



Town of Amherst
Public Participation Opportunity
Agenda

Date: **Wednesday, June 21, 2023**
Time: **5:00 pm**
Location: **Council Chambers, Town Hall**

Pages

1. Call to Order

2. Territorial Acknowledgment

“I would like to acknowledge that our gathering today is taking place in (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. These are the Indigenous Blacks of Nova Scotia whose legacy and contributions date back over 400 years predating confederation of this land. We are all treaty people.”

3. Introduction

4. 105 South Albion Street

4.1 Staff Reports / Presentations

1 - 24

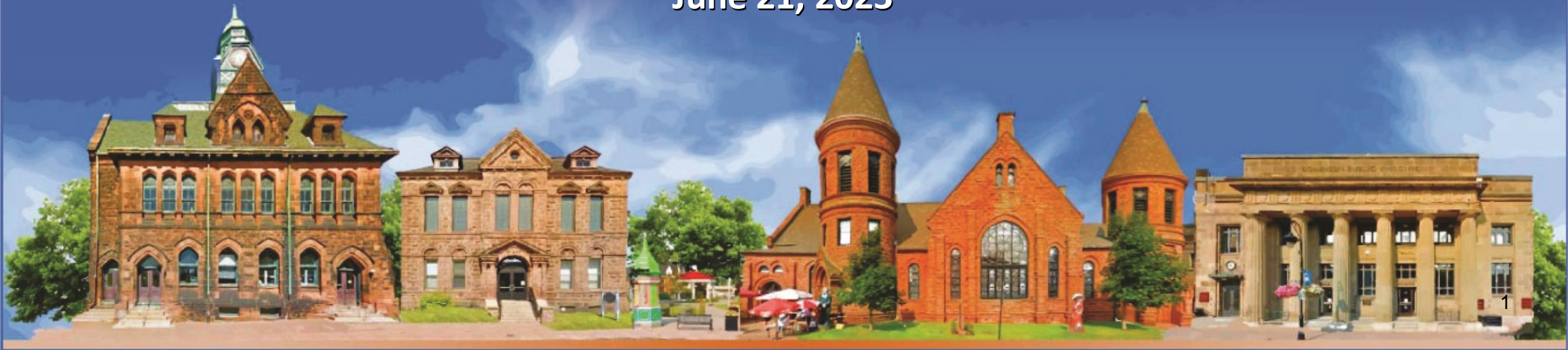
4.2 Public Participation Opportunity

5. Closing

Public Participation Opportunity

Development Agreement application to permit the construction of 20 town houses and 2, 4-storey apartment building at 105 South Albion Street

June 21, 2023



Disclaimer

These applications are not the Town's proposal. It is a property owner's right to make an application for a development agreement or a zoning map amendment. No approvals or decisions have been made.

INTRODUCTION

Aim

The aim is to ensure public involvement in the planning process, particularly on development proposals that require a development agreement and/or an amendment to any of the existing planning documents.

Objectives

Specifically, the following will be addressed:

- i. Explain the concept of “development agreement” and how it is administered in the Town of Amherst.
- ii. Describe the proposal and outline the relevant land use bylaws and policies.

INTRODUCTION

- ❑ This Public Participation Opportunity is where a summary of a development proposal and relevant policies to consider in relation to the development are provided.
- ❑ Proponent(s) of the development and the public are invited to provide input on the development application.
- ❑ Notifications for this meeting was mailed to owners of properties located within 60metres, and hand delivered to residents within 30metres of the subject property. In addition to these, a notice was also placed in the Town's local newspaper.
- ❑ The Planning Advisory Committee and Council will have an opportunity to watch this meeting, as well as receive a copy of all written comments, and a written summary of the input provided at this meeting.
- ❑ This is an opportunity for the public to learn about what is being proposed and to provide feedback. It is not a 'question and answer' meeting, and the current proposal could change significantly based on the input received.
- ❑ Following the meeting, participants will have access to an electronic copy of this presentation and an opportunity to submit additional written comments.

DEVELOPMENT AGREEMENT PROCESS

❑ What is a Development Agreement (DA)?

A development agreement is a legally binding contract between a property owner and the Town that stipulates standards, design requirements, terms and conditions to which the property owner must adhere.

