



Town of Amherst  
Public Hearing  
Agenda

Date: **Wednesday, April 12, 2023**  
Time: **12:00 pm**  
Location: **Council Chambers, Town Hall**

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	Pages
1. Call to Order	
2. 36 / 38 Beacon Street	
2.1 Staff Report	1 - 9
2.2 Council Questions / Comments	
2.3 Public Questions / Comments	
3. 9 North Adelaide Street	
3.1 Staff Report	10 - 23
3.2 Council Questions / Comments	
3.3 Public Questions / Comments	
4. 52 Hickman Street	
4.1 Staff Report	24 - 37
4.2 Council Questions / Comments	
4.3 Public Questions / Comments	
5. Adjournment	

# Public Hearing

**Land Use Bylaw Zoning Map (Schedule A) Amendment for 36 & 38  
Beacon Street**

**April 12, 2023**



# DEVELOPMENT AGREEMENT PROCESS

1. Public Participation Opportunity is where a summary of the proposal and relevant policies to consider is provided. The proponent is invited to attend and the public is invited to provide input.
  2. The applicant is given an opportunity to make changes as a result of the public input.
  3. The PAC considers a recommendation to Council based on a summary of the Public Participation Opportunity meeting and a staff report.
  - 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, subject to agreement terms.
- \*All meetings of the PAC and Council are open to the public.

# APPLICATION DETAILS

**Applicant:** Mike LeBlanc

**Owner:** Amherst Little League Baseball Club

**Summary of Proposal:** To consolidate lots on 36 & 38 Beacon Street and rezone them from General Residential to Open Space.

