



Town of Amherst
Public Hearing
Agenda

Date: **Wednesday, April 14, 2021**
Time: **5:00 pm**
Location: **Zoom Virtual Meeting**

	Pages
1. Call to Order	
2. Development Agreement - 11 Victor Avenue	1 - 1
2.1. Staff Report	2 - 8
2.2. Council Questions/Comments	
2.3. Owner Questions/Comments	
2.4. Public Questions/Comments	
3. Development Agreement - 15 Clinton Street	9 - 9
3.1. Staff Report	10 - 16
3.2. Council Questions/Comments	
3.3. Owner Questions/Comments	
3.4. Public Questions/Comments	
4. Adjournment	

PUBLIC HEARING

14 April 2021

Development Agreement – 11 Victor Avenue

1. Mayor Comments:

Amherst Town Council is considering an application for a development agreement to allow a garden suite within the existing accessory building on the property located at 11 Victor Avenue.

Council approved First Reading of this development agreement amendment at its March 22nd regular meeting. The purpose of this hearing is to hear submissions in favour of, or in opposition to, the application.

2. Staff presentation.
3. Council questions for staff.
4. Public comments.
5. Mayor Comment:

Hearing no further comments, I will close the public hearing on this matter. Consideration of Second Reading for this development agreement will be on the Council meeting agenda scheduled for April 26, 2021.

Public Hearing 11 Victor Avenue

April 14, 2021



Application Details

Applicant: Property Owners

Location: 11 Victor Avenue

Proposal Summary: Allow a Garden Suite within an existing accessory building

Property Size: 1,131 m² (12,170 ft²)

Existing Land Use: Detached dwelling and a 2-story accessory building

Zoning: General Residential



#seewhyweloveit



Neighbourhood Context

- Detached low density residential
- Dead-end local street
- Street ends at the back of West Highlands School sports field



#seewhyweloveit



Proposal Details

- Existing 2-story 72 m² (784 ft²) accessory building constructed in 2018
- No exterior changes or expansion to the building footprint



#seewhyweloveit



Relevant Policy

Land Use Bylaw

Section 7.2.2 Permitted Uses by Development Agreement

In the General Residential Zone, applications for a garden suite may be considered by development agreement in accordance with Municipal Planning Strategy Policy MP-14.

MPS RP-14 Garden Suites

It shall be the intention of Council to permit Garden Suites in all residential areas by development agreement, having regard for the following:

- a) The garden suite is secondary to the main dwelling on the lot
- b) Water and sewer services are independent from the main dwelling
- c) Two off-street parking spaces are provided
- d) The garden suite is located in the rear yard and at minimum 1.2 m from main dwelling and the side lot line, and 6 m from the rear lot line
- e) No other secondary use is permitted on the property (ex. home occupations, day care, etc.)

Relevant Policy (con't)

Other MPS policies relevant to this issue:

- RP-11** Promotion of affordable housing
- RP-8** Encourage of mix of housing types
- A-5** General planning considerations for development agreements



Development Agreement Process

1. Public Participation Opportunity where a summary of the proposal and relevant policies to consider are provided. The proponent is invited to attend and the public is invited to ask questions and provide input.
2. Staff meet with applicant to discuss any changes as a result of the public input.
3. The PAC considers a recommendation to Council based on a staff report, and a summary of the Public Participation Opportunity meeting.
4. **Council considers First Reading of the agreement and schedules a Public Hearing.**
5. Council considers Second Reading, and if approved, notice is placed in local media providing 14-days to appeal the decision.
6. If no appeals are received the agreement is executed and Building Permits can be issued.



PUBLIC HEARING SPEAKING NOTES

14 April 2021

Development Agreement – 15 Clinton Street

1. Mayor Comments:

Amherst Town Council is considering an application to amend an existing development agreement to allow the conversion of a 3-unit dwelling to four units on the property located at 15 Clinton Street.

Council approved First Reading of this development agreement amendment at its March 22nd regular meeting. The purpose of this hearing is to hear submissions in favour of, or in opposition to, the application.

2. Staff presentation.
3. Council questions for staff.
4. Public comments.
5. Mayor Comment:

Hearing no further comments, I will close the public hearing on this matter. Consideration of Second Reading for this development agreement amendment will be on the Council meeting agenda scheduled for April 26, 2021.

Public Hearing 15 Clinton

April 14, 2021



Application Details

Applicant: Property Owner

Proposal Summary: Amend existing 2013 development agreement to allow conversion of a 3-unit to 4-units

Location: 15 Clinton (PID 25040395)

Property Size: 927 m² (9,975 ft²)

Existing Land Use: 3-unit apartment dwelling and parking lot.

Existing Zoning: Downtown Zone



Neighbourhood Context

- Mixture of low density residential and small- scale commercial uses.
- Clinton Street predominantly local traffic
- Street ends at a petroleum distribution yard.



Proposal Details

- Convert the existing ground floor dwelling unit into two units.
- No expansion to the building footprint
- Changes to entryways
- As drafted the only change to the 2013 development agreement is to increase the maximum number of units to four.



Relevant Policy

Land Use Bylaw

Section 8.3.2 Ground Floor Residential Uses by Development Agreement

In the Downtown Commercial Zone, Ground Floor residential uses are subject to a development agreement in accordance with Municipal Planning Strategy Policy CP-15.

MPS CP-15: Medium and High Density by Development Agreement

It shall be the intention of Council to consider applications for ground floor residential uses in the Downtown Zone, taking into account:

- a) Location, height, bulk and architecture of the building
- b) Signage, parking and landscaping
- c) Pedestrian access
- d) Any unique characteristics of the property and its relationship to the streetscape

Relevant Policy (con't)

Other MPS policies relevant to this issue:

- RP-11** Promotion of affordable housing
- RP-8** Encourage of mix of housing types
- A-5** General planning considerations for development agreements

Development Agreement Process

1. Public Participation Opportunity where a summary of the proposal and relevant policies to consider are provided. The proponent is invited to attend and the public is invited to ask questions and provide input.
2. Staff meet with applicant to discuss any changes as a result of the public input.
3. The PAC considers a recommendation to Council based on a staff report, and a summary of the Public Participation Opportunity meeting.
4. **Council considers First Reading of the agreement and schedules a Public Hearing.**
5. Council considers Second Reading, and if approved, notice is placed in local media providing 14-days to appeal the decision.
6. If no appeals are received the agreement is executed and Building Permits can be issued.