

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

From: **Planning Staff (EDPC)**

Date: **March 1, 2021**

Reference: **Amendment to the Antigonish Municipal Planning Strategy and Land Use By-law for the Areas located immediately around the Town of Antigonish to create a new Business Park Designation and associated Business Commercial (BC-1) Zone.**

Recommendation:

That Planning Advisory Committee recommend to Council for to amend the Municipal Planning Strategy and Land Use By-law to include a new Business Park designation and associated Business Commercial (BC-1) zone.

Background Information:

Planning staff received a letter from John and Karen MacDonald, seeking a rezoning for the properties listed as PID# 10106748 and PID# 10000818 to a Heavy Commercial zoning, which is currently not an existing zone. The current owners Jeffery and Kevin Myette also sent a letter to grant permission to the applicants to move forward with the application. Both letters were received on September 21st, 2020. This application made staff aware of a larger concern related to this request. An inhouse discussion identified a potential solution to the specific application and the larger issues of potentially incompatible land uses by creating a new designation and associated zoning which would be create a middle ground between the existing commercial and industrial areas in the County immediately around the Town.



Figure 1: Southern Antigonish view

Analysis:

Although the original request was for a rezoning, there are no policies presently to allow for this type of rezoning. The properties of concern are just South-east of the Town of Antigonish,

bordering the Trans-Canada Highway to the North. The developments in this area generally consist of land intensive uses, such as automobile dealerships, gas stations and associated restaurants or convenience stores, automobile related uses, and maintenance services. There is also an intent for one of the properties in this area to be utilized as a storage/road maintenance facility for the Trans-Canada Highway.

Developments in the above referenced area have been traditionally zoned as either General Commercial (C-2), Rural General (RG-1), or General Industrial (I-2). Newer and proposed developments in the area are beginning to occupy a middle ground between the three different zonings and do not tend to fit into the current options for zone. General Commercial developments are intended to be more aesthetically designed to architectural standards and are meant to be clustered nearby to residential nodes. Both Light and General Industrial developments are intended to be intensive land uses, which are often present more potential land use conflicts than do other uses and are unsuitable to be located near commercial developments. The Rural General Designation was designed to reflect low impact residential and resource use. With the close clustering of developments from a variety of zones in the plan area, it is becoming more apparent that the new developments could be addressed more properly with a designation and zoning reflective of the new direction of the businesses in the area of concern.

Staff have proposed that the inclusion of a Business Park designation and Business Commercial zone could help to address the current link between many of the diverse developments occurring in the South River/Beech Hill area. The inclusion of a Business Park would take the form of new policies and accompanying regulations within the Antigonish Fringe Municipal Planning Strategy and Land Use By-law. It is important to note that as a newly created designation and zone, the Municipality will have the opportunity to include measures in the rezoning policy which require the developer of any intensive use to display that it would not have an adverse effect on the Municipality's infrastructure. This would give more control and assurance to the Municipality that good design of future developments is upheld.

Introducing landscaping standards for developments in the proposed Business Commercial (BC-1) zone would have the benefit of creating a more harmonious streetscape. To accomplish this, business industrial park developments would be required to meet the more restrictive zone, buffering, and landscaping requirements as a part of the Land Use By-law. Streetscaping is especially important in areas where intensive uses are located in close proximity to other uses, and can ease potential conflicts between the uses.

Currently only the area bordered by Highway 104 and Beech Hill Road are being proposed to be redesignated (refer to Appendix B), this may be expanded to include properties north of the roundabouts. A concurrent rezoning to the Business Commercial (BC-1) zone is suggested for the properties affected by the redesignation which are currently zoned as General Commercial (C-2) (refer to Appendix C). Many properties in this area more closely resemble the description of

permitted uses in the Business Commercial zone. A discussion with the Committee regarding the inclusion of these areas is suggested.

Conclusion:

Development in the Beech Hill/South River area is now taking a clearer direction towards a business industrial park and staff has determined that rezonings in the area could be better addressed by the creation of a more fitting designation and zone. Staff recommends that a Business Park designation and Business Commercial (BC-1) zone, along with accompanying policies and regulations, be added to the Antigonish Fringe Municipal Planning Strategy and Land Use By-law. And in addition, a concurrent rezoning should take place for the properties that are currently zoned as General Commercial (C-2), which are included within the redesignation.