**Property Size:** 975m<sup>2</sup> (10,500 sqft).

**Street Frontage:** Lot is a corner lot with approximately 32m on Beacon Street and 42m on Croft Street.

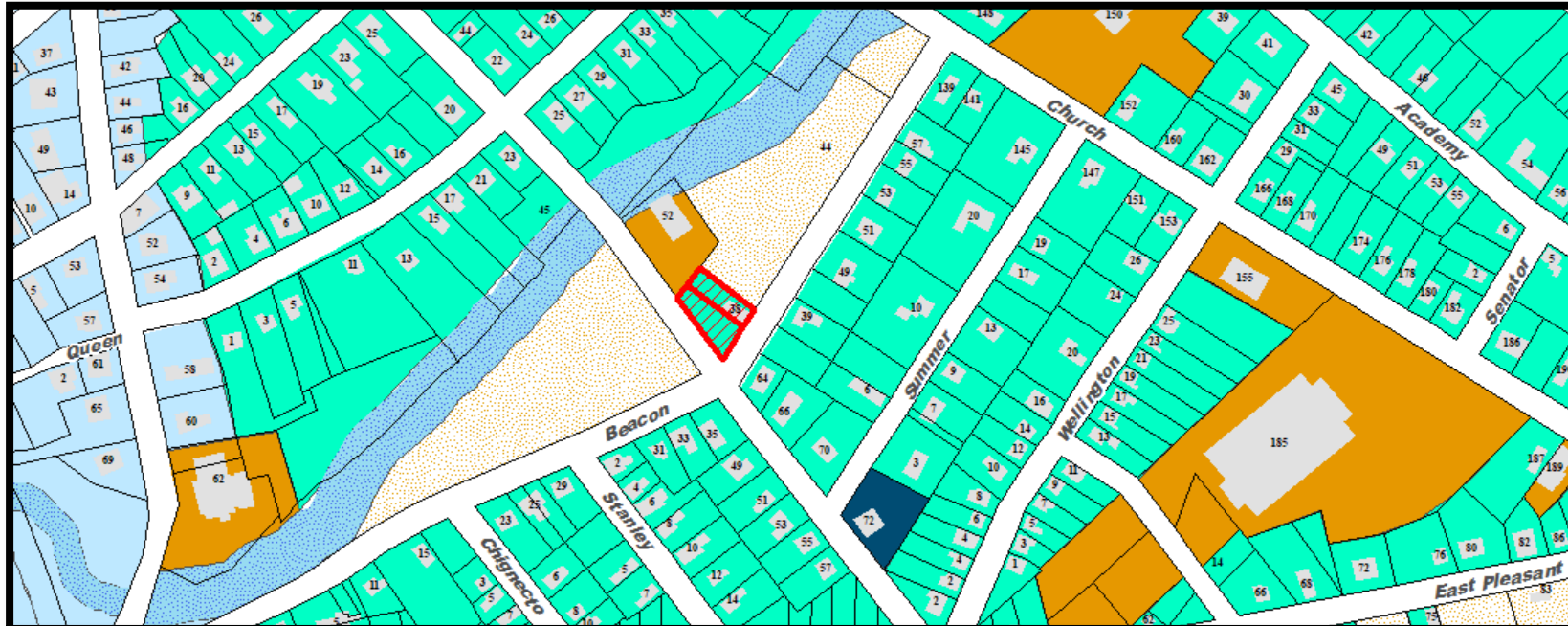
**Existing Land Use:** Vacant

**Existing Zoning:** General Residential



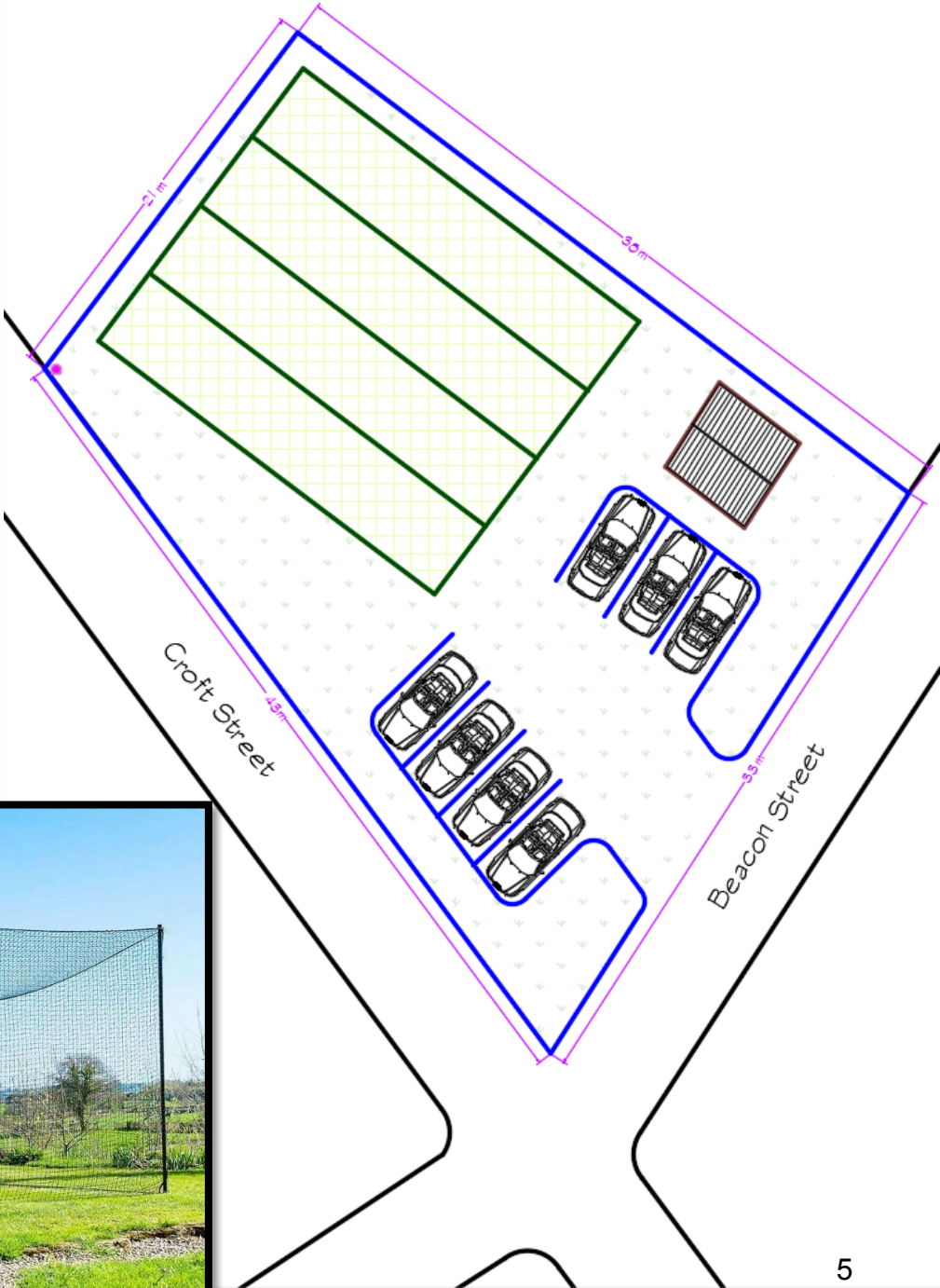
# NEIGHBOURHOOD CONTEXT

- ❑ The subject property is surrounded by a mix of institutional, open space and general residential use.
- ❑ About 100m from the subject site is the flood plain of Dickey Brook.
- ❑ Presently, there is no development on the site.
- ❑ The proposed development will complement other communal and recreational facilities in this neighborhood, including: the Amherst Little League Baseball, Ronald McDonald Rotary Playground and Amherst 50+ Club.



# ILLUSTRATIVE PLAN

- ❑ The applicant is planning to install batting cages; a utility shed and provide parking spaces.



# RELEVANT PLANNING BYLAWS AND POLICIES

- **Section 2.4 of the Land Use Bylaw** allows for an amendment to the **Land Use Zoning Map (Schedule A)** in accordance with applicable policies of the Municipal Planning Strategy.

The policies that are relevant to this application are detailed as follows.

- **R-22: Open Space Zone**

It shall be the intention of Council to include in the Land Use Bylaw an Open Space zone. This zone shall permit a range of recreational uses such as parks, playgrounds, trails, sports fields and passive recreational areas. All existing and future such facilities shall be zoned Open Space. The Open Space zone shall be permitted in all land use designations.

# RELEVANT PLANNING BYLAWS AND POLICIES

## □ A-5: Implementation Policy on Amendment Criteria

It shall be the intention of Council when [...] entering into or amendment of a development agreement to consider the following matters, in addition to all other criteria set out in the various policies of this planning strategy:

- (a) That the proposal conforms to the general intent of this plan and all other municipal bylaws and regulations.
- (b) That the proposal is not premature or inappropriate by reason of:
  - (i) the financial capability of the Town to absorb any costs relating to the development;
  - (ii) the adequacy of municipal water, sanitary sewer and storm sewer services;
  - (iii) the adequacy of road networks, in, adjacent to, or leading to the development;
- (c) That consideration is given to the extent to which the proposed type of development might conflict with any adjacent or nearby land uses by reason of:
  - (i) type of use;
  - (ii) height, bulk and lot coverage of any proposed building;
  - (iii) parking, traffic generation, access to and egress from the site;
  - (iv) any other matter of planning concern outlined in this strategy.

