



AMHERST TOWN COUNCIL

RFD# 2022080

Date: November 28, 2022

TO: Mayor Kogon and Members of Council

SUBMITTED BY: Andrew Fisher, Director of Planning & Strategic Priorities

DATE: November 28, 2022

SUBJECT: Development Agreement – Mosher/Brown Apartment Complex

ORIGIN: An application for a development agreement to allow construction of three, 54-unit apartment dwellings on Lot 2021-2R, vacant property located south of E.B. Chandler School, and north of Brown and Mosher Streets.

LEGISLATIVE AUTHORITY: *Municipal Government Act* Part VIII Planning and Development.

RECOMMENDATION: That Council give second and final reading to enter into the attached Development Agreement for Lot 21-2R that would permit the construction of three, 54-unit apartment buildings.

BACKGROUND: An advertised Public Participation Opportunity was held on January 26, 2022. On February 7, 2022 the PAC requested that the applicant address some specific concerns about the proposal and provide additional information. On September 6, 2022 the PAC reviewed the applicant's response and made recommendation that Council give First Reading.

Council gave First Reading on September 28, 2022 and scheduled an advertised public hearing for October 20, 2022. At the hearing, several residents in the area of the proposed development attended to express their opposition to the development. Several written submissions were also received and read into the record.

Council is referred to the September 6, 2022 staff report to the PAC that contains details about the proposed development, input received through the January 26, 2022 Public Participation Opportunity, review of the additional studies and information provided by the applicant, and a review of the relevant MPS policies. Also attached is a November 21, 2022 memorandum that provides planning staff comments in relation to the general matters of concern expressed by the public at the October public hearing.

DISCUSSION: As detailed in the attached staff report to the PAC, the proposal meets the general intent of MPS policies. The development agreement process provided the public an opportunity to give input that is detailed in the attached information package. The PAC, after reviewing the material, requested additional information and changes that the applicant has for the most part provided. With regard to addressing and/or mitigating the potential negative impacts, reasonable attempts have been made to address these issues and have been incorporated into the draft agreement. The public had a second opportunity to provide input at





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the October 20 public hearing, which Council have had an opportunity to consider that public input and have been provided a supplemental memorandum that, in the opinion of planning staff, provides context to the general areas of public concern.

It is recognized that the scale of the proposed development is cause for concern; however, there is no specific MPS policy that would prohibit or significantly reduce the proposal's scale. Policies that relate to traffic impacts, separation distances, parking provisions, use of fencing and landscaping, shadow casting, engineering analysis for servicing, and other measures have all been addressed. When compared to other urban centres, it is difficult to argue that 4-storey apartment buildings cannot be compatible with single-detached dwellings.

FINANCIAL IMPLICATIONS: No significant costs specific to this issue. Ongoing tax revenue upon completion of the development.

SOCIAL JUSTICE IMPLICATIONS: Additional housing options are needed in the community.

ENVIRONMENTAL IMPLICATIONS: The proposal is considered infill development and represent efficient use of land and does not require significant extension of municipal services. Stormwater management plans are required under the development agreement.

COMMUNITY ENGAGEMENT: January 26, 2022 Public Participation Opportunity, and October 20, 2022 Public Hearing. Draft minutes of the October 20, 2022 public hearing are included in the Council meeting agenda for approval. If second and final reading given, a notice of the right to appeal council's decision is placed in the local newspaper.

ALTERNATIVES: 1) Give Second Reading of the development with specific amendments; 2) Refer the application back to the PAC for more information; 3) Reject the application citing specific policies that are not met by the proposal.

ATTACHMENTS: 1) Development Agreement; 2) November Memo to Council; 3) Staff report to PAC.

Report prepared by:

Report and Financial approved by:

