to:

- 1) redesignate the property identified as PID 01212117 from Rural Development to Commercial Designation on the Generalized Future Land Use Map;
- 2) rezone the same property from the Local Commercial (C-1) Zone to the General Commercial (C-2) zone on the Zoning map; and
- 3) add small-scale automobile sales as a permitted use in the General Commercial (C-2) Zone.

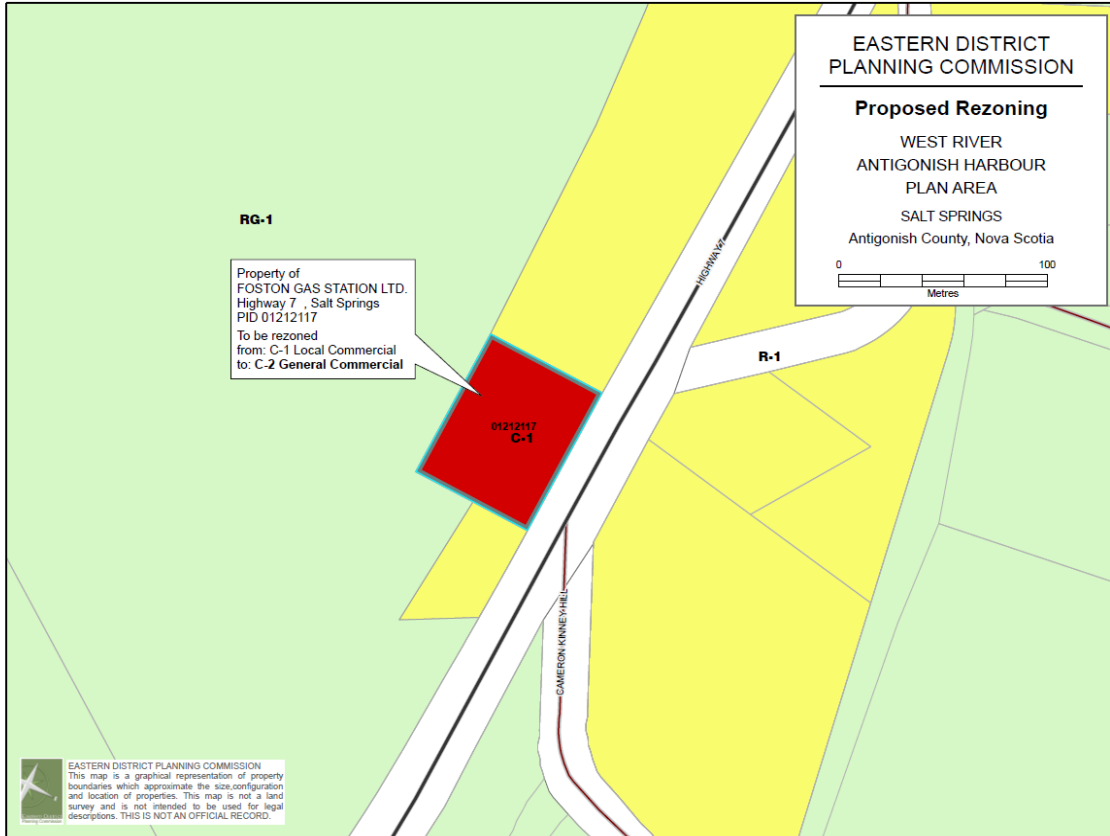
Proposed Amendment:
A BY-LAW TO AMEND THE SECONDARY PLANNING STRATEGY
FOR THE MUNICIPALITY OF THE COUNTY OF ANTIGONISH

The *West River Antigonish Harbour Municipal Planning Strategy* is hereby amended as shown on the Generalized Future Land Use Map:



Proposed Amendment:
A BY-LAW TO AMEND THE LAND USE BY-LAW
FOR THE MUNICIPALITY OF THE COUNTY OF ANTIGONISH

The *West River Antigonish Harbour Land Use By-law* is hereby amended as shown on the Rezoning Map:



Proposed Amendment:
A BY-LAW TO AMEND THE LAND USE BY-LAW
FOR THE MUNICIPALITY OF THE COUNTY OF ANTIGONISH

The *West River Antigonish Harbour Land Use By-law* is hereby amended as follows:

1) In Part 16 adding the following text in bold:

Small-scale Automobile Sales

16.19 Small scale automobile sales shall be permitted in the General Commercial zone subject to requirements of the C-2 zone and shall total a maximum of twelve (12) vehicles for sale on the lot at any one time. Landscaping of a minimum height of 1.5 metres (5 ft.) will be required if the property abuts an existing residential property.