# PREVIOUS STEPS

- ❑ In the opinion of staff, the proposal meets the general intent of Municipal Planning Strategy policies.
- ❑ Rezoning this property to open space will promote the vision of the Town of Amherst for recreation particularly Baseball sport without causing any significant negative impact on the surrounding area over and above the current situation.
- ❑ The public had an opportunity to provide input on the application during the Public Participation Opportunity held on March 1, 2023, and there was no concern regarding the proposal.
- ❑ After further review by the Planning Advisory Committee (PAC) on March 6, 2023, the application was recommended to Council for approval.

# NEXT STEPS

- Sequel to this public hearing, Council at a later date will decide one of the following options:
  - Give second and final reading of the development agreement as drafted or with changes.
  - Defer a decision and request additional information.
  - Reject the application citing specific MPS policies that are not being met.

# Public Hearing

**Development Agreement Application to permit Two (2) more  
Residential Units on 9 North Adelaide**

**April 12, 2023**



# DEVELOPMENT AGREEMENT PROCESS

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  2. The applicant is given an opportunity to make changes as a result of the public input.
  3. The PAC considers a recommendation to Council based on a summary of the Public Participation Opportunity meeting and a staff report.
  - 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.
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# APPLICATION DETAILS

**Applicant:** Six Point Star Homes Limited

**Owner:** Six Point Star Homes Limited

**Summary of Proposal:** Increase the number of dwelling units within the existing building at 9 North Adelaide Street (PID: 25008798) from 6 to 8.

**Property Size:** 894m<sup>2</sup>.

**Street Frontage:** 23m on North Adelaide Street.

**Existing Land Use:** Residential

**Existing Zoning:** General Residential



# NEIGHBOURHOOD CONTEXT

- ❑ The subject property is two blocks from downtown Amherst.
- ❑ The property is bordered on the left and right by semi-detached residential dwelling units.
- ❑ A 2-storey detached residential unit is located opposite the site.



# NEIGHBOURHOOD CONTEXT



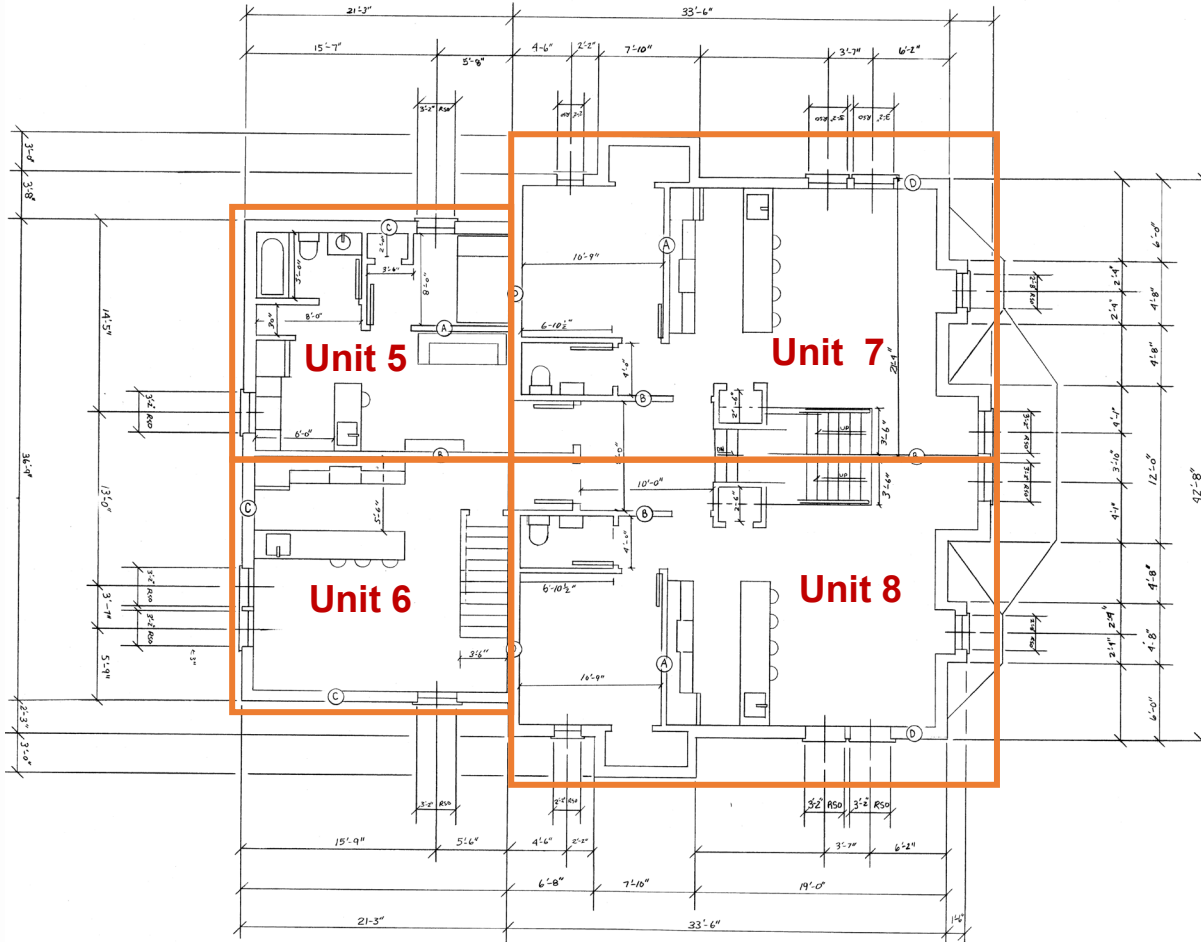
View of the subject property from North Adelaide Street

