Planning Advisory Committee Meeting
Agenda

Date:	**Tuesday, October 20, 2026**
Time:	**4:30 pm**
Location:	**Council Chambers, Town Hall**

Pages

1. **Call to Order**

   1.1 **Territorial Acknowledgement**

   "I would like to acknowledge that our gathering today is taking place in Mi'kma'ki (MEEG-MA-GEE), the traditional, unceded and ancestral territory of the Mi'kmaw people. I would also like to acknowledge that Nova Scotia has another unique people, the people of African descent whose legacy and contributions date back over 400 years predating confederation of this land. We are all treaty people."

2. **Approval of Agenda and Acceptance of Minutes**

   2.1 **Approval of the Agenda**

   2.2 **Acceptance of the Minutes - September 8, 2026** 1 - 4

3. **Municipal Planning Strategy / Land Use By-Law Amendments**

   3.1 **Staff Report** 5 - 15

   3.2 **Public Participation Opportunity Summary - October 5, 2026 (including written submissions)** 16 - 26

4. **Adjournment**

Town of Amherst

Planning Advisory Committee

Minutes

Date:	**September 8, 2026**
Time:	**4:30 pm**
Location:	**Council Chambers, Town Hall**
Members Present	**Ronald Wilson, Citizen Representative, Chair** **Paul Diamond, Citizen Representative, Vice Chair** **Deputy Mayor Charlie Chambers** **Councillor Terry McManaman** **Councillor Dwayne Ripley**
Members Regrets	**Jim Lamplugh, Citizen Representative**
Staff Present	**Andrew Fisher Director, Planning & Economic Development** **Marc Buske, Building Official** **Emily Wainwright, Dangerous/Unsightly Premises Administrator** **Sean Payne, Marketing & Communications Officer** **Natalie LeBlanc, Municipal Clerk** **Cindy Brown, Administrative Assistant**

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1. Call to Order

The Chair called the meeting to order.

1.1 Territorial Acknowledgement

The Chair gave the Territorial Acknowledgement.

2. Approval of Agenda and Acceptance of Minutes

2.1 <u>Approval of the Agenda</u>

Moved By: Paul Diamond
Seconded By: Deputy Mayor Chambers
That the agenda be approved as circulated.

Motion Carried

2.2 <u>Acceptance of the Minutes - June 1, 2026</u>

The Chair called for any errors or omissions in the minutes. There being none, the minutes of the June 1, 2026, meeting of the Planning Advisory Committee were accepted as included in the agenda package.

DRAFT

3. 29 Patterson Street

3.1 Staff Report

Emily Wainwright reviewed her report, included in the agenda package, regarding 29 Patterson Street (PID 25025909). She presented her inspection report showing the various structural and safety concerns with the building.

3.2 Owner / Representative Questions/Comments to PAC

The property owner Cindy McLeod was in attendance; she agrees that the structure needs to be demolished. Ms. McLeod said she will have the demolition completed within 180 days, adding that her intention is to sort through the structure to see what materials can be salvaged and have the remaining sorted and disposed of properly.

Andrew Fisher asked the property owner if she has a safety plan in place to discourage trespassing and animals from entering the building as she intends to do the demolition herself. Ms. McLeod stated that she lives next to the property, she plans to install cameras and there will be a fence that will surround the building to prevent any entrance to or activity on the site.

3.3 Complainant / Representative Questions/Comments to PAC

The Complainant was not in attendance.

Moved By: Councillor Ripley
Seconded By: Deputy Mayor Chambers
That the Planning Advisory Committee order the demolition of the building and accessory building, and any holes backfilled, located at 29 Patterson Street (PID 25025909) within one hundred and eighty days (180) days of the date of this meeting, with all work to be completed by the property owner. Failure by the property owner to complete the required work may result in the Town of Amherst undertaking the demolition and disposal of contents to an appropriate solid waste facility or impound yard, with all costs incurred to be charged to the property owner's tax account.

Motion Carried

4. 51 York Street

4.1 Staff Report

Emily Wainwright reviewed her report, included in the agenda package, regarding 51 York Street (PID 25003096). She presented her inspection report showing the various structural and safety concerns with the building.

4.2 Owner / Representative Questions/Comments to PAC

The property owner Eric MacKenzie was present however did not make any comments regarding his property.

4.3 Complainant / Representative Questions/Comments to PAC

The Complainant was not in attendance.

DRAFT

Moved By: Councillor Ripley
Seconded By: Councillor McManaman
That the Planning Advisory Committee Order the demolition of the building located at 51 York Street (PID 25003096) within sixty (60) days of the date of this meeting, with all work to be completed by the property owner. Failure by the property owner to complete the required work will result in the Town of Amherst undertaking the demolition and disposal of contents to an appropriate solid waste facility or impound yard, with all costs incurred to be charged to the property owner's tax account.

Motion Carried

5. 69 Lower LaPlanche Street

5.1 Variance Report

Andrew Fisher presented the variance report for 69 Lower Laplanche Street (PID 25023185 & 25469644), which has been appealed to Council. The hearing is scheduled for September 17, 2026, at 4:30 p.m. Andrew Fisher explained the variance process, adding that once Council makes a decision the Planning Advisory Committee can discuss the appeal outcome.

Paul Diamond asked for clarity around the variance issued. Andrew Fisher replied the variance was issued that reduced the minimum lot area requirement by 7.5% to allow the construction of a nine-unit apartment building. The combined area of the two properties is 1,249 m². To permit the nine units, a variance of 101 m² was required to account for the shortfall in the required lot area.

