

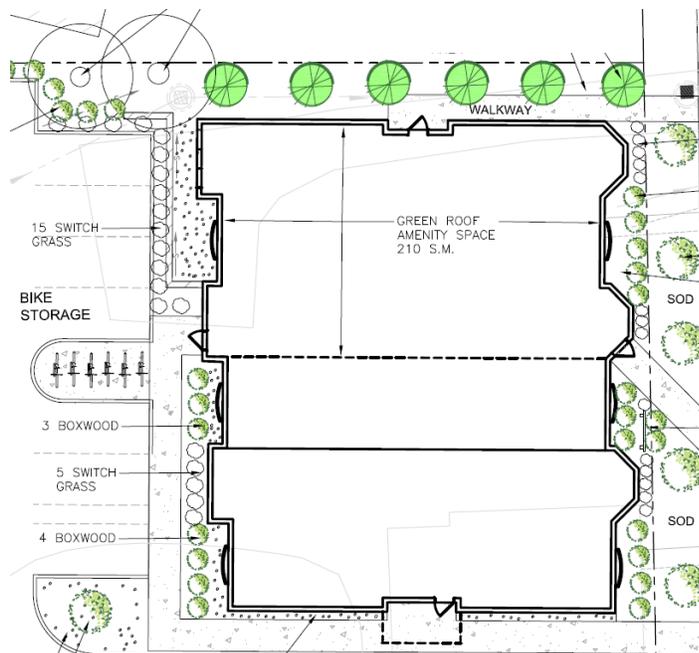
# STAFF REPORT

To: **Town of Antigonish Planning Advisory Committee**  
**Town of Antigonish Council**

From: **Municipal Planning Staff (Eastern District Planning Commission)**

Date: **December 05, 2018**

Reference: **Rezoning of 74/76 Church Street from 'Residential First Density' (R-1) to 'Residential Multiple Density' (R-3)**



Property Facts	
Address:	74/76 Church Street
PID#:	#74: 01227859 and #76: 01227842
Owners:	3233503 Nova Scotia Ltd., 3300289 Nova Scotia Ltd.
Zone:	Both properties 'Residential First Density' (R-1)
Aggregate surface area:	1,925 m <sup>2</sup> (0.48 acres)
Current Use:	#74: vacant lot #76: abandoned dwelling
Site Visits:	September 05, 2018, and October 31, 2018

**Figure 1:** Landscaping detail of proposed apartment

**Table 1:** Main rezoning facts

## 1.0 Summary

Planning staff recommend Council to rezone the two subject properties from Residential First Density (R-1) to Residential Multiple Density (R-3) in order to prepare a subsequent development agreement for a 15 unit apartment building on both properties. As further elaborated in Sections 3 and 4 of this report, the proposal is in accordance with relevant policies from the Municipal Planning Strategy, will strengthen the downtown core and improve the streetscape on the Church Street corridor.

The rezoning is a precondition for the consideration of a development agreement, which will be presented in more detail in a separate, future report.

## 2.0 Background

### *History of application*

The Town of Antigonish received an application from Mr. Craig MacDonald to change the zoning on two adjacent Church Street properties from 'Residential First Density' (R-1) to 'Residential Multiple Density' (R-3) in order to prepare a subsequent development agreement for a 15 unit apartment building. The first set of drawings was submitted to the Town's former planning department in April of 2017. The Town's planning staff negotiated the majority of aspects with the developer. Both parties cooperated for more than a year, bringing the plans in line with the requirements of the Town's land use policies. When the Town of Antigonish joined the Eastern District Planning Commission in July of 2018, the Commission's planning staff continued this process until all submitted plans for this development were fully satisfactory. The resulting development proposal is presented in this report.

### *Procedural details*

The Town's Municipal Planning Strategy foresees a two-step process for the development of apartment buildings in the R-1 zone: a rezoning to the R-3 zone is necessary as a first step, followed by a development agreement. Both of these steps require a Council vote and are separately appealable. Since a development agreement for a multiple-unit dwelling is conditional upon an existing R-3 zoning, the development agreement process must be preceded by a fully effectuated rezoning. Consequently, this staff report deals exclusively with policies that pertain to a rezoning from R-1 to R-3.

Since the proposed building traverses the boundary line between both properties, the lands will need to be consolidated into one parcel prior to the development agreement. As the rezoning by itself will not permit the construction of the apartment, the rezoning and consolidation processes can run in parallel to save time for the applicant. Therefore, the proposed rezoning would affect both properties prior to their consolidation into one.

### *Geographic location and context*

The site of the proposed development is located in proximity to the intersection of St. Ninian and Church Streets, with only one property separating these lands from the corner of both roads. The properties are situated on a moderately sloping part of Church Street. Along the approximately 36 metres (118 ft) of road frontage of both lots, Church Street rises about 2 metres (26 ft) in elevation.