#seewhyweloveit

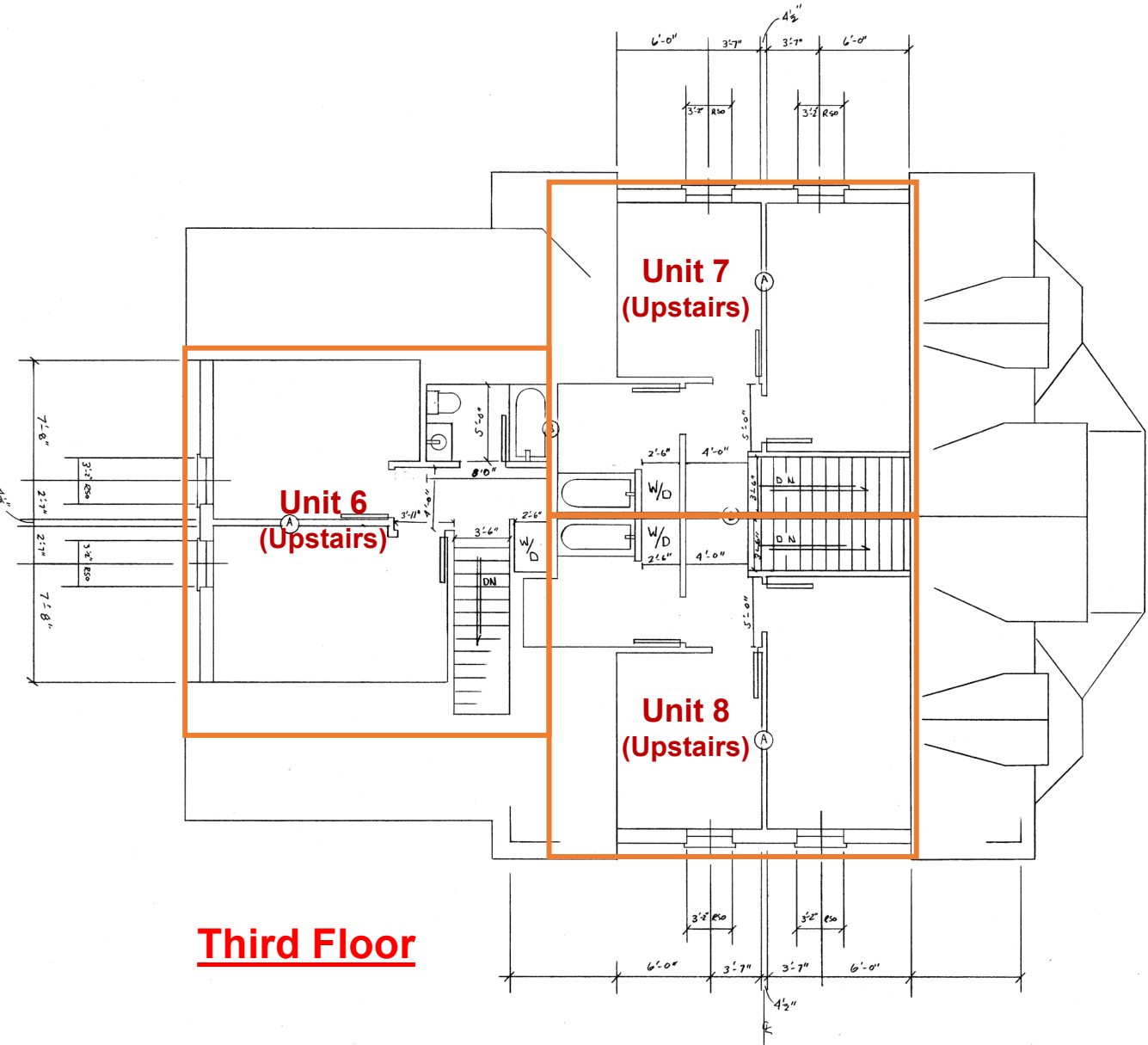




# GENERAL DESCRIPTION



**Second Floor**



**Third Floor**

# GENERAL DESCRIPTION



Front Elevation



Right Elevation

# GENERAL DESCRIPTION



Left Elevation

Rear Elevation



# RELEVANT PLANNING BYLAWS AND POLICIES

**Section 7.2.2e of the Land Use Bylaw** permits the development of apartment buildings greater than 4 units in a Residential Zone in accordance with Policy RP-9 of the MPS.

## ❑ **RP-9: Residential Policy on Medium and High Density by Development Agreement**

It shall be the intention of Council to ensure medium and high-density residential development occur in a manner compatible with a low-density residential neighborhood. Specifically, Council shall require that all residential developments greater than 4 dwelling units per property, be subject to a Development Agreement.