Councillor McManaman asked if the entrance into Amherst through lower Laplanche Street will have any improvements planned, adding in speaking with some of the residents in the area they expressed concerns to him about traffic flow in this area and the large billboard signs that could cause visibility issues. Andrew Fisher replied that there are no plans to reconfigure the street network in relation to this development.

Councillor Ripley asked if the applicant could change it to only have two units on the top floor, if that would be permitted. Andrew Fisher answered that reducing the number of units by one would still not meet the Bylaw, but six units would be permitted by-right.

6. Municipal Planning Strategy / Land Use By-Law Amendments

Andrew Fisher reviewed his report included in the agenda package. A Public Participation Opportunity will be scheduled for October 5, 2026, at 4:30 p.m. when staff will present potential definitions of "wet facilities" and shelters, with potential MPS and LUB amendments that specify where such uses are permitted and under what conditions.

The Chair said he expects an intense discussion regarding this therefore this Committee needs to be open minded while also recognizing the importance of the proposed amendments.

Paul Diamond suggested adding "damp site" to the definition list. Andrew Fisher said that staff will do more research between now and the Public Participation Opportunity and have a more comprehensive list of definitions.

DRAFT

7. Adjournment

There being no further business, the Chair adjourned the meeting.

_____	_____
Natalie LeBlanc	Ron Wilson
Municipal Clerk	Chair

DRAFT

MEMO

TO: Planning Advisory Committee

FROM: Andrew Fisher, Director of Planning & Economic Development

DATE: October 20, 2026

RE: **Planning review – emergency shelters, wet sites and supervised consumption sites**

ORIGIN

In August 2026 Council passed the following motion:

That staff be directed to prepare a report for the September meeting of the Planning Advisory Committee that defines "wet sites" and where/what is permitted, further define where overnight shelters are permitted in the Town of Amherst, hold a public participation opportunity and then make a recommendation to Council.

BACKGROUND

With regard to Council's direction, staff provided a report to the PAC on September 8, 2026 that included initial definitions of "wet sites" and emergency shelters. A Public Participation Opportunity (PPO) was held October 5th, 2026; however, in order to follow applicable policy and the Municipal Government Act for planning document amendments, the PAC could not make a recommendation to Council until after the PPO was held. Although this series of events deviates from Council's direction, it carries out Council's intent in a procedurally correct way.

Terms

In Nova Scotia, "wet" is used as a descriptor of organizations, supports or services that allow the consumption / use of substances within its premises. Facilities have different rules about drugs and alcohol use:

- Dry — means that individuals cannot be in the facility if under the influence of alcohol or drugs.
- Damp — means individuals can be in the facility while under the influence, but onsite consumption is not permitted.
- Wet — allows onsite consumption, possibly but not necessarily in a supervised environment.

The above general categories refer to the operation model of the facility that are not rooted in a legal or health definition.

Supervised Consumption Sites ("safe injection sites" or "overdose prevention sites") are facilities that allow the consumption of illegal controlled substances under the supervision of trained staff that prevent fatal overdoses. These facilities can connect people to treatment and recovery services while providing a sterile environment and sterile equipment, which reduce the spread of infectious disease. Operation requires a section 56.1 exemption from the federal *Controlled Drugs and Substances Act*, where illegal drugs are not legalized, but the activities are protected by the exemption at a specific location.

According to Health Canada, there are 24 Supervised Consumption Sites in operation across Canada. In Nova Scotia there are two such facilities: Refix in HRM and Peer Six in Sydney. There are no other listed sites east of Montreal. More information about Supervised Consumption Sites is available on the Health Canada website[i].

An Emergency Shelter typically means a building or part of a building used to provide temporary overnight accommodation to persons experiencing homelessness or in need of emergency housing, with onsite 24-hour support services, and which may include communal sleeping areas, washrooms, laundry facilities, and meal service.

Emergency Shelters, Wet Sites and a Supervised Consumption Sites are distinct uses, but overlap can occur. An Emergency Shelter could have a Supervised Consumption Site component to the services it provides. A Wet Site or Wet Shelter could allow or accept onsite consumption. In Nova Scotia there are approximately 19 emergency shelters across the province[ii]. Cornerstone is an Emergency Shelter located at 10 Prince Arthur Street operated by the Cumberland Homelessness & Housing Support Association. Based on staff's understanding of the operational model, this shelter could be characterized as a damp shelter.

Harm Reduction, Housing as a Human Right, and Low-Barrier Shelter Concepts

Wet sites and low-barrier emergency shelters can be understood within a broader harm reduction framework that recognizes housing and access to shelter as fundamental human needs, rather than privileges contingent on abstinence from substance use or participation in treatment. This approach is consistent with the principles of Housing First[iii], which separates access to housing from an individual's readiness to pursue recovery or substance use treatment. It recognizes that people experiencing homelessness have diverse needs and circumstances, and that requiring sobriety as a precondition for accommodation can create additional barriers to safety and stability.

Wet sites incorporate this approach by providing designated environments where substance use is permitted under defined conditions, allowing individuals to access shelter and support while continuing to use substances. Similarly, low-barrier emergency shelters can accommodate people who might otherwise be excluded from conventional shelter services because of active substance use. Both

approaches prioritize immediate safety, dignity, and engagement with support services, while preserving opportunities for individuals to pursue treatment or recovery if and when they choose.

For more information about harm reduction in housing settings, NASTAD provides a concise overview of these evidence-based approaches.[iv]

Provincial Approach to Housing

The province published a five-year housing plan in October 2023[v]. There are three strategic solutions and 12 actions to help create conditions for more housing options now and into the future. The three strategic solutions are: increase housing supply, grow and sustain affordable housing, and deliver programs people need. The plan includes a housing spectrum from homelessness to market rental/ownership, as shown below. Emergency Shelters are included in this spectrum.