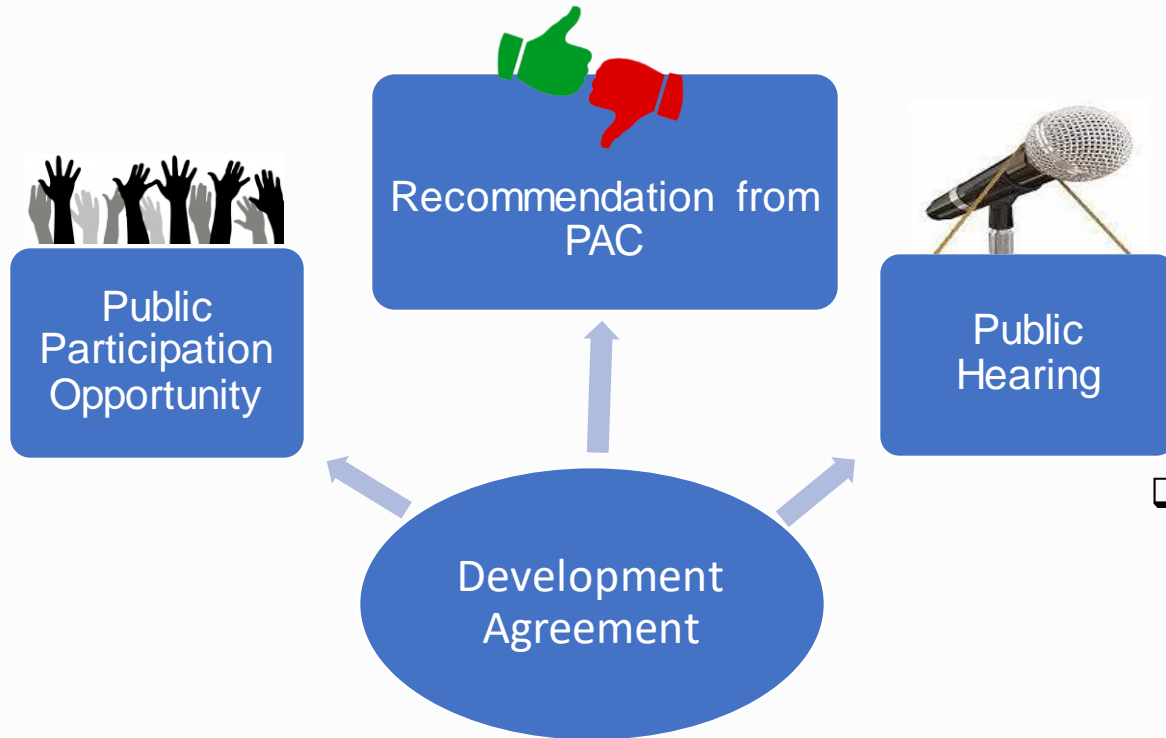
❑ Aspects of a development that may be addressed in this agreement may include:



❑ A development agreement may also influence the use, fencing and other similar site features to ensure the matter is addressed adequately, stipulate how the project should be phased, enforce certain special requirements, and require the developer to make contribution towards funding public infrastructure.

DEVELOPMENT AGREEMENT / AMENDMENT PROCESS

- ❑ A development agreement process OR an amendment to the planning document is subject to:



- ❑ The final decision to enter into a development agreement or amend a planning document rests on the town Council and must be reasonable in keeping with the intent of the Municipal Planning Strategy.



DEVELOPMENT AGREEMENT PROCESS



**All meetings of the Planning Advisory Committee and Council are open to the public.*

APPLICATION DETAILS

Applicant/ Owner: Blackbay Real Estate Group

Summary of Proposal: Development Agreement to permit 20, 3-bedroom town houses and 2, 4-storey, 64-unit apartment buildings.