In negotiating such an agreement Council shall ensure that:

- (a) ensure that the structure(s) is located on the lot in such a manner as to limit potential impacts on surrounding low density residential developments;
- (b) ensure that the development provides sufficient on-site parking, and appropriate access to, and egress from the street;
- (c) ensure that the location of parking facilities does not dominate the surrounding area, including the utilization of vegetation and fences to mitigate the aesthetic impacts of parking lots;
- (d) ensure that any on site outdoor lighting does not negatively impact the surrounding properties;
- (e) ensure that any signage on the property is sympathetic to the surrounding residential properties;
- (f) require the use of vegetation to improve the aesthetic quality of the development;
- (g) ensure that the architecture of the building is sympathetic to any existing development in the surrounding area.

# RELEVANT PLANNING BYLAWS AND POLICIES

## ❑ GP-8: General Land Use Policies on Density

It shall be the intention of Council to allow development at a density appropriate to the overall desired character of the town.

## ❑ RP-8: Residential Policy on Housing Mix

It shall be the intention of Council to encourage a mix of housing densities in all residential areas of town to encourage a mix of housing types and income groups in all residential areas.

## ❑ RP-11: Residential Policy on Affordable Housing

It shall be the intention of Council to encourage and promote the provision of affordable housing units within all residential area of town by: (a) encouraging a mix of housing types and densities.

# RELEVANT PLANNING BYLAWS AND POLICIES

## □ A-5: Implementation Policy on Amendment Criteria

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  - (ii) the adequacy of municipal water, sanitary sewer and storm sewer services;
  - (iii) the adequacy of road networks, in, adjacent to, or leading to the development;
- (c) That consideration is given to the extent to which the proposed type of development might conflict with any adjacent or nearby land uses by reason of:
  - (i) type of use;
  - (ii) height, bulk and lot coverage of any proposed building;
  - (iii) parking, traffic generation, access to and egress from the site;
  - (iv) any other matter of planning concern outlined in this strategy.

# PREVIOUS STEPS

- ❑ In the opinion of staff, the proposal meets the general intent of Municipal Planning Strategy policies and will promote the vision of the Town of Amherst towards housing.
- ❑ The public had an opportunity to provide input on the application during the Public Participation Opportunity held on March 1, 2023, and there was no concern regarding the proposal.
- ❑ After further review by the Planning Advisory Committee (PAC) on March 6, 2023, the application was recommended to Council for approval.

# NEXT STEPS

- Sequel to this public hearing, Council at a later date will decide one of the following options:
  - Give second and final reading of the development agreement as drafted or with changes.
  - Defer a decision and request additional information.
  - Reject the application citing specific MPS policies that are not being met.

# Public Hearing

**Development Agreement Application to permit a Garden Suite  
on 52 Hickman Street**

**April 12, 2023**



# DEVELOPMENT AGREEMENT PROCESS

1. Public Participation Opportunity is where a summary of the proposal and relevant policies to consider is provided. The proponent is invited to attend and the public is invited to provide input.
  2. The applicant is given an opportunity to make changes as a result of the public input.
  3. The PAC considers a recommendation to Council based on a summary of the Public Participation Opportunity meeting and a staff report.
  - 4. Council considers First Reading of the agreement and schedules a Public Hearing.**
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# APPLICATION DETAILS

**Applicant:** Ralph D. Mathiesen

**Owner:** Ralph and Christine Mathiesen

**Summary of Proposal:** To build a garden suite on 52, Hickman Street (PID: 25021973). The suite is a 2-bedroom apartment on the second floor, with a garage on the ground.

**Property Size:** 1,199m<sup>2</sup> (0.3 acres).

**Street Frontage:** The lot is a through lot with approximately 30m frontage on Hickman and Snowden Street.

**Existing Land Use:** Vacant

**Existing Zoning:** General Residential



# NEIGHBOURHOOD CONTEXT

- ❑ The subject property is located in the General Residential Zone.
- ❑ Directly next to the property on all sides are detached residential dwellings.
- ❑ Highland Market, a butcher shop, is located about 120m South-West from the subject site.
- ❑ The property has good access to downtown Amherst and the commercial district on South Albion Street.