Housing is one of the five Statements of Provincial Interest that provide guiding policies that shape sustainable growth, land use and resource management across the province. The goal of the housing statement is "to provide housing opportunities to meet the needs of all Nova Scotians," on the basis that "adequate shelter is a fundamental requirement" and "a wide range of housing types is necessary to meet the needs of all Nova Scotians."[vi] Municipal planning documents must be consistent the statements.

New Provincial Model for Supportive Housing

On September 23, 2026, the Opportunities and Social Development Department issued a news release seeking a new supportive housing model[vii]. The release listed the following quick facts:

- supportive housing is a social program that helps move people from homelessness into housing and connects them to health, income, cultural, social and community supports
- projects can be submitted by non-profit organizations, community-based partners, existing service providers, Indigenous groups, municipalities and private companies through partnership agreements
- proposals will be assessed for local need, service quality, readiness, staffing, financial sustainability, partnerships and culturally responsive design

Planning Principles and Legislative Framework for Land Use Regulation
Any proposed amendment to the planning documents must remain within the authority granted by the Municipal Government Act (MGA). Section 220 of the *MGA* establishes the framework for regulating land uses through a municipal land-use by-law (LUB). Key considerations include:

- Limits on prohibition: Section 220(3) provides that development cannot be totally prohibited unless authorized under Part VIII of the MGA. This is generally interpreted to limit a municipality's ability to prohibit an otherwise lawful use throughout the municipality.
- Zoning authority: Section 220(2) permits municipalities to identify the zones in which particular uses are permitted or prohibited, providing flexibility to determine appropriate locations for specific uses.
- Permitted regulatory measures: Sections 220(4) and 220(5) identify matters that may be regulated or prohibited. Available planning tools may include zoning restrictions and site development standards addressing building location, setbacks, lot coverage, buffers and outdoor amenity areas. Where supported by MPS policy, additional requirements may be established through site plan approval or development agreements.
- Limits on regulatory requirements: Land-use regulations must not be structured so that a use becomes effectively impossible to establish. Restrictions that amount to a total prohibition may exceed Council's authority unless expressly authorized by the MGA.
- Legal review: Before Council adopts amendments to the planning documents that includes significant restrictions on the subject uses, a legal review of the provisions may be appropriate.

Legal Nonconforming Uses
It is important to note that any potential amendment that changes the permitted location of the subject uses will not result in the existing emergency shelter having to move. MGA section 238 provides that legally existing or approved uses may continue regardless of any future amendment to the MPS and LUB that would make such uses nonconforming.

Current Planning Documents
The Municipal Planning Strategy (MPS) and Land Use Bylaw (LUB) do not include definitions or policies specific to Emergency Shelters, Wet Sites and Supervised Consumption Sites. Without a definition, an emergency shelter facility that is operated with 24-hour staff is interpreted to be an institutional use as a not-for-profit community service. Emergency shelters are considered a permitted use in the following zones:

- Highway Commercial Zone
- Downtown Zone
- Mixed Use Zone
- Institutional Zone

The legality of a Wet Site that does not have an exemption under the *Drugs and Controlled Substances Act* is less clear. In review of an application to permit a Wet Site, staff would need to consider LUB section 3.15 that requires the use to be legal under provincial and federal law.

3.15 Compliance with Other Bylaws

3.15.1 Nothing in this Bylaw shall exempt any person from complying with the requirements of the Building Bylaw or any other Bylaw in force within the Town of Amherst, or from obtaining any license, permission, permit, authority or approval required by any other Bylaw of the Town of Amherst or statute or regulation of the Province of Nova Scotia or the Government of Canada.

3.15.2 Where the provisions in this Bylaw conflict with those of any other Bylaw of the Town or regulation of the Province or the Government of Canada, the higher or more stringent provision shall prevail.

Supportive Housing is also relevant to this subject, particularly as the province has recently used this term to include a range of housing types that address homelessness including shelters, and transitional housing. The current LUB allows Supportive Housing as a permitted use in residential and commercial zones: up to 6 beds by right, 7-12 beds by Site Plan Approval, 13+ beds by Development Agreement.

The current LUB definition of Supportive Housing is as follows:

> *o) Supportive Housing means a community-based group living arrangement for individuals with social, emotional, legal, mental and/or physical handicaps or problems, that is developed for the wellbeing of its residents through self-help, professional care, guidance and supervision unavailable in the resident's own family, as an institution or in an independent living situation. A group care facility is licensed, funded or approved by the Province of Nova Scotia.*

MPS policy 4-18 allows Supportive Housing in residential zones

> *Policy 4-18: Council shall permit, by site plan approval, in the General Residential Zone: grouped dwellings up to five dwellings, multi-unit dwellings with seven to twelve units, townhouse dwellings with seven to twelve units, boarding houses with seven to twelve sleeping units, supportive housing with seven to twelve housing units, and nursing homes and homes for special care with seven to twelve sleeping units.*

5.2.3 Supportive Housing

There is a diversity of housing needs in Amherst. This sometimes extends beyond simply the type of dwelling and tenure a person needs to the need for additional personal care within a dwelling. There is a spectrum of supportive housing, which can range from residential care facilities providing 24/7 care, to small options homes where adults have shared living arrangements, but which is supplemented by support workers. Council believes supportive housing options are an essential tool for meeting the

housing needs of all residents in Amherst, and will take a policy and regulatory approach towards them that is the same as other dwellings of a similar scale.