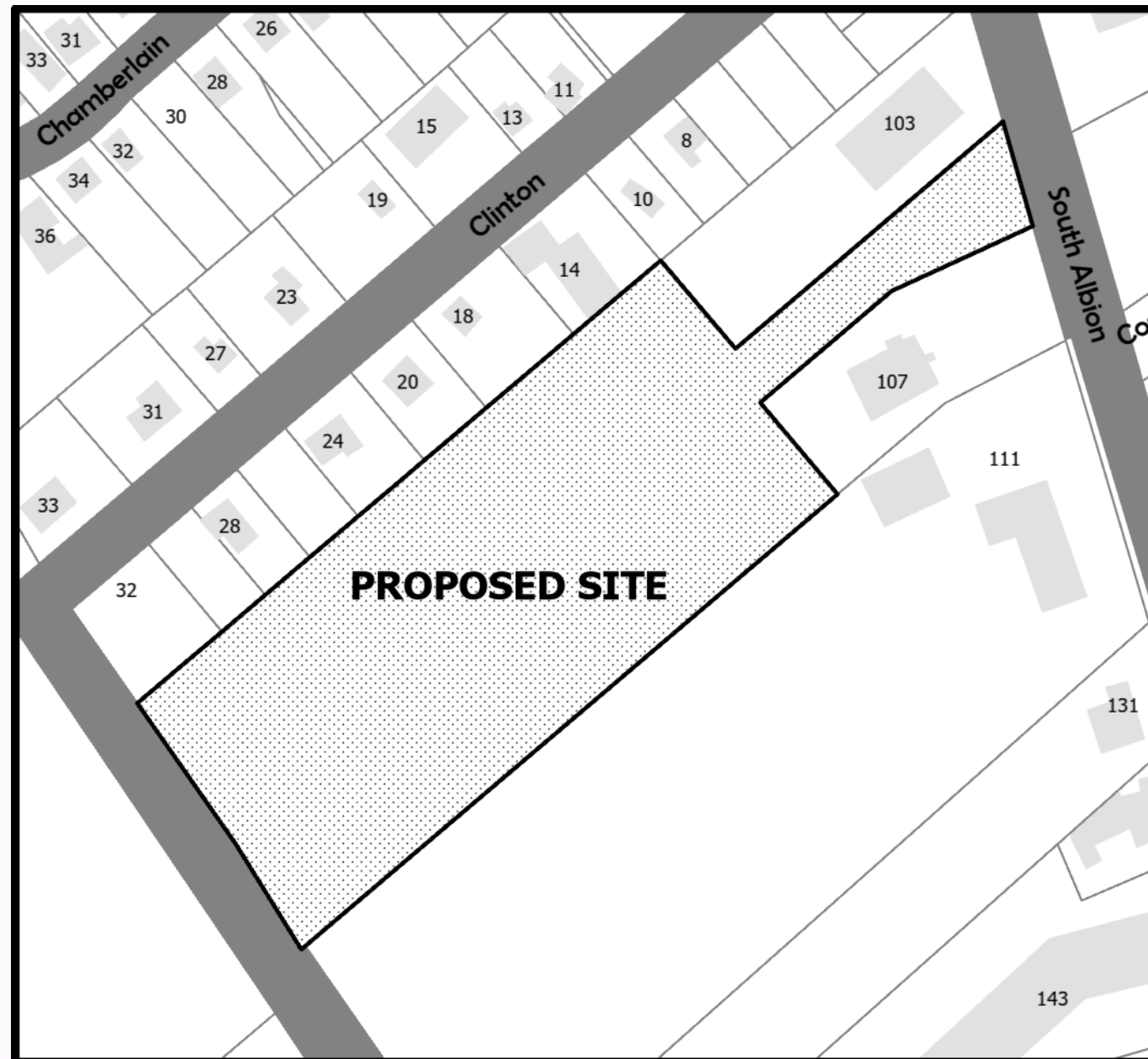
Location: 105 South Albion Street (formerly known as Blaine Street).

Property Area: 15,783m² (4 acre).

Existing Zoning: Highway Commercial

Existing Land Use: Vacant

Street Frontage: South Albion Street



NEIGHBOURHOOD CONTEXT

- ❑ The subject property is in the Highway Commercial Zone.
- ❑ North of the site is a row of detached and semi-detached residential dwellings with frontage on Clinton Street.
- ❑ There is a vacant lot on the southern border, while the Bulk Plant and Sales Office of Maritime Fuels is on the West side. Further in the southwest direction is a mobile home park and industrial park.
- ❑ Access to the site is through a driveway (proposed) extending from South Albion Street to the end of the block. Two restaurants (Yuan of Asia and Frank and Ginos) exist on the sides of the proposed driveway. A portion of this lane currently serves for parking.
- ❑ Other commercial characters nearby include vehicle dealerships, departmental stores, hotels, gas stations and vehicle services.



GENERAL DESCRIPTION

Apartment Building

Unit: Two apartment buildings, each containing 64 units.

Level 1: 10 x 1 bedroom units || 6 x 2 bedroom units

Level 2 to 4: 8 x 1 bedroom units || 8 x 2 bedroom units

Total = 128 units

Parking: 131 parking spaces including 84 underground parking spaces (42 per building) and 47 surface parking.