Surroundings of the property may be characterised as the 'Church Street Corridor', spanning the area between the commercial downtown and the shopping mall.



**Figure 2:** View from 76 Church Street south (towards shopping mall)

The neighbourhood features predominantly residential land uses in a historic setting: the corridor accommodates half of all municipal heritage buildings. The site of the proposed development faces a heritage property on the opposing side of the street and another heritage home is only two properties away.



**Figure 3:** Location map of properties subject to rezoning (outlined in green)

Over the course of the last decades, the area has become increasingly popular for student housing and attracted higher density developments, most notably the grouped home complex known as 'The Village'. There are still many single detached dwellings used by families on the street, and consequently there is a diversity of living arrangements to be observed on the corridor.

#### *Proposed development*

Following the rezoning, the property owners propose to develop the apartment building presented in Appendix B to this staff report. The building façade is articulated in approximately 25 feet intervals to adapt the buildings' elevation to the grade change on Church Street. Each segment of the front façade features a bay window spanning over all three stories, thereby adding additional visual interest to the street. Entrances to the building are provided from three sides to ensure accessibility in spite of the challenges imposed by the site's topology.

In line with today's rental market demands, the developer proposes small dwelling units: nine one-bedroom and six two-bedroom units. The 2016 Census indicated that the average household size in

the Town of Antigonish is 1.68 persons per household. If this trend holds true for the proposed development, it would have the potential to add 25 persons to the Town’s population.

The rear yard of the building will be utilized to accommodate the parking area as well as a semi-private amenity space for the residents of the apartments. See the appendix for the full landscaping plan including a mature tree retention strategy.



**Figure 4:** Proposed front elevation on Church Street

### 3.0 Analysis

The Municipal Planning Strategy outlines all criteria that Council shall have regard to when considering rezoning a property from Residential First (R1) to Multiple Density (R3). These criteria are contained in the residential land use policy P-4.1.6 and in the general Land Use By-law amendment policy P-8.2.5. The following sections will analyze relevant planning matters as per guidance of those policies. An index of relevant decision criteria is also presented in Appendix A to this document.

#### 3.1 Compliance with Town Plans and Policies

##### *Intent of Plans*

Preambles from several sections of the Municipal Planning Strategy provide statements with regard to higher density housing options. The document acknowledges the need for “intensive residential uses providing a variety of lower cost housing alternatives for senior citizens, small families, and interim housing for newly formed households” (p.12). Furthermore, the strategy elaborates that student housing “places a great deal of stress on the rental market within Antigonish. Council has developed policies which are intended to provide for flexibility in serving the rental market while maintaining a quality residential environment” (p.14).

The above statements appear supportive of medium density, affordable housing options in Antigonish as long as new developments do not create adverse impacts on the surrounding residential environment. More specifically, the Municipal Planning Strategy mentions that *“the issues of location, scale and design of higher density developments all must be addressed to attain these goals”,* and *“in order that residents in existing neighbourhoods may reasonably enjoy their properties, controls, including design, size and landscaping requirements, which are intended to maintain the quality of the neighbourhood, shall be placed upon properties which are rezoned from low density to medium density”*(both p.14).

Policies that correspond to these statements do not apply to rezonings, but will only be analyzed in depth at the stage of the development agreement approval. The development agreement process contains sufficient controls to address the above mentioned issues in detail. With regard to scale and design it may already be noted that the massing of the building is similar to two immediately adjacent apartment buildings, and that an effort was made by the developer to adapt the visual appearance of the building to prevailing architectural styles of the neighbourhood.

Consequently, it is reasonable to conclude that the proposed development is not in conflict with the general intent of the plan. While this needs to be verified in detail at the stage of the development agreement, planning staff deems the rezoning to be compliant in this point. The Antigonish Vision statement in the Integrated Community Sustainability Plan – another document to be considered under Policy 8.2.5 – highlights the balance between affordability and quality of life in a similar fashion.

**Antigonish Vision Statement:**

*“Antigonish is a vibrant, safe, diverse, and affordable community, caring in nature, proud in its heritage and committed to sustainability. Central to this vision are our values of preserving a high quality of life and well-being of our citizens, celebrating our heritage and culture, protecting our natural environment, enhancing learning opportunities and working collectively and peacefully to advance prosperity.”*

*Policy perspective*

In terms of residential policy directions, the following aspects are to be considered:

- a) The affected properties need to be located in the ‘Residential Designation’ of the ‘General Future Land Use Map’. The map in Figure 5 confirms that this condition is met.
- b) Lot area and frontage requirements for apartment buildings need to be complied with

According to the property survey (see Appendix C), each of the individual lots exceeds the minimum lot area required for multiple unit dwellings in the Land Use By-law. The properties will need to be consolidated before they can comply with the lot frontage. Since each property could individually comply with the required frontage for the R3 ‘Townhouse’ use, this is sufficient for the purposes of policy P-4.1.6.