> *Policy 5-6: Council shall, through the Land Use Bylaw, permit supportive housing options in the Residential General Zone.*
>
> *Policy 5-7: Council shall consider entering into a development agreement for proposals for supportive housing and nursing homes with more than twelve beds or units in any zone that permits residential uses. Council shall only enter into such a development agreement if Council is satisfied:*
> *a. the proposal is situated along an arterial or collector street, or vehicular traffic from the development to the nearest arterial or collector street can be effectively managed;*
>
> *b. the architectural design of the building, including, but not limited to, building material and orientation; the location, orientation, and size of windows and doors; and the roof pitch and material is complementary and compatible with—but not necessarily the same as—surrounding land uses;*
>
> *c. the bulk and massing of the building is complementary to and compatible with—but not necessarily the same as— neighbouring properties;*
>
> *d. the proposal is appropriately integrated into the built form of the existing neighbourhood through the use of setbacks and stepbacks;*
>
> *e. parking areas are planned and landscaped so as not to create adverse effects on neighbouring properties;*
>
> *f. stormwater runoff from impervious areas is appropriately managed and unlikely to cause disturbance on neighbouring properties or the natural environment; and*
>
> *g. the proposal complies with the general development agreement policies of Section 6.6 of this Plan.*

An application for a Supervised Consumption Site would be interpreted as a medical clinic use, which is in alignment with how they are generally characterized by senior-level governments and other municipal units in NS. Medical clinics are a permitted use in the following zones:

- Highway Commercial Zone
- Downtown Zone
- Mixed Use Zone

*Note: medical clinics are not a listed permitted use in the Institutional Zone.

The current MPS addresses housing primarily through land-use regulation, housing diversity, development capacity, and collaboration with other levels of government and housing providers. It recognizes that safe, appropriate and affordable housing is a basic need, and that municipal planning decisions can influence the availability and cost of housing.

Public Input

As summary and written submissions for October 5th, 2026 Public Participation Opportunity is included in this package. Of the two residents in attendance, one spoke of their significant concern for the future of the downtown if a supervised consumption site locates there. The two written submissions received are included in the package. One provided ideas regarding definitions but chose not to comment on potential locations for the subject uses. The second submission was from NS Public Health that provided comment on the definitions. With regard to zoning considerations, they argue that municipal zoning has historically contributed to inequities in communities, but it also offers opportunities to reduce these barriers through inclusive housing policies, such as eliminating discriminatory zoning requirements. Decisions regarding the zoning of the subject uses should be objective, evidence-informed, and focused on reducing inequities. From a public health perspective, these services should be permitted in areas close to essential supports, including healthcare, social services, pharmacies, employment, and education, and be easily accessible to the people who need them.

Jurisdictional Scan

The following provides a selective scan of other municipal jurisdictions around the province. It is important to note that every jurisdiction is different in terms of its development patterns and planning document frameworks. As such, caution should be used in drawing direct comparisons or conclusions around how the subject uses are regulated and its potential applicability in Amherst.

Truro - allows emergency shelters in the downtown zone with conditions, including minimum outdoor amenity space that is not situated within a front or flanking yard, and the primary entrance for clientele shall not be situated within 3.0 m (10 ft) of a public right-of-way and shall not be within 15 m (49 ft) of a General Residential (GR), Downtown Neighbourhood (DN), or Urban Corridor (UC) Zone. The Truro Housing Outreach Society operates an emergency shelter at 29 Arthur Street.

Bridgewater – undertook a planning document review of institutional uses in their downtown core in 2024. The resulting amendments defined Emergency Shelters and excluded them from the Historic Downtown Commercial Zone, but allowed them in some commercial zones by site plan or development agreement depending on their size. Shelters were listed as a permitted use in the Institutional zone. A new shelter opened June 2026 in the Institutional Zone just north of the two commercial zones that make up the downtown area. Cedar Place, a drop-in centre located in the Historic Downtown Commercial Zone, closed its doors in March 2026.

Kentville – undertook a planning review of Emergency Shelters in 2026. The resulting amendments make shelters a use permitted by development agreement in the Institutional Zone. The Open Arms Resource Society operates an emergency shelter in Kentville's downtown in the General Commercial Zone.

New Glasgow – currently has a shelter located in the Institutional Zone that is located adjacent to the historical downtown. On September 22, 2026, the province announced it would end funding for this shelter while also announcing a new model for supportive housing funding intended to provide a mix of shelter, transitional and supportive housing options. It is unclear if and where that facility will be replaced.

DISCUSSION

From a land use planning perspective, Emergency Shelters, Wet Sites and Supervised Consumption Sites raise important questions about how zoning permissions and siting decisions can support an inclusive system of emergency shelter and harm reduction services. A planning framework informed by housing rights and public health principles should consider both the potential land use impacts of these facilities and the consequences of restricting their availability or locating them where access to essential services is limited. The objective is to enable facilities that respond to unmet community needs while addressing legitimate considerations relating to public safety, accessibility, neighbourhood compatibility and service provision.

Achieving this objective requires that planning documents regulate uses rather than users. Commonly referred to as avoiding "people zoning," this principle means that zoning provisions should focus on the nature and impacts of a use, rather than the personal circumstances or characteristics of the people who access a facility. Accordingly, regulations governing Emergency Shelters, Wet Sites and Supervised Consumption Sites should be based on clear, objective and consistently applied planning criteria, such as land use compatibility, built form, safety and access to services, rather than assumptions or stigma associated with the people who use them. This approach supports equitable access to essential services while allowing legitimate land use impacts to be appropriately managed.[viii]

OPTIONS FOR PLANNING DOCUMENT AMENDMENTS

With the above taken into account, staff put forward the following proposed MPS and LUB amendment options for consideration.