Building area: 2 x 1,752sqm (3,504sqm or 37717sqft)

Town House

Unit: 4 rows of 5 town houses, each containing a unit of 3-bedroom.

Total = 20 units

Parking: 1 garage unit. There is room for an additional car at the entrance of each unit.

Building area: Town house – 4 x 455.67sqm (1,823sqm or 19612sqft)

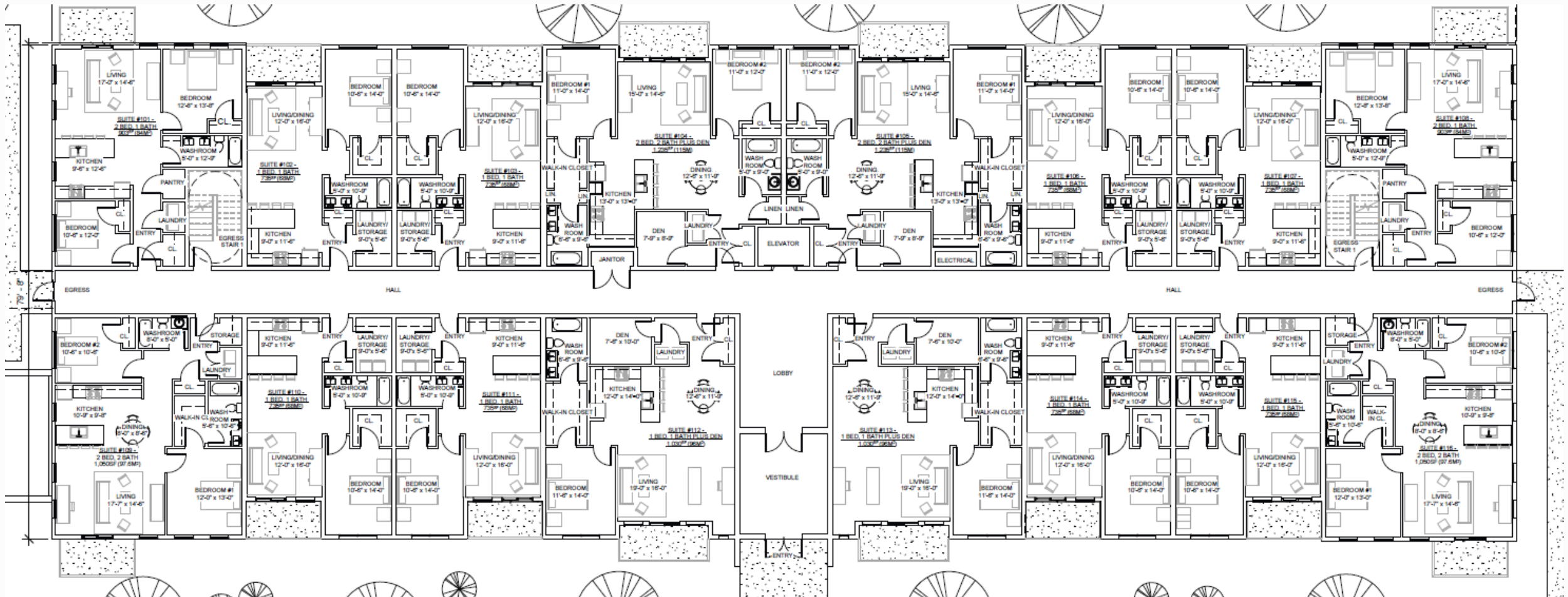
Lot coverage: 33.75%.