This is to certify that the resolution of which this is a true copy, was duly passed at a duly called meeting of the Council for the Municipality of the County of Antigonish held on the ____ day of _____ 2025

Given under the hand of the Municipal Clerk and under the corporate seal of the said Municipality this ____ day of _____ 2025

Shirlyn Donovan, CAO

To: **Antigonish County Planning Advisory Committee
Antigonish County Council**

From: **Planning Staff (EDPC)**

Date: **January 20th 2025**

Reference: **Application to rezone two properties (PIDs: 10137115; 10137131) located within Mount Cameron Estates on Mount Cameron Circle in Antigonish Landing, Antigonish County, with the former from the Residential (R-1) Zone to the Residential Multi-Unit (R-2) Zone, and the latter from R-2 to R-1. Both are a part of the proposed development of fourplexes.**

Recommendation:

That Municipal Council approve the proposed rezonings of the referenced properties located within Mount Cameron Estates, with PID 10137115 (“Lot 12”) rezoned from the Residential (R-1) Zone to the Residential Multi-Unit (R-2) Zone of the *West River Antigonish Harbour Plan Area* (WRAH) to allow for the construction of a fourplex, and PID 10137131 (“Lot 16”) from the R-2 back to the R-1 Zone.

Background

On December 13th, 2024, EDPC staff received a planning application from the Vice President of SF Smith Retirement Living asking for the rezoning of the referenced properties “to allow for the construction of a fourplex” on Lot 12, and to amend an error relating to Lot 16 on the initial application from May of 2024.

The initial rezoning application, made on May 9th, 2024, by SF Smith Retirement Living, requested that several properties within Mount Cameron Estates be rezoned from the R-1 to the R-2 Zone to permit fourplexes to be built (a staff report outlining the proposal has been written by staff, with information directly pertaining to this memo). The drafted survey plan procured for the initial application erroneously had a duplex to be constructed on Lot 12 - permitted as of right in the R-1 Zone - and a fourplex on Lots 14 and 16. This application is intended to rectify the error and amend the initial application. The survey plan has been revised to now have a fourplex constructed on Lot 12 and 14, and a duplex built on Lot 16. Please refer to *Figure 1: Context Map* within Appendix A for the location of the referenced properties, as well as the proposed and existing lots to be developed for the construction of fourplexes.

A site visit was completed on January 8th, 2025, when staff walked the extent of the referenced property. Both are vacant, grass-sodded lots which back onto a berm behind the duplexes located on Duykers Drive. As are the other properties proposed to be developed, both are designated Residential on the *Generalized Future Land Use Map* (GFLUM) in the *Municipal Planning Strategy*.