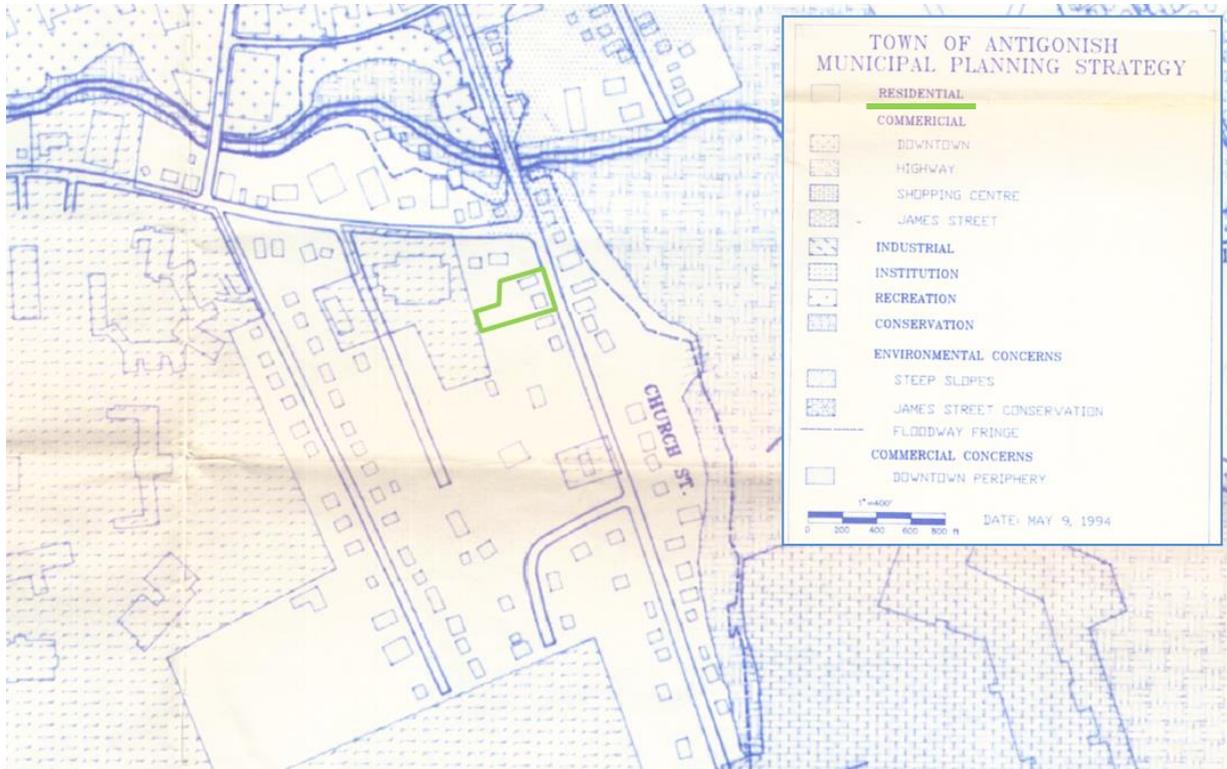


Figure 5: Detail of the Town's General Future Land Use Map with approximate shape of lands to be rezoned (green)

### 3.2 Transportation

An essential condition for an R1 to R3 rezoning is that the subject property is situated on a public street classified as 'arterial road' or 'major collector' in the Municipal Planning Strategy.

As demonstrated on the map in Figure 5, the development is compliant with the strategy in this respect. The estimated traffic volume for this section of Church Street is between 11,000 and 12,000 vehicles per day. An increase of 15 additional households abutting the street is not expected to lead to any noticeable changes in the utilization of the street. The properties are in sufficient distance from the intersection with St. Ninian Street to allow for a safe driveway access to the property. Both the location and dimension of the proposed driveway have been verified with the Traffic Authority.