# NEIGHBOURHOOD CONTEXT



#seewhyweloveit

Views of the subject property



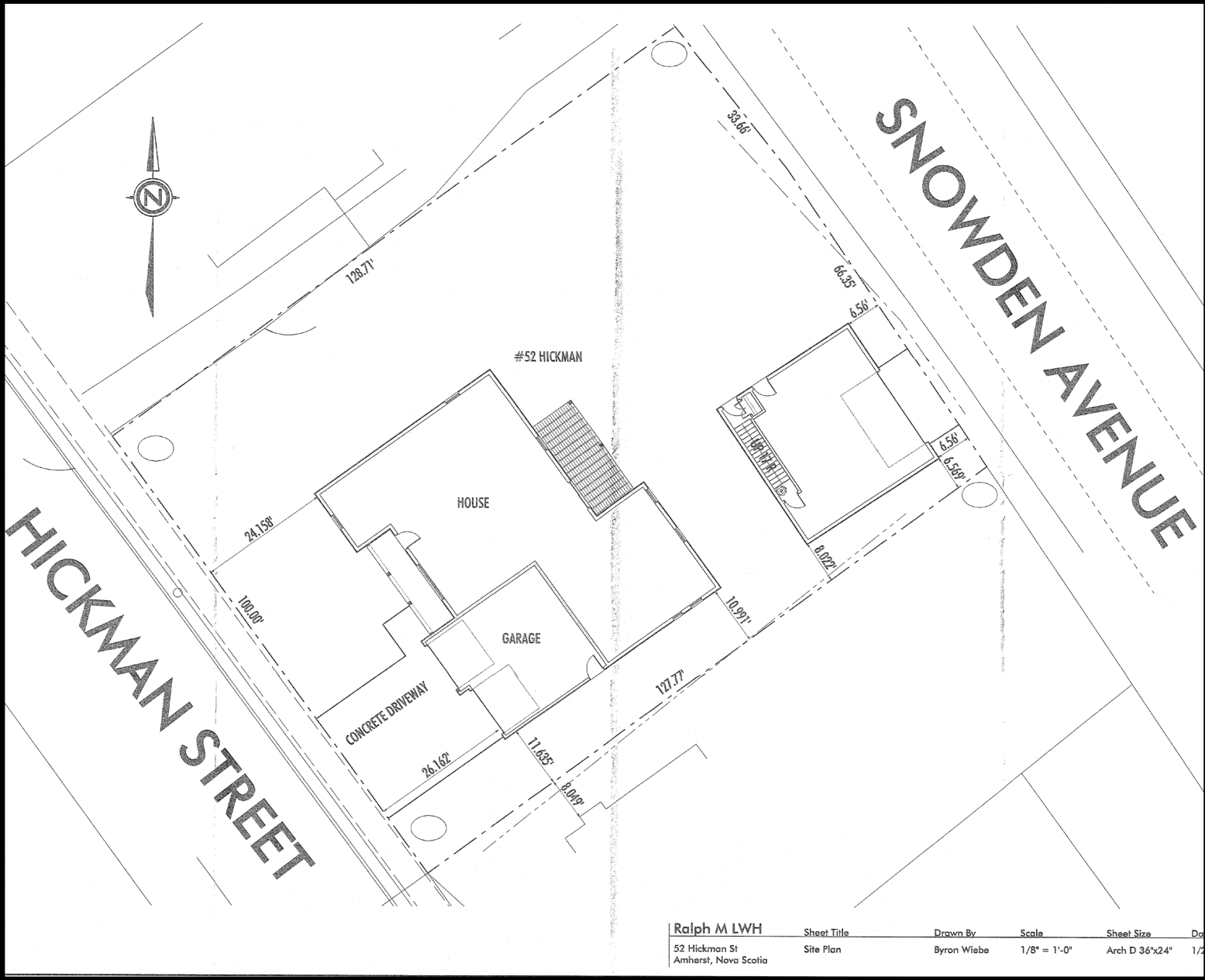
# SITE PLAN

**General Description:** The applicant is planning to build a 9 by 9 meter (29ft x 30ft) structure that will serve as a garage on the ground floor and garden suite on the upper floor. The garden suite will be located adjacent to Snowden Avenue at the rear of the main building which is a single-storey detached family dwelling.

**Total Building Area:** 81m<sup>2</sup> (870 sqft).

**Property Area:** 1,199m<sup>2</sup> (0.3 acres).

**Density:** In addition to the main building (270m<sup>2</sup>), a total of 351m<sup>2</sup> (29%) of the total property area will be developed.



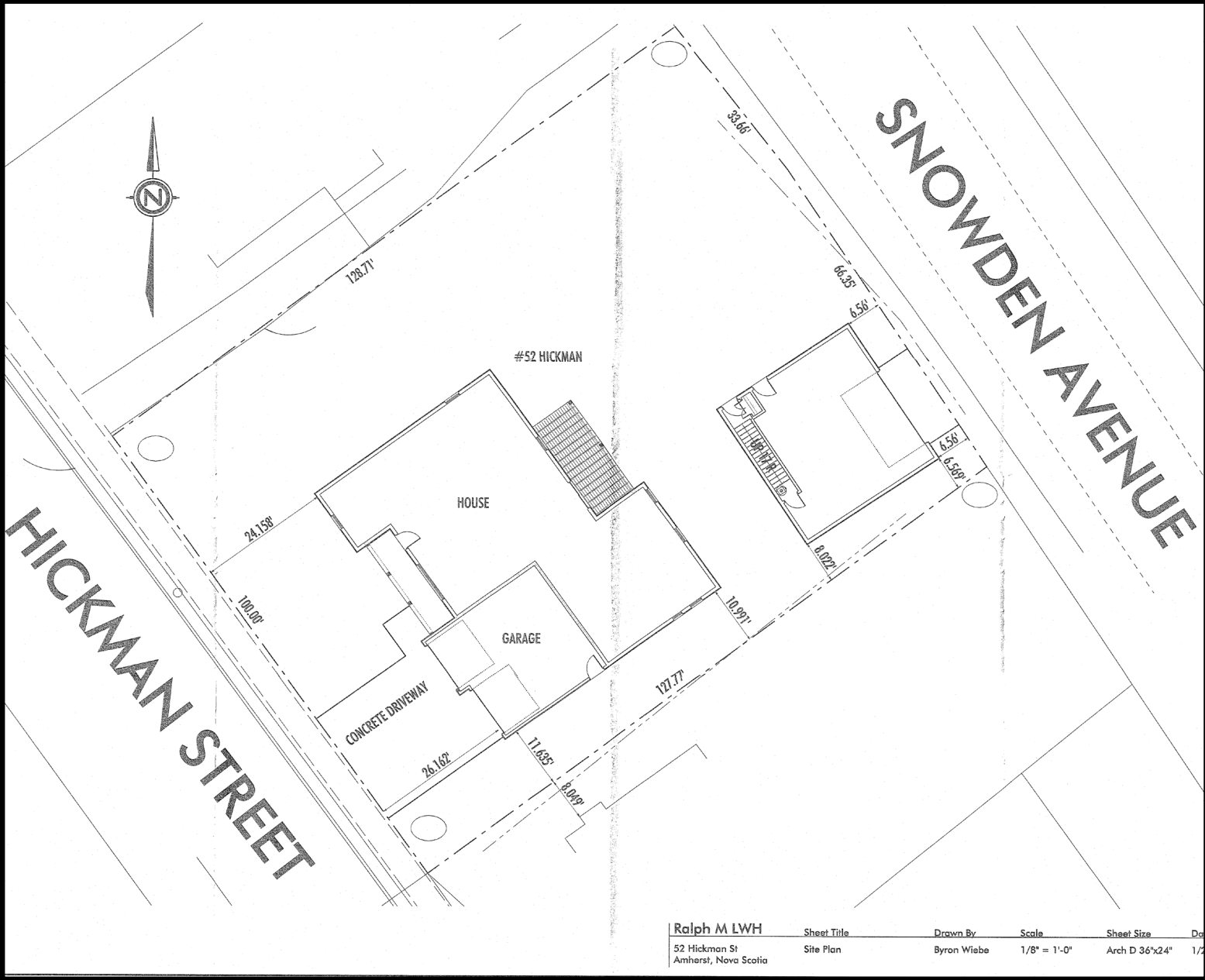
Ralph M LWH	Sheet Title	Drawn By	Scale	Sheet Size	De
52 Hickman St Amherst, Nova Scotia	Site Plan	Byron Wiebe	1/8" = 1'-0"	Arch D 36"x24" 1/2	