Density: 37 units per acre

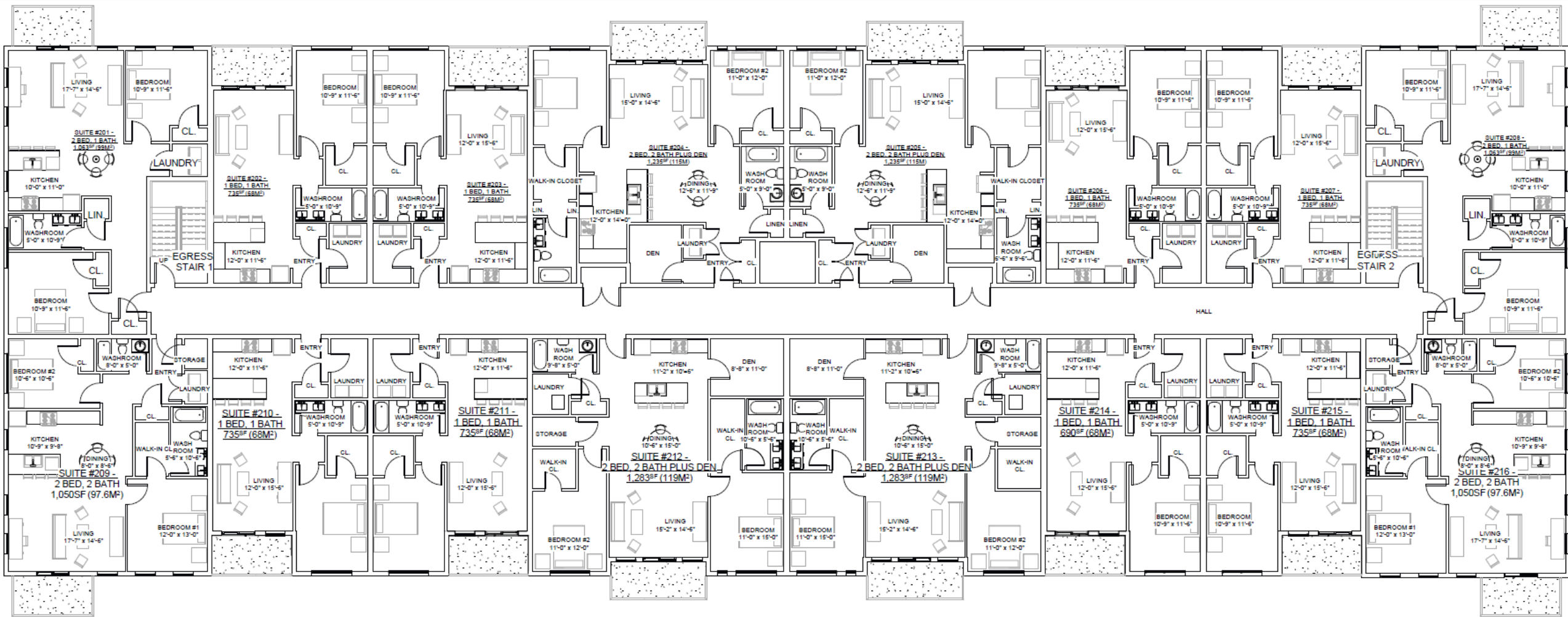
Access: A driveway is proposed to provide access from South Albion Street

Landscape and Outdoor Spaces: There is provision for trees to serve as landscape and buffer, an outdoor garden and playground.

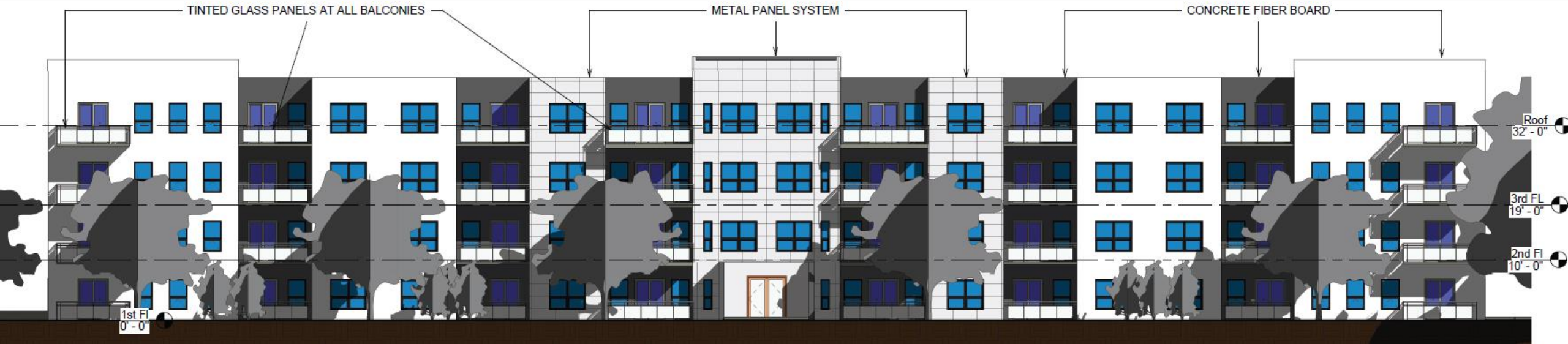
Floor Plan (Apartment Building, Floor 2- 4)