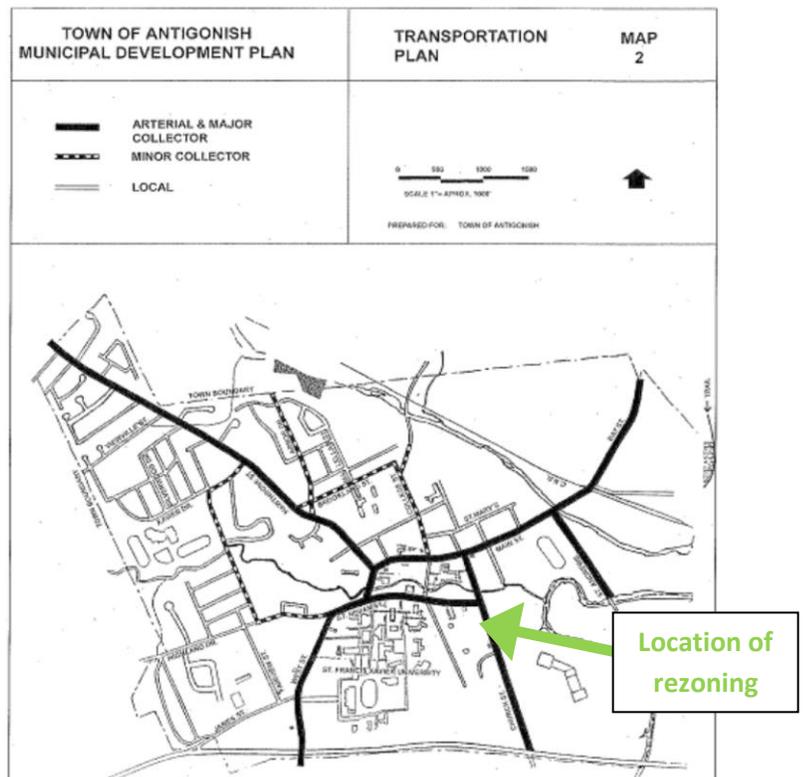
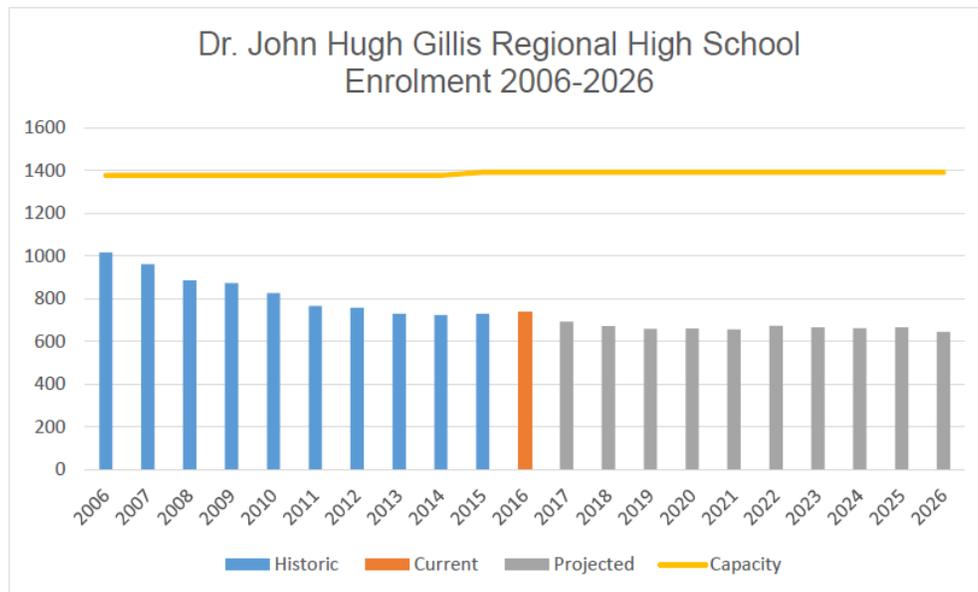


Figure 6: Road hierarchy in Municipal Planning Strategy

### 3.3 Impact on provision of municipal and provincial services

#### Educational services

According to the 'Long-Range Outlook' on school enrolment from 2016-2026, published by the Strait Regional School Board in January of 2017, the three schools in the Town and Fringe of Antigonish have utilization rates between 53 and 81 percent, with the St. Andrew Junior School being the best and Dr. Gillis Regional High School the least utilized. The Antigonish Education Centre for grades 1-4 is utilized to 69 percent of its capacity and ranks in the middle of this comparison. All three schools have in common that the forecasted enrolment rates are declining. A population increase resulting from the proposed development should therefore not strain the capacities of any of the local schools. On the contrary: the schools in Antigonish need more students to secure their future viability, and the provision of affordable housing for young families could be a contribution in that direction.



**Figure 7:** Forecasted utilization of Dr. John Gillis High School in Antigonish (Strait Regional School Board, 2017)

#### Water and sewer services

Municipal water and sewer lines are available in the Church Street right-of-way. The Director of Public Works reviewed the drawings. Since it is the responsibility of the developer to cover any cost related to a municipal service permit and connection, no financial risk for the municipality or negative impact on the water and sewer networks could be identified.