# SITE PLAN

**Parking:** A private garage is provided for occupants of the main building. The remaining undeveloped (71%) space on the lot is sufficient to provide parking for the resident of the garden suite.

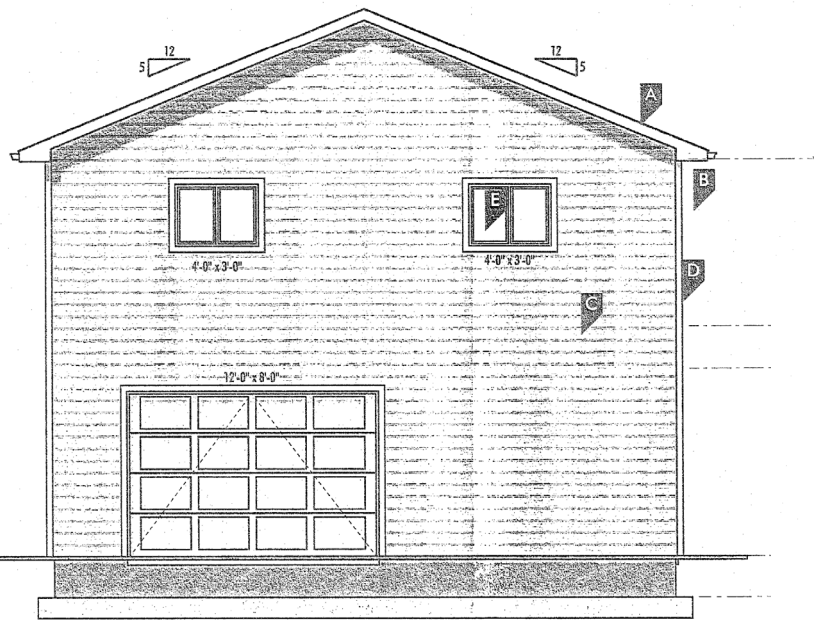
**Access:** Vehicle access from Hickman Street and Snowden Avenue.

**Building Setbacks:** Approximately 2m (6.56ft) from Snowden Avenue and the abutting lot on 56 Hickman Street. The separation between the main building and the garden suit is 3m (8.72ft).