Definition Amendments:

1. Amend the LUB, add the following definitions:

    a) **Supervised Consumption Site** means a building or part of building used for the consumption of controlled substances by individuals under the supervision of trained staff,

operating by an exemption granted under the federal *Controlled Drugs and Substances Act*, and which may include the provision of sterile consumption equipment, overdose prevention, and referrals to health and social services.

b) **Emergency Shelter** means a building or part of a building used to provide temporary overnight accommodation to persons experiencing homelessness or in need of emergency housing that is operated by staff on a twenty-four-hour basis, and which may include communal sleeping areas, washrooms, laundry facilities and meal services.

c) **Wet Site** means an emergency shelter in which the consumption of alcoholic beverages and/or other substances by residents is permitted in accordance with applicable federal and provincial legislation.

Amend the existing LUB Definition of Supportive Housing by excluding the above noted uses:

o) **Supportive Housing** means a community-based group living arrangement for individuals with social, emotional, legal, mental and/or physical handicaps or problems, that is developed for the wellbeing of its residents through self-help, professional care, guidance and supervision unavailable in the resident's own family, as an institution or in an independent living situation~~. A group care facility~~ **that** is licensed, funded or approved by the Province of Nova Scotia, **but does not include a Supervised Consumption Site, Emergency Shelter, or Wet Site.**

Option 1: Define uses in the Institutional Zone

Add a MPS policy that establishes the Institutional Zone and characterizes the permitted uses:

4.4.5 Institutional Zone

Policy 4-30: Council shall, through the Land Use Bylaw, establish the Institutional Zone that will permit a range of community assets that include: schools, places of worship, public buildings and recreational facilities.

Option 2: Allow Supervised Consumption Sites, Emergency Shelters and Wet Sites in the Downtown and Highway Commercial Zone only

In the LUB, add the above uses to the list of permitted uses in the Highway Commercial Zone (section 8.2.1), and the Downtown Zone (section 8.3.1). This option would allow the subject uses in the Downtown and Highway Commercial Zones where there is the best access to other services. At the same time, this would explicitly exclude them as permitted uses in the Institutional, residential, Neighbourhood Commercial, Industrial and Business Park zones.

Option 3: Allow the subject uses in the Highway Commercial Zone and/or the Business Park Zone

In the LUB, add the subject uses to the list of permitted uses in Highway Commercial Zone (section 8.2.1) and/or the Business Park Zone (section 8.6.1). This option would allow the uses in areas of town where the development pattern is less dense, and the potential negative impact on surrounding uses is reduced.

Option 4: Allow the subject uses by Site Plan Agreement or Development Agreement
These two approval processes would provide more control over the building size, location on the site and other site features such as outdoor amenity space. Caution should be used when considering this option as neither process can control people or what might happen in the neighbourhoods surrounding a use on a particular property.

OPTIONS

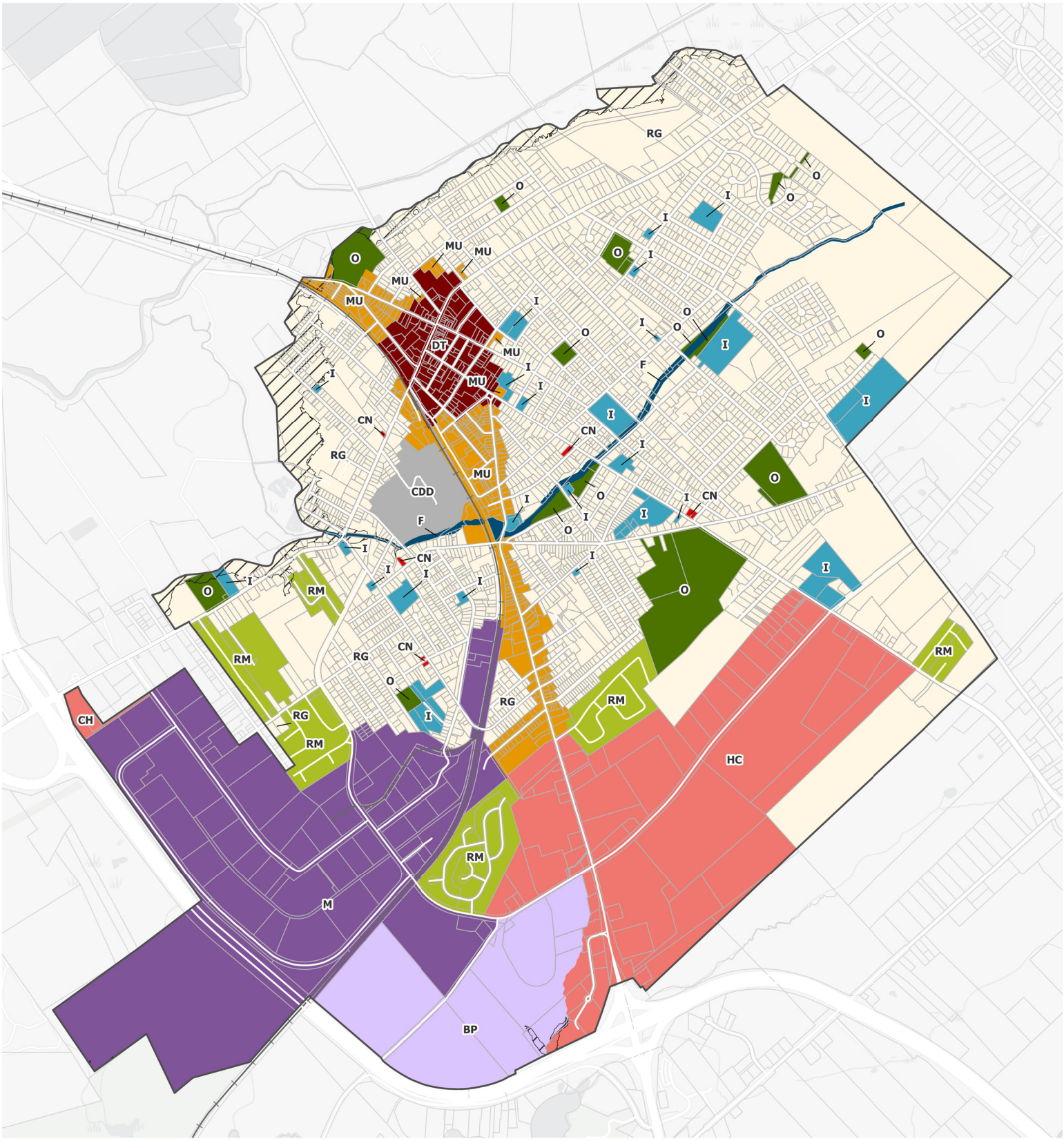
Option One: Recommend that Council amend the MPS and LUB with the proposed definition and policy changes, and one of the options noted above.