The municipal water provision is further related to the availability of sufficient water flow in the event of a fire. Hydrants in the location of the development can provide flow rates in the range between 1,600 and 2,400 imperial gallons per minute. The proposed apartment building will fit into this range, as long as two-hour fire separations are introduced between the storeys. If that condition of a development permit is secured at the stage of the development agreement, the building will not negatively affect the fire protection capacities on Church Street.

### *Recreation and Health Care*

Another kind of municipal service is delivered to the citizens of the Town of Antigonish by the Recreation Department. The Town is dedicated to providing sport, recreation and leisure activities for the citizens of Antigonish and offers a variety of programs, services, and facilities. In the opinion of the Director of Recreation, slight population increases (such as the potential increase triggered by this development) will not burden the department's ability to serve the public.

The Nova Scotia Health Authority disposes over 3,503 hospital beds province-wide. The St. Martha's Regional Hospital in Antigonish holds a share of 89 in-patient beds. Compared to the populations of 923,598 in Nova Scotia and 19,301 in Antigonish Town and County (both numbers from Census 2016), the corresponding bed per 1,000 population ratios are 3.79 and 4.61. Consequently, Antigonish County (including the Town) features a higher average of patient beds per resident than the provincial average. If hypothetically the additional housing supply created by the proposed development would attract 30 additional residents from outside the County, the hospital beds per resident ratio would adjust from 4.61 to 4.60 per 1,000 residents.

This statistical comparison is clearly a simplification of the logistics of health care provision. However, for the purposes of Policy 8.2.5, it makes the point that the addition of a 15-unit apartment building will not have a decisive impact on the delivery of health care services in Antigonish.

### **3.4 Impact on neighbourhood**

#### *Impact on civically important buildings, sites and streetscapes*

The properties are in direct opposition to the municipal heritage building '75 Church Street' on the other side of the street. This Greek Revival house was built by the Cunningham family in the 1890s and is typical of single detached dwellings built on the lower end of Church Street in that era. Because of its historic importance for the Town, it was added to the municipal heritage register in 1989. Just across the road, this heritage building is facing a dilapidated, abandoned dwelling on 76 Church Street. A well designed apartment building will decisively improve the streetscape in this location.

Heritage buildings on Church Street are predominantly designed in Greek Revival, Vernacular or Italianate architectural styles. The design of the apartment building uses some elements that are a common occurrence in these building genres, e.g. glazed windows resemble Italianate or Greek Revival features while angled bay can occur in all three of the mentioned architectural styles. Even though the building does not attempt to mimic any heritage style in particular, is generally deemed to be a good fit and positive contribution to the Church Street corridor's streetscape.