Floor Plan (Apartment Building, Floor 2- 4)



Building Elevation



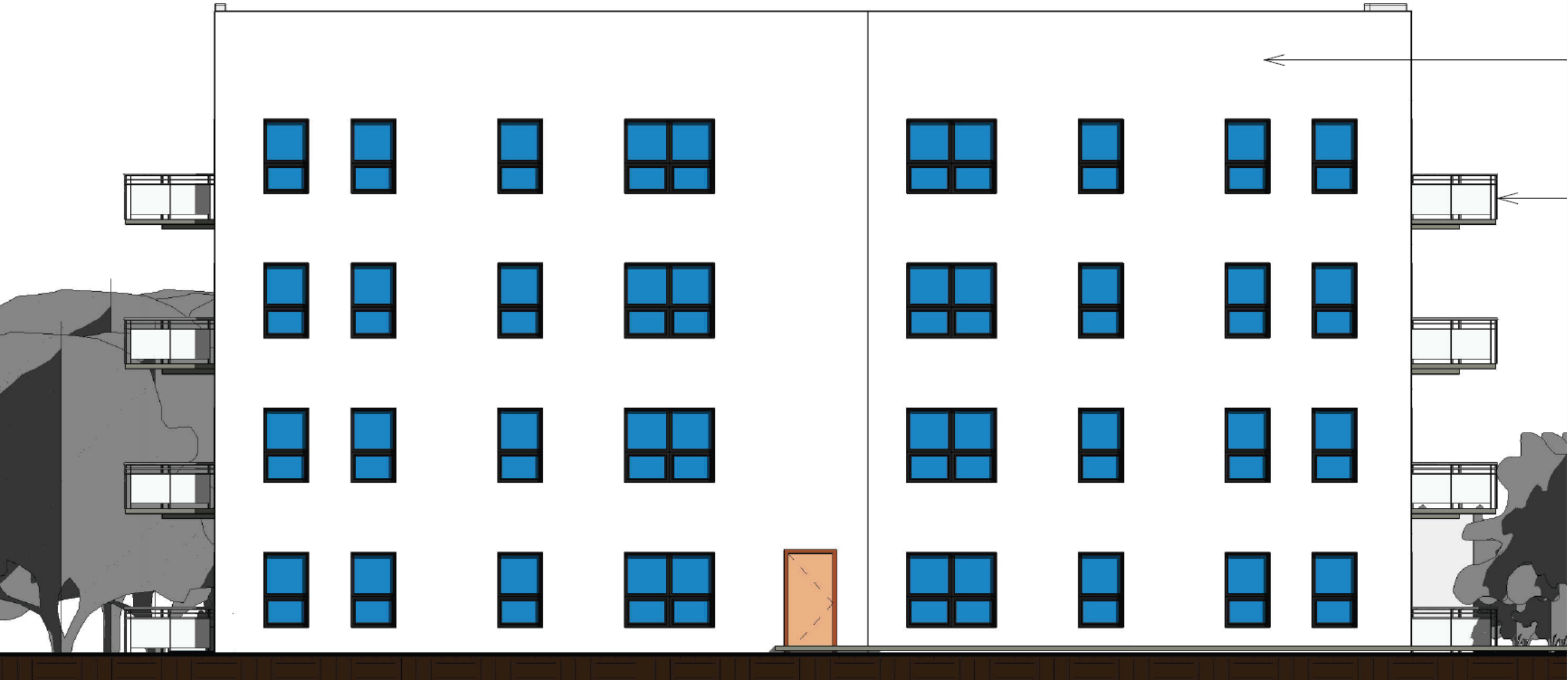
Front