Option Two: Recommend that Council amend the MPS and LUB as described above but with changes.

Option Three: Defer a recommendation and request additional information.

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[i] https://www.canada.ca/en/health-canada/services/substance-use/supervised-consumption-sites/explained.html
[ii] Ns.211.ca
[iii] https://housing-infrastructure.canada.ca/homelessness-sans-abri/resources-ressources/housing-first-logement-abord-eng.html
[iv] Online. Search "NASTAD Harm Reduction".
[v] https://novascotia.ca/action-for-housing/
[vi] N.S. Statements of Provincial Interest: https://novascotia.ca/just/regulations/regs/mgstmt.htm#TOC2_7
[vii] https://news.novascotia.ca/en/2026/09/23/province-seeks-new-supportive-housing-options-regional-communities
[viii] Agrawal, S. K., Sangapala, P., Hill, E., & Lang, J. (2024). Human rights and municipal land use bylaws in Atlantic Canada. Planning Practice & Research, 39(6), 1032–1055. https://www.tandfonline.com/doi/full/10.1080/02697459.2024.2359790



MAP

Amherst Zoning

SCHEDULE	LAST UPDATED	DATA SOURCE
—	2025.11.24	Prov. of NS

NORTH + SCALE

N

0 25 50 100 m

PROJ.

NAD83 CSRS
UTM 20 N

LEGEND

CDD	Comprehensive Development District	BP	Business Park
DT	Downtown Commercial	I	Institutional
F	Flood Plain	MU	Mixed Use
RG	General Residential	RM	Mini Home Residential
CH	Highway Commercial	CN	Neighbourhood Commercial
M	Industrial	O	Open Space
			Floodway Fringe Overlay

Town of Amherst
Public Participation Opportunity
Summary

Date:	**October 5, 2026**
Time:	**4:30 pm**
Location:	**Council Chambers, Town Hall**
Members Present	**Deputy Mayor Charlie Chambers** **Councillor Hal Davidson** **Councillor Nic Furlong** **Councillor Terry McManaman** **Councillor Dwayne Ripley** **Councillor Kathy Wells**
Staff Present	**Jason MacDonald, Chief Administrative Officer** **Andrew Fisher, Director, Planning & Economic Development** **Marc Buske, Building Official** **Torben Laux, Planner** **Natalie LeBlanc, Municipal Clerk** **Cindy Brown, Administrative Assistant**
Others Present	**Ron Wilson, Planning Advisory Committee, Chair**

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1. Call to Order

Jason MacDonald called the Public Participation Opportunity to order.

2. Territorial Acknowledgment

Jason MacDonald gave the Territorial Acknowledgement.

3. Introduction

Jason MacDonald introduced members of Amherst Town Council and members of the Planning Advisory Committee that were in attendance as observers and explained that the purpose of the public participation opportunity is to gather input from the public with regards to potential amendments to the recently adopted Municipal Planning Strategy and Land Use By-law that would define where new shelters and supervised consumption sites could be permitted. He noted that at this time there are no current applications for such, however at the direction of Council staff were asked to hold a public participation opportunity ahead of proposing any amendments.

4. Municipal Planning Strategy / Land Use By-Law Proposed Amendments

4.1 Staff Reports / Presentations

Andrew Fisher gave his presentation, included as part of the agenda package.

4.2 Public Participation Opportunity

Tina Gibson of 22 Acadia Street said she is very upset that the Town is considering this. She stated that she used to live in Vancouver when that city opened their first safe consumption site that she feels led to several issues that harmed the community. She feels that safe consumption sites do not work and only promotes further drug use, and that having a safe consumption site in the downtown would be a bad idea. She would prefer that the Town take the same approach that the province of Ontario did with their HART Hubs (Homelessness and Addiction Recovery Treatment Hubs). She further stated that she works part-time at the House of Birria which is located in the same building as Service Canada and that she has witnessed a great deal of drug activity and paraphernalia found on and around the property. She feels that Amherst needs a drug rehabilitation facility, not safe consumption sites, that Amherst cannot survive safe consumption sites and that if these are permitted it would be a step backwards.

4.2.1 Written Submissions

Andrew Fisher read the written submissions received for the record, included as part of the agenda package.

5. Closing

There being nothing further from the public, Jason MacDonald thanked everyone for coming and for their input and adjourned the public participation opportunity.