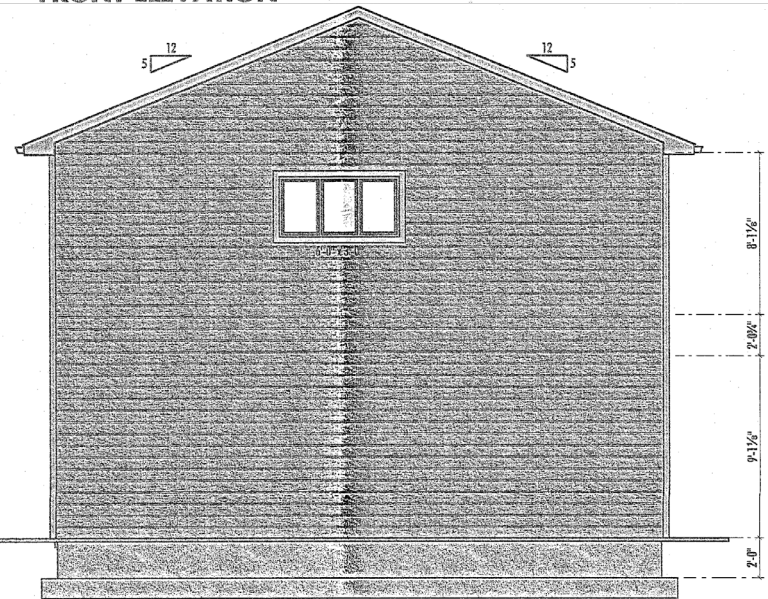




# BUILDING DESIGN

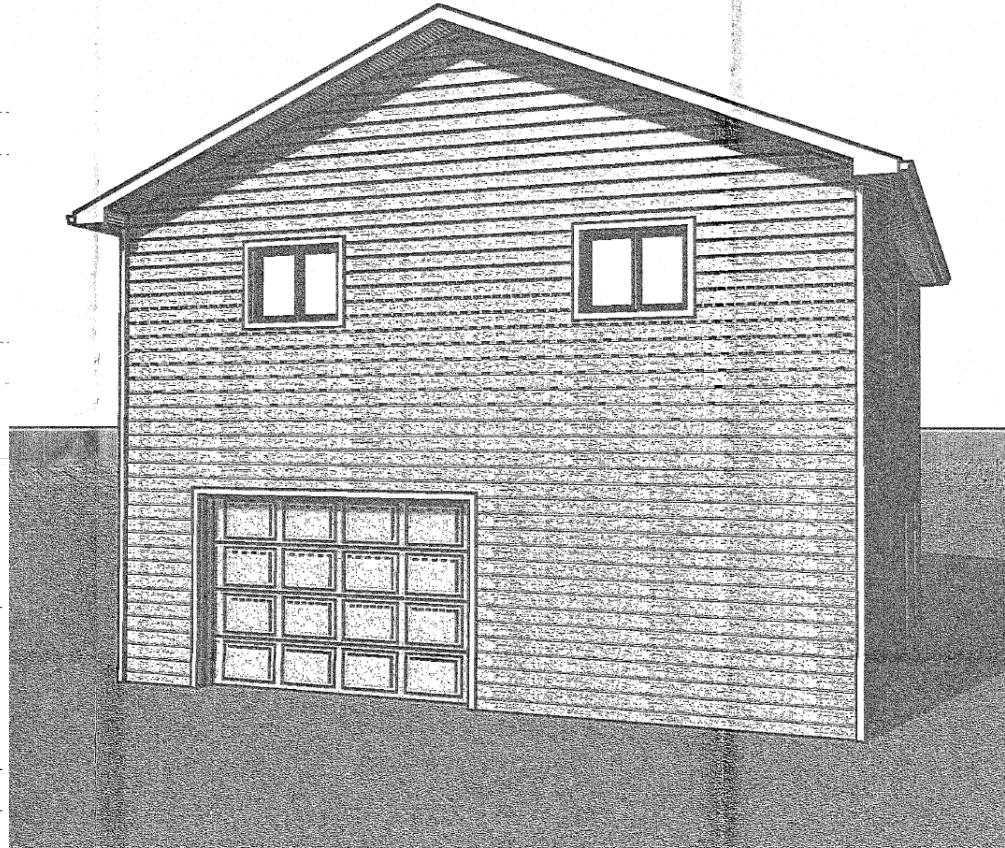


FRONT ELEVATION



REAR ELEVATION

#seewhyweloveit



LEFT ELEVATION



RIGHT ELEVATION

# RELEVANT PLANNING BYLAWS AND POLICIES

**According to the Town of Amherst Land Use Bylaw Section 7.2.2 (c)**, in a Residential Zone, an application for a garden suite shall be considered by Development Agreement in accordance with Policy RP-14 of the Municipal Planning Strategy.

## ❑ **RP-14: Garden Suites**

It shall be the intention of Council to permit Garden Suites in all Residential areas by Development Agreement. In negotiating such an agreement Council shall have regard for the following:

- (a) the garden suite be secondary to the main dwelling on the lot;
- (b) water and sewer services be provided independent from the main dwelling;
- (c) two off street parking spaces be provided on the property;
- (d) the garden suite be a minimum of 1.2 metres from the side property lines;
- (e) the garden suite be a minimum of 6 metres from the rear property line;
- (f) the garden suite be a minimum of 1.2 metres from the main dwelling;

# RELEVANT PLANNING BYLAWS AND POLICIES

(g) the garden suite is not located in the front yard of the property;

(h) no home occupation, group home, boarding house, day care or other such secondary use be permitted on the property;

(i) the development agreement be discharged should the garden suite be removed from the property.

## **RP-11(c): Affordable Housing Policy**

Council shall encourage and promote the provision of affordable housing units within all residential areas of the Town by permitting a secondary residential structure (Garden Suite) on a lot.

# RELEVANT PLANNING BYLAWS AND POLICIES

## □ A-5: Implementation Policy on Amendment Criteria

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  - (iv) any other matter of planning concern outlined in this strategy.

# PREVIOUS STEPS

- ❑ In the opinion of staff, the proposal meets the general intent of Municipal Planning Strategy policies and the garden suite will promote the vision of the Town of Amherst towards addressing housing shortage.
- ❑ The public had an opportunity to provide input on the application during the Public Participation Opportunity held on March 1, 2023, and there was no concern regarding the proposal.
- ❑ After further review by the Planning Advisory Committee (PAC) on March 6, 2023, the application was recommended to Council for approval.

# NEXT STEPS

- Sequel to this public hearing, Council at a later date will decide one of the following options:
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