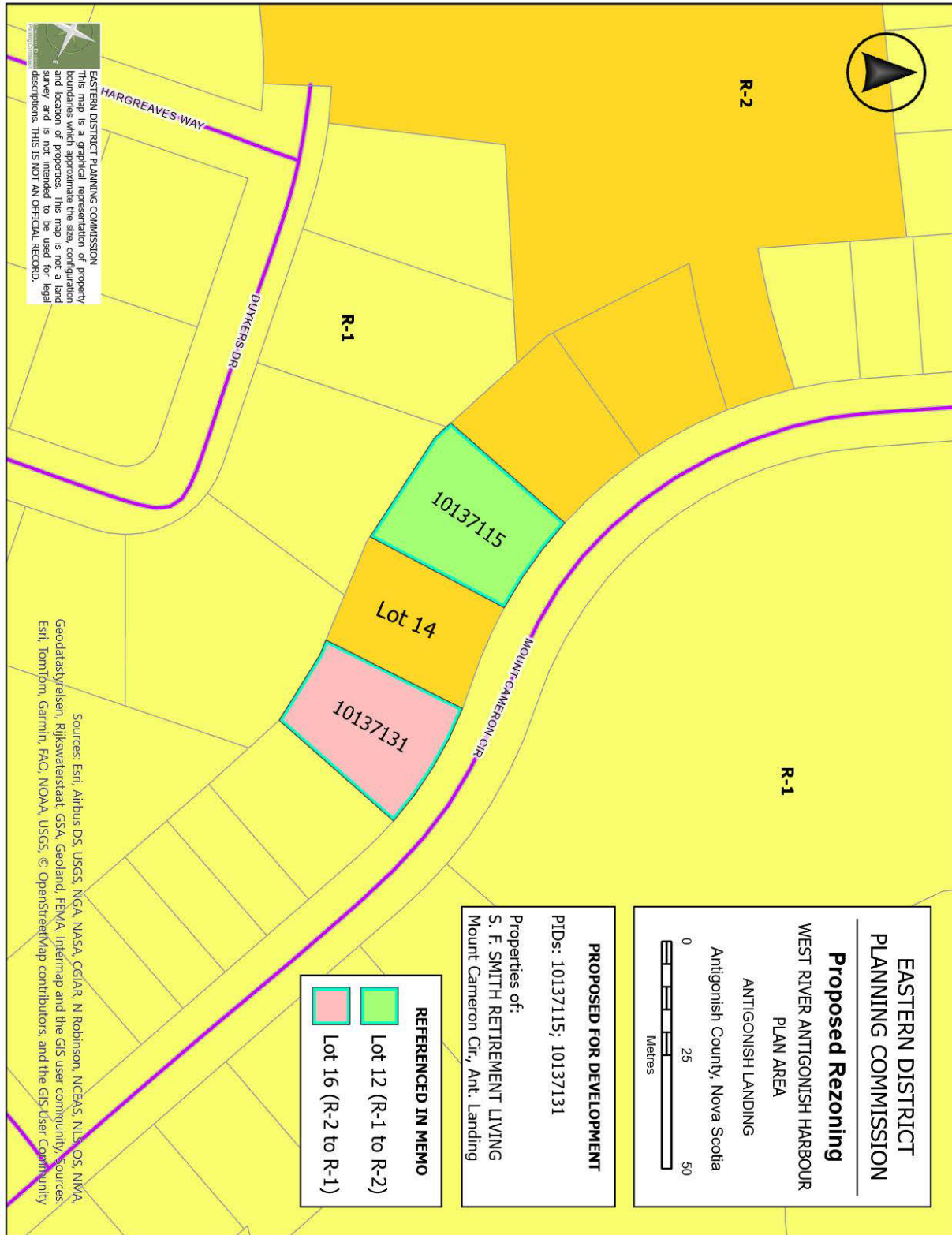
Conclusion

Given the background information, staff are therefore recommending that both properties, Lot 12 and Lot 16, be rezoned from the R-1 to R-2 Zone, and from R-2 to R-1, respectively.

Appendix A: Map of Property

A RE-ZONING OF PROPERTY WITHIN THE WEST RIVER ANTIGONISH HARBOUR PLAN AREA

Figure 1: Context Map showing the referenced properties (Lot 14 labelled for clarity)



copy, was passed at a duly called meeting of the Council for the Municipality of the County of Antigonish on _____, 2025.

Given under the hand of the Chief Administrative Officer and under the corporate seal of the said Municipality this ____ day of _____, 2025.

Shirlyn Donovan
CAO

To: **Antigonish County Planning Advisory Committee
Antigonish County Council**

From: **Planning Staff (EDPC)**

Date: **January 20, 2025**

Reference: **Application to rezone 1648 Addington Forks Road, Addington Forks (PID 01210582) from the Local Commercial (C-1) and Rural General (RG-1) zones to Residential (R-1) to match the existing residential use.**

Recommendation:

That Municipal Council **approve** the rezoning of 1648 Addington Forks Road, Addington Forks, Antigonish County (PID 01210582) from the Local Commercial (C-1) and Rural General (RG-1) Zone to the Residential (R-1) Zone.

Background:

District Planning received an application from Jo Ann Ortega to rezone the property located at 1648 Addington Forks Road, Addington Forks, Antigonish County (PID 01210582) to the Residential (R-1) zone. The property is currently split zoned Local Commercial (C-1) and Rural General (RG-1) to the rear under the *West River Antigonish Harbour Secondary Land Use By-law* (see Figure 1).

Description	
Designation:	Residential Rural Development
Zoning:	Local Commercial (C-1) Rural General (RG-1)
Zoning Request:	Residential (R-1)
PID:	01210582
Total Lot Area:	4.02 acres (16187.4 sq. m)

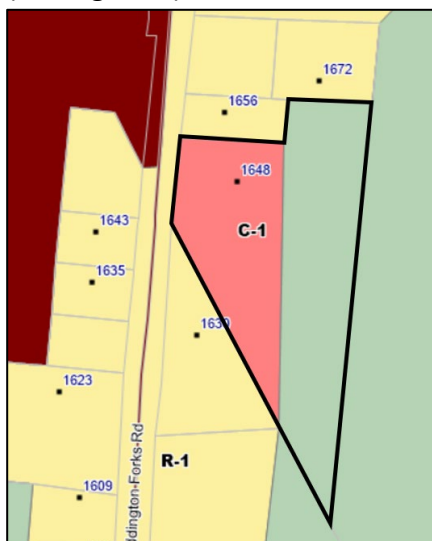


Figure 1 Area subject to rezoning to Residential (R-1).

The property was formerly used by England Paving & Contracting Ltd, which ceased operations in 2012. Since 2013, the property has been used exclusively for residential purposes. The mini home, which was formerly an office for the business, is now used as a dwelling. The shop is used for personal accessory use only and not for any commercial purposes. The lot would continue to be function as a dwelling and residential accessory building should this rezoning be approved.