From: bdh0420@gmail.com
To: Natalie LeBlanc
Subject: Written submission — Public Participation Opportunity of October 5, 2026 — Proposed MPS/LUB amendments defining "consumption sites" and "overnight or emergency shelters"
Date: September 29, 2026 2:19:37 PM

Dear Ms. LeBlanc,

I'm writing as an Amherst resident about the proposed amendments to the Municipal Planning Strategy and Land Use Bylaw. My understanding is that this stage of the process is about defining "consumption sites" and "overnight or emergency shelters" in our planning documents, and setting out where such uses may be permitted and under what conditions. It is not about the existing shelter, and it is not a decision to approve or reject any particular facility. I'm making this submission on that basis.

Definitions are the foundation everything else rests on. Permits, enforcement, and appeals all turn on what the words mean. Vague definitions guarantee disputes later; precise ones protect the town, operators, and neighbours alike. With that in mind, I'd like to propose the following.

1. Consumption Site

"Consumption Site" means a building or part of a building used for the supervised consumption of controlled substances by individuals under the observation of trained health care staff, operating under an exemption granted under the Controlled Drugs and Substances Act (Canada), and which may include the provision of sterile consumption equipment, overdose prevention and response, and referrals to health and social services.

Why each part matters: "supervised" and "trained health care staff" distinguish the use from unregulated drug activity — without that, the definition is either meaningless or overbroad. Referencing the federal exemption anchors the use in law; a facility operating without one is a different matter entirely and shouldn't be able to hide inside this definition.

2. Overnight or Emergency Shelter

"Overnight Shelter" or "Emergency Shelter" means a building or part of a building used to provide temporary overnight accommodation to persons experiencing homelessness or in need of emergency housing, with or without support services, and which may include communal sleeping areas, washrooms, laundry facilities, and meal service.

For clarity, this should expressly exclude hotels, motels, rooming houses, residential care facilities, and dwelling units — otherwise the definition will capture uses it was never meant to touch.

3. Define and regulate the two uses separately. A consumption site and a shelter are different uses with different land-use impacts. Lumping them together in a single definition or a single set of conditions

will cause problems the first time either one is actually proposed.

4. On where permitted and under what conditions. I'll leave the merits of any future facility for another day. But whatever council decides down the road, the framework should be built now: name the zones explicitly rather than leaving it to discretion; attach clear conditions to the use itself — hours of operation, staffing, maximum occupancy, sanitation, a neighbourhood management and security plan, and proof of required federal or provincial authorization where applicable; and build in a review mechanism so the rules can be revisited with experience.

5. Protect the existing shelter in plain language. The notice states the amendments don't affect the existing shelter's operation. That assurance should appear in the documents themselves, not just the notice, so there's no ambiguity later.

Thank you for the opportunity to participate. I'm happy to discuss any of this at the October 5 session.

Sincerely,
Bradley Harrison
4 Rhodes Ave, Amherst, NS
September 29, 2026

Public Health

October 02, 2026

Re: Town of Amherst – Municipal Planning Strategy Amendments:

Dear Mayor Small, Amherst Town Council and Planning Department Staff,

Thank you for the opportunity to provide feedback on the proposed amendments to the Municipal Planning Strategy, specifically the proposed definitions of wet sites, supervised consumption sites, emergency shelters and future zoning considerations.

We appreciate the Town's proactive efforts to include accurate definitions of wet sites, supervised consumption sites and emergency shelter in the Municipal Planning Strategy as well as evidence-based considerations related to zoning.

Emergency shelters do not cause homelessness and will not solve homelessness. Emergency shelters are an important temporary measure for people experiencing homelessness but are not a long-term housing option. Evidence-based solutions to end homelessness include the creation of non-profit and affordable housing options.

Supervised consumption sites are an evidence-based healthcare service that provides safe environments and sterile supplies to use substances. Supervised consumption sites prevent overdose and overdose death, the spread of infectious disease and connect people with services. Canadian and international evidence show clearly that supervised consumption services help to save lives, connect people to social services and serve as pathways to treatment.

We recognize and appreciate the work that has gone into developing the current definitions. We have provided our feedback in sections. The first section focuses on feedback relevant to each definition, the following section focuses on zoning considerations and the last section is a list of additional resources. Below, you will find our comments, framed with a Public Health and Health Equity lens.

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Definition Feedback

Current Draft Definition	Public Health Comment
In the context of addictions, a "wet site", commonly known as a wet house or wet shelter, is a residential facility for individuals with chronic substance use disorders, typically alcohol use disorder, where residents are permitted to consume alcohol on the premises. (rehabs.com) Given that alcohol is legal, an alcohol wet site is not specifically regulated by senior levels of government.	**Disclaimer:** There are limited resources that describe and define "wet site" in the context of Nova Scotia. The first three comments are based on the knowledge and understanding of the health promoters and interim harm reduction programs specialist of how "wet" is typically referenced by housing and harm reduction organizations. In the context of Nova Scotia, "wet" is used as a descriptor of organizations, supports or services that allow the consumption/use of substances within its premise. In the context of Nova Scotia, "wet" implies the permitted use of all substances, not solely alcohol. In the context of Nova Scotia, it is incorrect that "wet sites" are specifically facilities for "individuals with chronic substance use disorder". Using the example of a "Wet Shelter" (an emergency shelter that offers overdose prevention services), there would be clients accessing emergency shelter services with differing levels of substance use. For example, some clients may not use substances/completely abstain from substances, some may occasionally use substances and some may be physically dependent on substances. Public Health commends the use of person first language. Public Health asks that there is consideration of replacing "chronic substance use disorder" with "substance use disorder" or "physically dependent on substances" as *Chronic* refers to "an illness or pain that develops slowly,