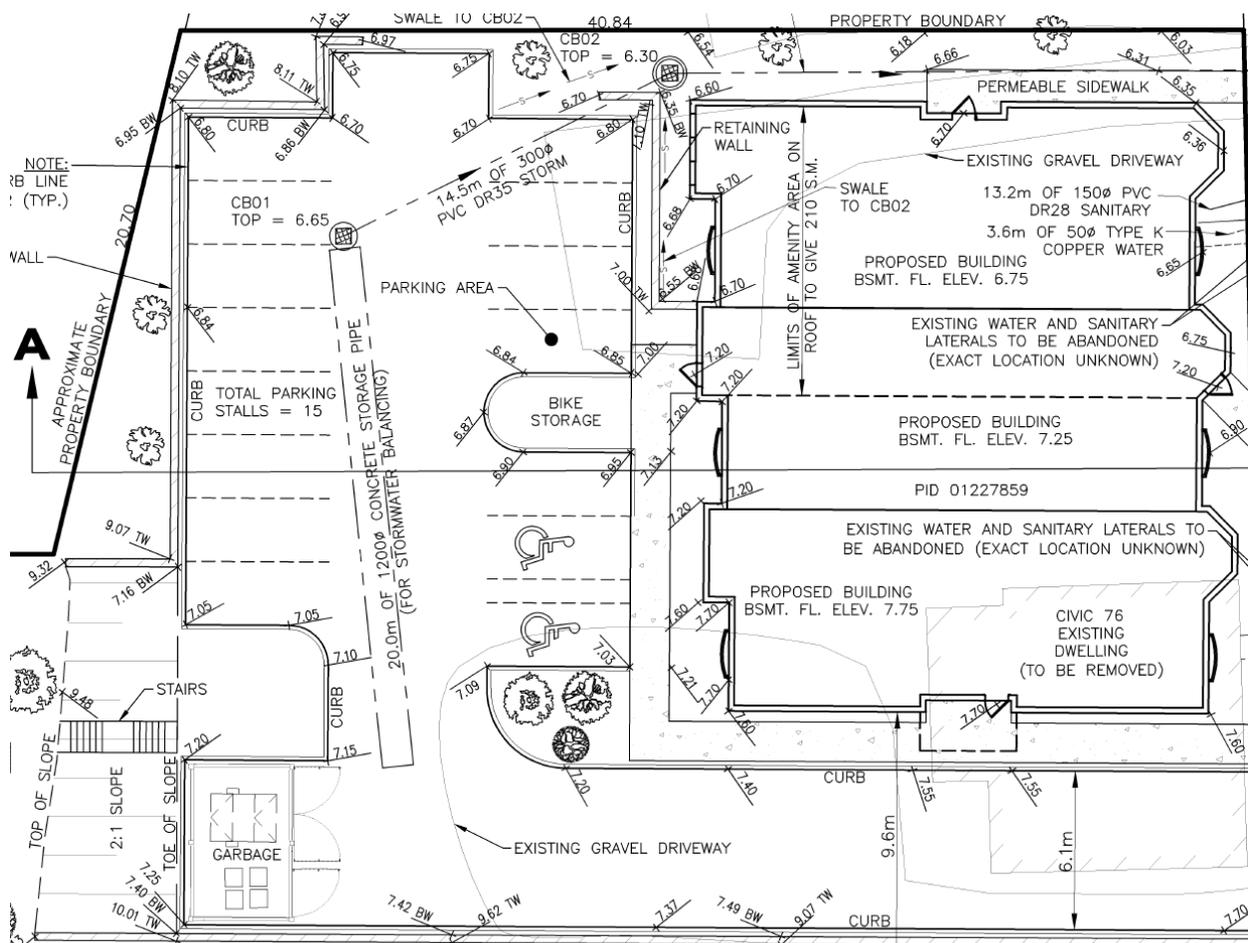


**Figure 8 (right):** Inventory picture of heritage building at 82 Church Street, built 1886

*Potential impacts on natural water systems such as contamination, erosion or sedimentation*

In order to accommodate the enlarged parking lot for the proposed apartment building, the terrain in the rear part of the properties will have to be lowered by 3 metres in some instances. The resulting movement of soil would by itself have the potential to create drainage and erosion problems. However, the proposed drainage in the site servicing plan (Figure 9) including a concrete storage pipe should be sufficient to prevent storm water drainage issues for neighbouring properties.

The building inspectors of the Eastern District Planning Commission apply the guidelines from the “Erosion and Sedimentation Handbook for Construction Sites” issued by the NS Department of Environment. Since the properties are approximately 300ft away from the closest water course, and separated from the latter by two public streets, no heightened risk for riverbed sedimentation can be expected from construction activities.



**Figure 9: Drainage Plan for proposed apartment building**

#### *Other permitted uses in R3 zone*

Should the property owners choose to abandon the plans for the apartment building and to discontinue pursuing a development agreement with the Town, the options for as-of-right development on the two properties would be limited: the most dense development scenario would be to erect one Townhouse with up to four dwelling units on each of the properties. The R-3 zone would further permit to continue the usage of the single-detached dwelling at 76 Church Street and to convert any combination of new and existing buildings into lodging residences (while maintaining the maximum of four dwelling units per property). Such land uses would not be very different from existing land uses on surrounding properties.

Since the properties are situated in the 'Old Town' designation of the Land Use By-law, sufficient design controls are in place to ensure the visual compatibility of developments with the historic context of the Church Street corridor. Therefore neither the type nor the appearance of permitted land uses in the R-3 zone would create a negative impact on the site of the rezoning.

#### **4.0 Conclusion and recommendation:**

Based on the reasoning outlined in Section 3 of the staff report, planning staff recommend Council to rezone properties 01227859 and 01227842 from Residential First Density (R-1) to Residential Multiple Density (R-3). The rezoning will prepare the way for a subsequent development agreement on the properties. The construction of the anticipated 15-unit apartment building will create affordable housing options in the proximity of downtown, strengthen the commercial core of the Town by increasing its potential customer base, advance the idea of a walkable town and contribute to an active lifestyle of the Town's residents. Planning staff deems the proposal to be in line with both the specific residential rezoning policies as well as the wider objectives of sustainable development for the Town of Antigonish.

## Appendix A – Overview of relevant decision criteria supported by policy

<b>Policy P-4.1.6</b>	
Council will consider applications to rezone properties to Multiple Unit Residential (R3) which are located within the area <b>designated as residential on the Generalized Future Land Use Map</b> provided they	
1. Meet the lot area and frontage requirements as established in the Land Use Bylaw;	Complies (see 3.1)
2. Front on arterial or major collector roads;	Complies (see 3.2)
3. Consider Policies 8.2.5 and 8.2.6	(see below, only Policy 8.2.5 applies in this case)

