

**Town of Amherst
Planning Advisory Committee
Minutes**

Date: May 17, 2023
Time: 12:00 pm
Location: Council Chambers, Town Hall

Members Present Ronald Wilson, Citizen Representative, Chair
Councillor Hal Davidson, Vice Chair
Deputy Mayor Leon Landry
Councillor Charlie Chambers
Creighton McCarthy, Citizen Representative
Jim Lamplugh, Citizen Representative

Staff Present Jason MacDonald, Chief Administrative Officer
Andrew Fisher, Director of Planning & Strategic Initiatives
Abiola Falaye, Planner/GIS Coordinator
Marc Buske, Building Official
Emily Wainwright, Dangerous/Unsightly Premises Administrator
Natalie LeBlanc, Municipal Clerk
Cindy Brown, Administrative Assistant

1. Call to Order

The Chair called the meeting to order.

1.1 Territorial Acknowledgement

The Chair gave the Territorial Acknowledgement.

2. Staff Reports / Presentations

2.1 155 East Victoria Street Development Agreement Application

The Chair identified that there was an error in the presentation given at the May 1, 2023 Planning Advisory Committee meeting regarding the height of the building and that this meeting was scheduled to provide the PAC with the correct information.

Andrew Fisher presented the revised presentation to show the correct elevations on the models that were previously presented at the May 1, 2023 meeting.

Deputy Mayor Landry asked if the images are to scale? Andrew Fisher responded that they are not to scale but are relative to each other.

The Chair asked if only the elevations had been changed and not the dimensions of the building. Andrew Fisher replied that is correct

Jim Lamplugh asked; if the committee decides to recommend that Council enters into the development agreement, would it imply accepting the proposal as it has been presented by the developer? Andrew Fisher replied yes. Jim Lamplugh then asked if it is possible to modify the building footprint so that all the traffic to and from the building is directed to East Victoria Street and amend the third motion (Option 3) to feature this change. Andrew Fisher answered that although Jim Lamplugh's suggestion would reduce traffic flow along South Adelaide Street, adjusting the building footprint could cause a more significant and unanticipated negative impact. He added that the concerns around traffic are a minor issue. The main concerns regarding the proposal are the bulk, height and building location.

Councillor Chambers asked about making no motion. Andrew Fisher suggested that if the Chair asks three times if there is a motion and there is none, the committee can decide to go with Option 1 which is no motion. Jim Lamplugh then moved a motion for option 3, recommending approval.

Moved By: Jim Lamplugh

Seconded By: Creighton McCarthy

That the Planning Advisory Committee recommend that Council enter into the Development Agreement for 155 East Victoria Street, subject to any changes that may arise.

Councillor Davidson asked if the proponent can make any changes, stating further that in the original presentation it was said that staff approached the applicant to change the height and bulk of the building and they said it was not financially feasible to reduce the size of the building any further. Andrew Fisher answered that is still the case. Councillor Davidson noted the criteria is not only the general intent, but 3(c) of A5 in the MPS talks about the height and bulk/lot coverage. He feels it is very important that the presentation today address the error that was made on how the height was being estimated. Councillor Davidson asks if there were any changes to the height. Andrew Fisher answered no, just the models that were shown to help show what it would look like relative to the other buildings.

Councillor Davidson spoke of the Mosher/Brown Street development and how that developer was able to change his site plan to allow for more setbacks between the proposed development and the neighboring houses. Councillor Davidson wanted to know if there have been any changes to the setbacks as he feels 153 East Victoria Street will be completely dwarfed by the proposed building. He stated that a setback could alleviate the imposing impact this development has on 153 East Victoria Street, adding that if you buy a house next to a vacant lot you can reasonably expect something will be built there but they can also reasonably expect the MPS will be followed in terms of a criteria of an amendment of the height being a significant factor. Councillor Davidson asked if changes have been made in that regard.

Jason MacDonald answered that the revised plan submitted by the applicant featured an increase in the setback of the proposed building from the building on 155 East Victoria Street.

Councillor Davidson replied he is not referring to the side setbacks from 153 East Victoria Street, but the setbacks from the lot frontage along East Victoria Street. Andrew Fisher said setback along East Victoria Street is still the same.

Jason MacDonald added that when the staff report was written it was suggested that the staff preference would be a three-storey building but four stories does satisfy the MPS. The building proposed now is the same height as 157 East Victoria Street. Councillor Davidson responded that this still does not satisfy the setback from East Victoria Street which was identified when PAC originally made the recommendation that Council not enter into the development agreement.

Deputy Mayor Landry asked the CAO to read the adherence of the MPS on page 21 of the staff report presented at the May 1st meeting. Deputy Mayor Landry asks how staff can recommend it; it seems vague to him.

Jason MacDonald read from the package: "It was suggested to the applicant that if the proposed building were reduced to three levels (4 at East Victoria) it would be similar in height to the 3-level, 8-unit building at 157 East Victoria and other 3-level buildings in the broader

neighbourhood. In addition, stepping the upper floor back 10-15 feet would reduce the shear face of the building wall that fronts on East Victoria and potentially reduce its impact on the streetscape and neighbourhood character. Staff suggested that these two reductions in the height and bulk of the building might allow an argument to be made that the building is in keeping with the general intent of the key MPS policies. The applicant responded that these changes would make the project financially unfeasible."

Deputy Mayor Landry wants to know how staff can recommend we enter into an agreement and state that it adheres to our MPS when they also state changes needed to be made to be more inline with our MPS. Deputy Mayor Landry again stated it seems like a vague recommendation to him.

Jason MacDonald replied there are approximately 20 policies that addresses this application and that it easily satisfies 19 of them. The issues are the height and the bulk of the building that is more of an interpretive thing on balance that is being addressed. It would be better if it was three storeys but he does feel that at the end of the day that four-storeys does satisfy the policy.

At this time the Chair called for the vote on the motion.

For (2): Jim Lamplugh, Creighton McCarthy

Against (4): Councillor Davidson, Deputy Mayor Landry, Charlie Chambers and Ron Wilson.

Motion Defeated

3. Adjournment

Moved By: Deputy Mayor Landry

Seconded By: Councillor Chambers

To adjourn the meeting.

Motion Carried

Andrew Fisher
Director of Planning & Strategic Initiatives

Ron Wilson
Chair