While single unit residential use is permitted under the current zoning, the commercial zoning is problematic for

other reasons. The applicant has indicated that the zoning has prevented them from obtaining a residential mortgage for the property.

Analysis:

Policy L-2.2 of the *West River Antigonish Harbour Secondary Municipal Planning Strategy* establishes that the Residential (R-1) zone applies to the majority of the lands designated Residential (i.e., it is the “base zone).” Staff’s opinion is that rezoning to the base zone is permitted without requiring enabling policy. Therefore, the portion of the property can be rezoned to Residential R-1 subject to compliance with the general implementation policy (see below).

The rear portion of the property is designated Rural. Normally, rezonings to the Residential (R-1) zone would not be enabled for properties within this designation. However, Policy I-1.6 states that:

... areas immediately adjacent to a given land use designation on the Generalized Future Land Use Map may be considered for a rezoning to a use that is similar in nature to the given designation without requiring an amendment to this Strategy, provided that the general intent of all other policies of the Strategy are satisfied.

This policy also enables Council to consider rezoning the rear portion of the property to R-1.

Policy I-1.10 is a general policy that applies to any application to amend the Land Use By-law. The policy lays out several criteria which Council shall have regard for when considering a zone amendment.

The lot is currently improved by an existing mini home and workshop for personal use with no additional development planned at this time. The proposed rezoning can be considered “downzoning.” The R-1 zone generally permits less intensive uses than the C-1 zone; it may permit a converted dwelling with a maximum of 2 units in the future or a small range of other uses. The existing Local Commercial (C-1) zone would allow autobody shops, kennels, warehousing, and a range of other more intensive uses that may have a more significant impact on the surrounding residential area. Due to the development being an existing building and use, and the downzoning nature of this application, many of the policy criteria are not applicable. A summary of the criteria and comments are provided in Appendix A.

Conclusion:

The purpose of this request is to amend the zoning of the subject property to match the ongoing single unit residential use. The rezoning request is enabled by Policy I-1.6 of the *West River*

Antigonish Harbour Municipal Planning Strategy. It also meets the general implementation criteria for rezonings of Policy I-1.10, as outlined in this report and Appendix A.

For that reason, Staff recommend that Municipal Council **approve** the rezoning of 1648 Addington Forks Road, Addington Forks, Antigonish County (PID 01210582) from the Local Commercial (C-1) and Rural General (RG-1) Zone to the Residential (R-1) Zone.

Summary of Appendices

Appendix A: Summary of applicable policies

Appendix A: Summary of Applicable Policies

Policy I-1.10	
In considering amendments to the Land Use By-law, in addition to all other criteria as set out in various policies of this planning strategy, Council shall have regard for the following:	
(a) Whether the proposal conforms with the intent of this Strategy and the requirements of all other Municipal by-laws and regulations;	Complies, see staff report.
(b) That the proposal is premature or inappropriate by reason of:	
i. the financial capability of the municipality to absorb any costs relating to the development;	None identified.
ii. the adequacy of sewer and water services to support the development;	Complies. Existing municipal water and on-site sewage disposal system.
iii. the adequacy and proximity of school, recreation, and any other community facilities;	Complies. Up to two dwelling units would have a negligible impact on enrollment in the school district.
iv. the adequacy of road networks in, adjacent to, or leading to the development; and	Complies. The residential use would generate less traffic than Local Commercial (C-1) uses.
v. the potential for the contamination of watercourses or the creation of erosion or sedimentation;	None identified.
vi. the potential for damage to or destruction of historical buildings and sites.	Complies. The property does not contain a historical building or site.
(c) Whether the proposal conforms to the requirements contained in the Land Use By-law relating to the following:	
vii. type of use;	Complies.
i. setbacks, height, bulk, and lot coverage of a proposed building or expansion to an existing structure;	Complies.
ii. traffic generation, access to and egress from the site, and parking;	Complies. The site has an existing access and parking.
iii. open storage;	N/A – existing development
iv. Signs;	N/A – existing development
v. provisions for buffering, landscaping, screening and access control to reduce potential incompatibility with adjacent land uses and traffic;	N/A – existing development
vi. the location of the development so as not to obstruct any natural drainage channels or watercourses;	N/A – existing development
vii. sufficient building separations to permit access to firefighting equipment and to prevent the spread of fire.	N/A – existing development
(d) Suitability and costs of the proposed development in terms of steepness of grades, soil and geological conditions, marshes, swamps, or bogs and proximity of highway ramps, railway rights-of-way and other nuisance factors.	N/A – existing development