<b>Policy P-8.2.5</b>	
In considering amendments to the Land Use By-law, or Development Agreement Applications, Council shall have regard to the following:	
1. That the proposal is in conformity with the intents of this Plan and other relevant Town policies or by-laws;	Complies (see 3.1)
2. Implications for infrastructure and services such as fire protection, water, sewer(s), and road networks;	Complies (see 3.2; 3.3)
3. Implications for facilities such as schools, hospitals and recreation amenities;	Complies (see 3.3)
4. Potential impacts on natural water systems such as contamination, erosion or sedimentation;	Complies (see 3.4)
5. The potential for negative impact on civically important buildings, sites or streetscapes;	Complies (see 3.4)
6. The potential for negative impact on existing neighbourhoods;	Complies (see 3.4)
7. Where the amendment is a re-zoning, consideration shall be given to the impact of permitted uses in relation to the location of the site;	Complies (see 3.4)
8. Consistency with the “Antigonish Vision Statement”;	Complies (see 3.1)
9. Any other relevant matters of planning concern.	None identified

# Appendix B – Site and elevation plans of proposed development



1 ELEVATION - FRONT (EAST)  
1/8"=1'-0"



2 ELEVATION - REAR (WEST)  
1/8"=1'-0"

**GENERAL NOTES:**

- ATTENTION TO DETAIL HAS BEEN TAKEN IN THE PRODUCTION OF THESE PLANS. HOW EVER IT REMAINS THE RESPONSIBILITY OF THE GENERAL CONTRACTOR TO:
1. VERIFY ALL DIMENSIONS PRIOR TO PROCEEDING WITH CONSTRUCTION AND REPORT ERRORS/OMISSIONS
2. ALL WORK SHALL BE EXECUTED IN COMPLIANCE WITH ALL RELEVANT BUILDING CODES INCLUDING ENERGY CODE
3. SUPPLIERS REQUIRED TO PROVIDE ADDITIONAL SHOP DRAWINGS FOR TRUSSES, FLOOR SYSTEMS AND ANY OTHER ENGINEERED COMPONENTS REQUIRED FOR CONSTRUCTION
4. WALL HEIGHTS OVER 10'-0" TO BE FRAMED WITH ENGINEERED STRUCTURAL COMPONENTS
5. WINDOW SIZES ARE NOMINAL. REFER TO MANUFACTURER SPECIFICATIONS FOR ROUGH SIZE OPENINGS
6. GRADES ON ELEVATIONS PRELIMINARY. ALL FINAL ELEVATIONS ARE TO BE DETERMINED BY SITE PLANS AND OR GENERAL CONTRACTOR
7. SITE GRADE CONDITIONS WILL CAUSE CHANGES TO BASEMENT WINDOWS AND VENTING FOR MECHANICAL SYSTEMS
8. ALL BEDROOM WINDOWS ARE TO MEET OR EXCEED CROSS REQUIREMENTS AS PER CODE
9. HEATING AND VENTILATION TO BE DONE BY CERTIFIED INSTALLERS. LOCATION OF HEATING SYSTEMS, HRV AND ELECTRICAL PANEL TO BE DETERMINED ON SITE
10. DO NOT SCALE DRAWINGS

ITEM	REVISION	DATE
F	ISSUED FOR REVIEW	2018.05.26
E	ISSUED FOR MUNICIPAL REVIEW	2018.03.30
D	ISSUED FOR MUNICIPAL REVIEW	2018.01.26
C	ISSUED FOR MUNICIPAL REVIEW	2017.11.28
B	PRELIMINARY	2017.01.05
A	PRELIMINARY	2016.09.02

PROJECT:  
**74 & 76 CHURCH ST**  
ANTIGONISH, NOVA SCOTIA

DRAWING:  
**PROPOSED FRONT & REAR ELEVATIONS**

DATE:  
SEPT 1, 2016

SCALE:  
1/8"=1'-0"

SHEET NO.:  
**A1**



1 ELEVATION - RIGHT (NORTH)  
1/8"=1'-0"



2 ELEVATION - LEFT (SOUTH)  
1/8"=1'-0"

- GENERAL NOTES:
- ATTENTION TO DETAIL HAS BEEN TAKEN IN THE PRODUCTION OF THESE PLANS HOW EVER IT REMAINS THE RESPONSIBILITY OF THE GENERAL CONTRACTOR TO:
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ITEM	REVISION	DATE
F	ISSUED FOR REVIEW	2018.05.28
E	ISSUED FOR MUNICIPAL REVIEW	2018.03.30
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C	ISSUED FOR MUNICIPAL REVIEW	2017.11.28
B	PRELIMINARY	2017.01.05
A	PRELIMINARY	2016.09.02

PROJECT:  
**74 & 76**  
**CHURCH ST**  
 ANTIGONISH, NOVA SCOTIA

DRAWING:  
**PROPOSED**  
**LEFT & RIGHT**  
**ELEVATIONS**

DATE:  
 SEPT 1, 2016

SCALE:  
 1/8"=1'-0"