Building Elevation



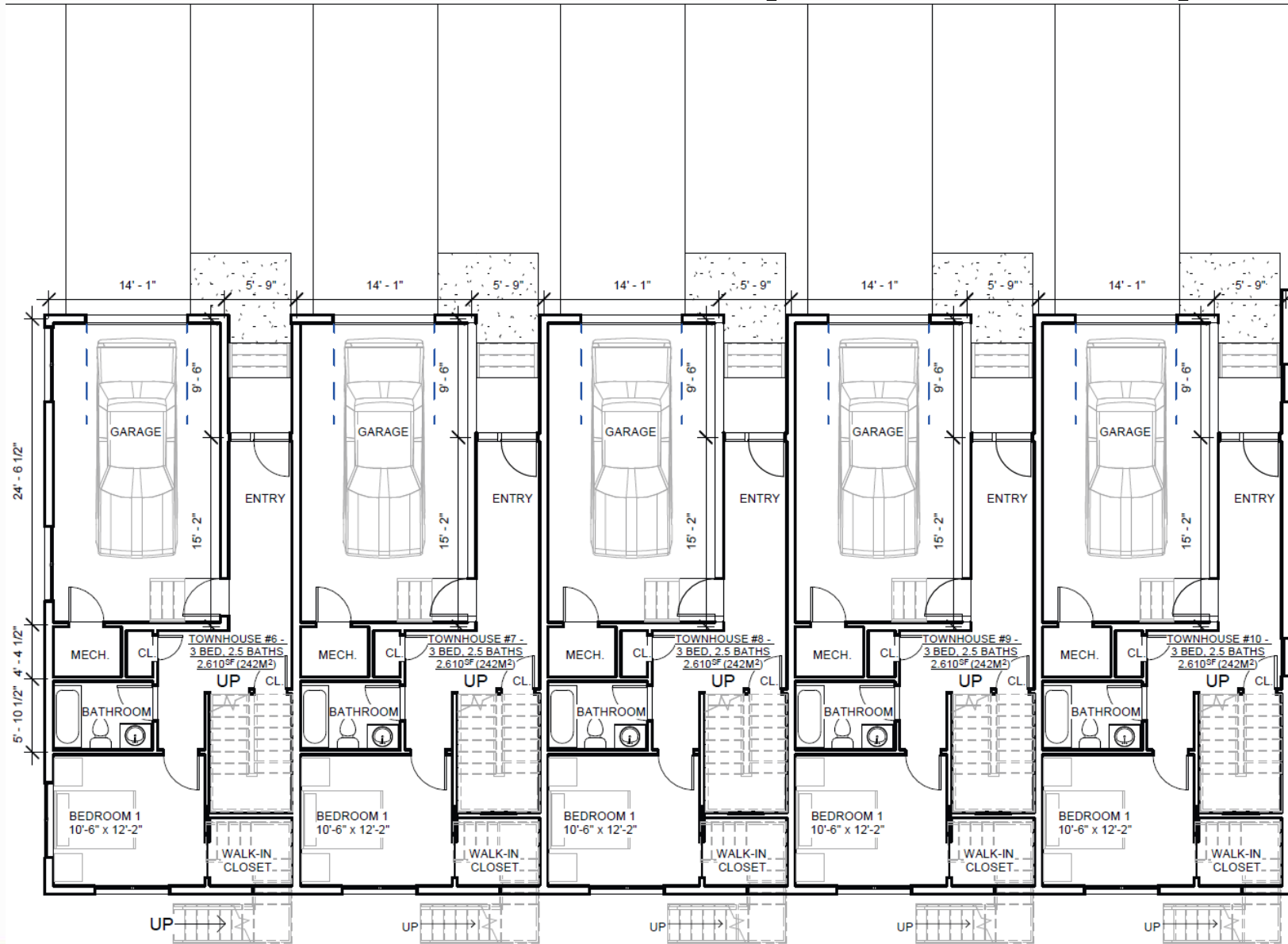
Back

Building Elevation



Side

First Floor Plan (Town House)