	lasts for months or years, and keeps recurring". Understanding that all people have a different experience of substance use it would be inaccurate to use chronic as an overarching descriptor. Consider the plain language definitions used in other jurisdictions, such as New Brunswick. Social Support New Brunswick uses the following definitions, *Some shelters have rules about alcohol and drug use:* • ***Dry*** *– You cannot stay if you are drunk or high.* • ***Damp*** *– You can stay if you are drunk or high, but you cannot use alcohol or drugs at the shelter.* • ***Wet*** *– You can stay if you are drunk or high, and you are allowed to use alcohol or drugs at the shelter in a supervised area, with staff there to help keep you safe.*
Supervised consumption sites (often called "safe injection sites" or "overdose prevention sites") involve the consumption of illicit controlled substances. These sites require a section 56.1 exemption from the federal Controlled Drugs and Substances Act (CDSA). Currently, there are two such facilities operating in Nova Scotia – ReFix in Halifax and Peer Six in Sydney. The CDSA exemption does not legalize illicit drug use, but provides a specific legal protection for activities covered by the exemption at the authorized site. In practical terms, individuals can bring their own drugs to a supervised consumption facility with trained staff than can prevent overdoses and provide other supports.	Public Health commends the thorough definition of supervised consumption site, specifically highlighting the exemption process and existing sites in Nova Scotia. Public Health asks that there is consideration of replacing "illicit controlled substances" with either "illegal controlled substances" or "unregulated controlled substances" to reduce the stigma associated with substance use. Public Health suggests the removal of "can" in the fifth sentence as it implies that bringing one's own substances to a supervised consumption site is optional. Including the word "can" may lead people to the inaccurate conclusion that safe consumption sites dispense substances.

	Public Health commends the explanation that supervised consumption sites are staffed with trained employees that prevent overdose and provide other supports. Public Health suggests expanding the last sentence or adding an additional sentence to include that supervised consumption sites also prevent the spread of infectious disease by providing a sterile environment to use substances in as well as sterile equipment. Furthermore, Public Health suggests highlighting that "other supports" includes connecting clients with pathways to treatment and recovery services.

Zoning Considerations

Municipal zoning has a history of creating and perpetuating inequities in communities. However, zoning and planning also present an opportunity for municipalities to remove the barriers that create inequities in our communities. Related to housing, some of these opportunities include but are not limited to eliminating discriminatory separation distance requirements, ensuring that Municipal Planning Strategies avoid 'people zonings', allowing non-market housing rezoning 'as of right', ensuring timely approvals of non-market housing targeting 20% non-market housing by 2055, enabling accessible units, and rapid approvals and no development fees for accessory dwelling units.

When considering zoning Emergency Shelter and Supervised consumption sites, it is crucial to make decisions objectively, using evidence-informed information and considering how decisions will create or lessen inequities. From a Public Health perspective, decreased barriers will result from permitting Emergency Shelters and Supervised Consumption Sites in zones that are already proximal to other services (healthcare, social services, pharmacies, employment, education opportunities, etc.) and are easily accessible to individuals needing emergency shelter or using substances.

Establishment	Proposed Zoning Considerations
Emergency Shelter	Public Health recommends continuing to permit shelters in the Downtown Commercial, Highway Commercial and institutional zones as-of-right (without additional permitting or conditions). This reduces barriers to entry for

	organizations, such as costs and timelines associated with rezoning. For example, in 2025, the Ottawa City Council passed a motion to accelerate the relaxation of zoning regulations for shelters. Continuing to permit emergency shelters in all three of the aforementioned zones not only lessens barriers but enables maximum choice for organizations to choose the most suitable location for an emergency shelter, ensuring it is close to essential services that would benefit people experiencing homelessness. In the absence of a public transportation system, it is crucial that shelter services are proximal to health and social services, even when a shelter model provides basic healthcare, food, and medical services on site. Public Health recommends that in addition to gathering feedback through traditional engagements like the public participation opportunity and public hearing that the Town engage with residents who would be most impacted by the amendments. The Town should engage residents with lived and living experience of using emergency shelter services, emergency shelter providers and relevant community partners to inform zoning considerations.
Supervised Consumption Site	Supervised consumption sites are widely regarded as a healthcare service. Understanding supervised consumption sites are healthcare; Public Health recommends that supervised consumption sites are zoned equally to other healthcare services in the current MPS.

	The Halifax Regional Municipality considers supervised consumption sites within the category of health care service in municipal planning documents, and permit them in commercial, institutional and mixed-use zones according to land use by-laws (HRM, 2019, see attached). Public Health recognizes Harm Reduction as a human right and an evidenced based healthcare service that prevents overdose, death and the spread of infectious disease. Land use restrictions on harm-reduction services, including supervised consumption facilities, cannot discriminate and must meet legitimate planning purposes. Public Health recommends that in addition to gathering feedback through traditional engagements like the public participation opportunity and public hearing that the Town engage with residents who would be most impacted by the amendments. The Town should engage residents who have lived and living experience of using substances, frontline harm-reduction workers and relevant community partners to inform zoning considerations.

Resources

Supervised consumption explained: types of sites and services - Canada.ca

Communicating about Substance Use in Compassionate, Safe and Non-Stigmatizing Ways - Canada.ca

Supervised consumption sites: Status of applications - Canada.ca

Language Matters Nova Scotia Health – see attached PDF

Language to Discuss Drug Use – see attached PDF

Substance use Spectrum – see attached PDF

HRM Supervised Consumption/Overdose Prevention Site Council Report – see attached PDF