Appendix A: Amending Pages

A BY-LAW TO AMEND THE MUNICIPAL PLANNING STRATEGY
FOR THE MUNICIPALITY OF THE COUNTY OF ANTIGONISH

The *Municipal Planning Strategy* for the Municipality of the County of Antigonish is hereby amended by:

- 1) Adding, immediately following Policy L-4.6 under Chapter 3.4.3: Landfill, the following text:

3.4.4 Business Park

The southern portion of Antigonish, bordered by South River Road and Beech Hill Road has been developed in a manner which has blended the traditionally separate commercial, industrial, and rural uses. To ensure that the evolving fusion of uses is appropriately addressed, Council has permitted the creation of a Business Park Designation and Business Commercial (BC-1) zone. The intention of this zone is to allow for a mix of developments while setting out provisions in the *Land Use By-law* for the more intensive uses. To reduce the potential for these uses affecting nearby developments, landscaping and buffering provisions will be required to be satisfied.

Policy L-4.7 It shall be the policy of Council to establish a Business Park Designation as shown on the Generalized Future Land Use map. The designation is intended to support a mix of industrial, commercial, transportation, and storage uses. Developments in this designation will be required to meet landscaping and architectural design requirements to ensure consistency and prevent obnoxious lot designs.

Policy L-4.8 Within the Business Park Designation it shall be the policy of Council to establish a Business Commercial (BC-1) Zone in the Land Use By-law which permits the following and similar types of uses: building supply, equipment depots, display courts, construction operations and rentals, light industrial manufacturing or assembly, warehousing, transportation and maintenance depots, automobile services, gas stations, garages, storage facilities, professional offices, wholesale or retail sales, and offices necessary to the administration of permitted uses.

Policy L-4.9 It shall be the policy of Council to set out in the Land Use By-law requirements for landscaping in the Business Commercial (BC-1) Zone.

Policy L-4.10 It shall be the policy of Council to consider rezonings to the Business Commercial (BC-1) Zone in areas designated Business Park subject to the following criteria:

- a. the proposed development is compatible with adjacent uses with respect to scale and use;
- b. the location and scale of the proposed development does not create any major traffic problems;
- c. the proposed development is adequately served by a centralized sewer system and/or centralized water system or if on-site services are to be used, these services are adequate for the BIP zone use;
- d. that adequate buffering, including landscaping, setback distances and berms where appropriate are maintained to minimize effects on/from adjacent land uses;
- e. whether the proposed development is not obnoxious by virtue of noise, odour, dust, vibration, smoke or other emission;
- f. the proposed development is consistent with the criteria to amend the Land Use By-law, Policy I.1.10.

This is to certify that the by-law, of which this is a true copy, was duly passed at a duly called meeting of Municipal Council of the Municipality of the County of Antigonish held on the _____ day of _____ 2021

Given under the hand of the Municipal Clerk and under the corporate seal of the said Municipality this _____ day of _____ 2021

Mr. Glenn Horne, Municipal Clerk

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

The *Land Use By-law* for the Municipality of the County of Antigonish is hereby amended by:

- 1) Adding, immediately following Subsection 20.1 under Part 20: Landfill (I-3) Zone, the following text:

PART 21: BUSINESS COMMERCIAL (BC-1) ZONE

BP-1 Uses Permitted

21.1 No development permit shall be issued in a Business Commercial (BP-1) zone except for one or more of the following uses:

- a. Building supply or equipment depots
- b. Gas stations
- c. Display courts
- d. Construction operations or rentals
- e. Industrial manufacturing or assembly
- f. Warehousing or storage facilities
- g. Transportation or maintenance depots
- h. Automotive maintenance, or garages
- i. Professional offices
- j. Wholesale or retail sales
- k. Offices necessary to the administration of permitted uses

Business Commercial (BC-1) Lot Requirements

21.2 In any Business Commercial (BC-1) zone, no development permit shall be issued except in conformity with the following requirements:

Standard	
Minimum Lot Area	4 645 sq. m.
Minimum Lot Frontage	30.0 m.
Minimum Front Yard	7.5 m.
Minimum Side Yard	3.0 m.
Minimum Rear Yard	7.5 m.
Maximum Height	10.7 m.
Maximum Building Spacing	Subject to the National Building Code

Landscaping

21.3 A minimum front landscaping buffer of no less than 1.25 metres high and at least 3.0 metres wide shall be required. A landscaping buffer of at least 3.0 metres wide shall be required along shared lot line(s).

Open Storage

21.4 The outdoor storage of waste, equipment or goods not for sale shall not occur in the front yard of any property or side or rear yard where the property abuts an existing residential use unless such waste, equipment or goods is wholly contained within a fenced and screened storage area and not visible from any public road or adjacent non-industrial lot.

2) Renumbering the Sections following the addition appropriately.

This is to certify that the by-law, of which this is a true copy, was duly passed at a duly called meeting of Municipal Council of the Municipality of the County of Antigonish held on the ____ day of _____ 2021

Given under the hand of the Municipal Clerk and under the corporate seal of the said Municipality this _____ day of _____ 2021

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Appendix B: Redesignation Map