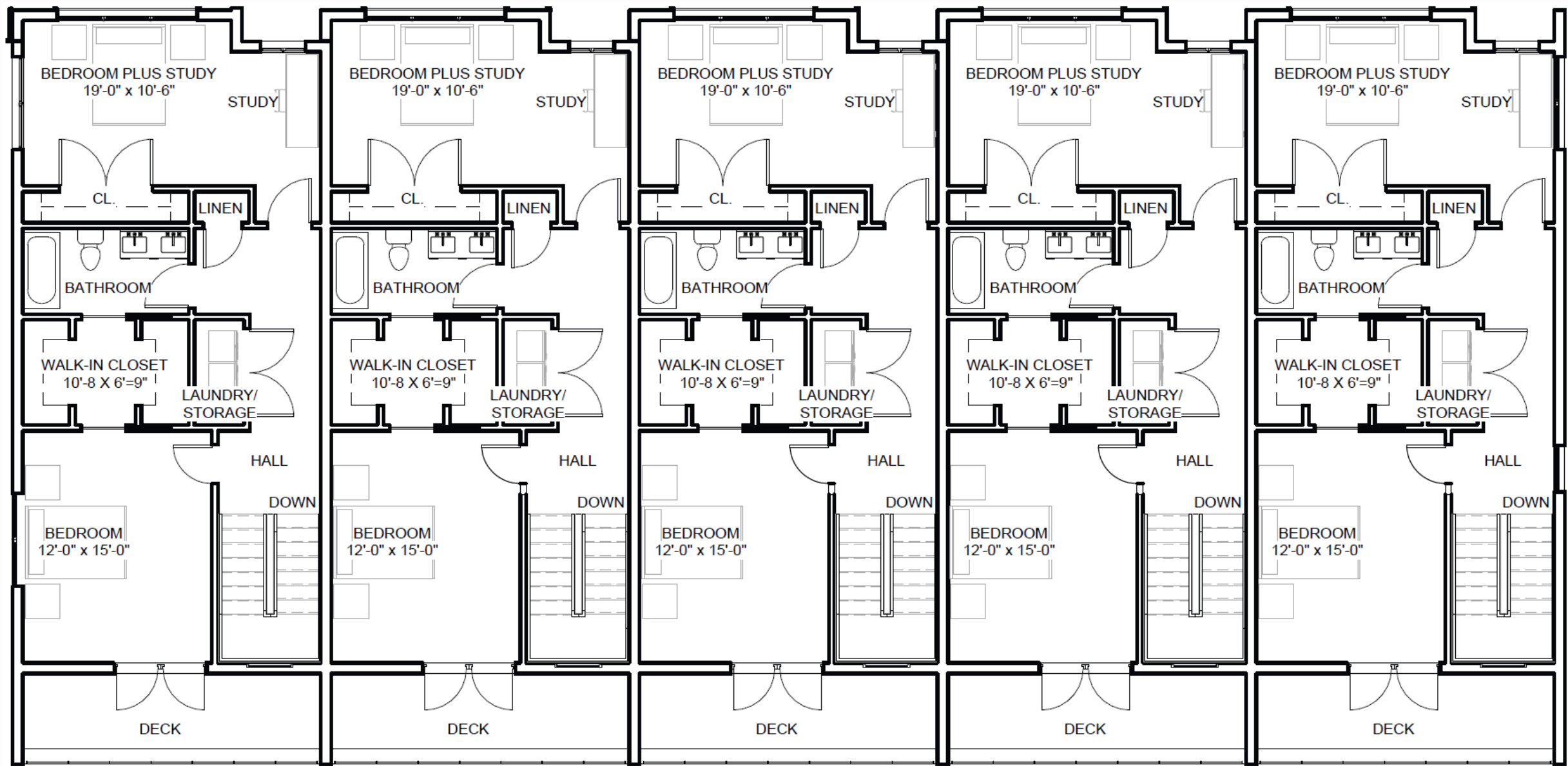


1st Floor





2nd Floor Plan (Town House)



3rd Floor Plan (Town House)

Building Elevation



Front

Building Elevation



Back

RELEVANT PLANNING BYLAWS AND POLICIES

Section 8.1.1 of the Town Land Use Bylaw permits residential uses in Commercial Zones according all the applicable Residential standards.

Land Use Bylaw, Section 7.2.2, considers allowing apartment buildings greater than 4 units by development agreement in accordance with **Policy RP-9** of the Municipal Planning Strategy.

RP-9 (Medium and High Residential 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

RP-11 (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.

General Land Use and Development Policies (GP)

GP-7 (Compatibility)

It shall be the intention of Council to allow a mix of compatible land uses and to minimize their impacts by:

- (a) requiring adequate buffering and setbacks;
- (b) screening development by the use of visual barriers;
- (c) regulating the location of parking, storage buildings or other accessory uses or facilities.

GP-8 (Density)

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

Municipal Service Policies (MS)

MS-11 (In-fill Development): It shall be the intention of Council to encourage and facilitate the development of vacant land located on existing municipal services in order to make more efficient use of such services.

RELEVANT PLANNING BYLAWS AND POLICIES

Implementation Policy

A-5 (Amendment Criteria)

It shall be the intention of Council, when considering an amendment to this or any other planning document, including the 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.