SHEET NO.:  
**A2**





NORTH

**LEGEND**

**PROPOSED TREES**



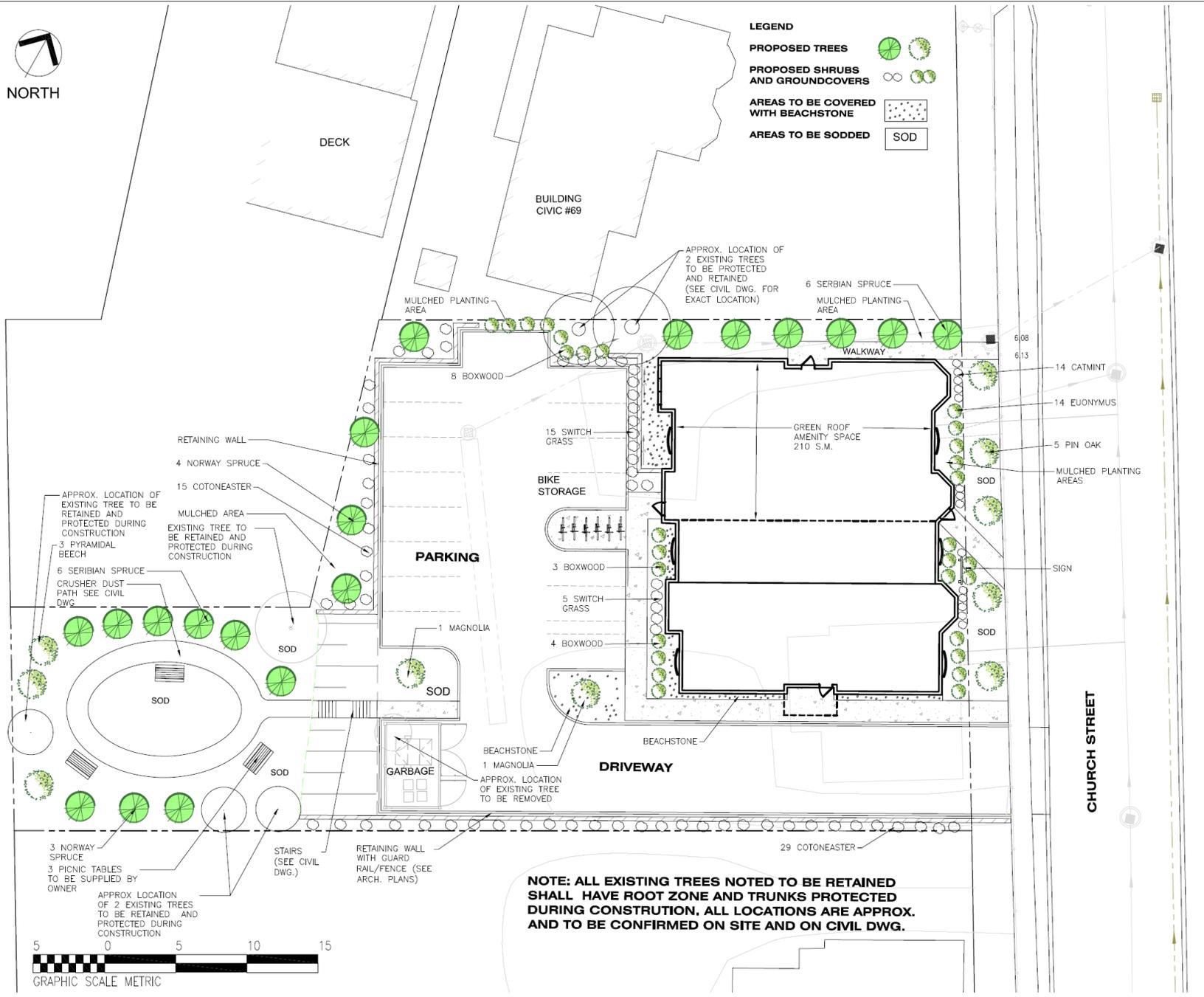
**PROPOSED SHRUBS AND GROUNDCOVERS**



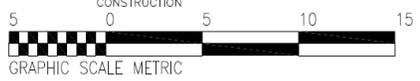
**AREAS TO BE COVERED WITH BEACHSTONE**



**AREAS TO BE SODDED**



**NOTE: ALL EXISTING TREES NOTED TO BE RETAINED SHALL HAVE ROOT ZONE AND TRUNKS PROTECTED DURING CONSTRUCTION. ALL LOCATIONS ARE APPROX. AND TO BE CONFIRMED ON SITE AND ON CIVIL DWG.**



GRAPHIC SCALE METRIC

