

**Town of Amherst  
Planning Advisory Committee  
Minutes**

**Date:** March 6, 2023  
**Time:** 4:30 pm  
**Location:** Council Chambers, Town Hall

**Members Present** Deputy Mayor Leon Landry  
Councillor Hal Davidson  
Ronald Wilson, Citizen Representative  
Larry Pardy, Citizen Representative  
Creighton McCarthy, Citizen Representative

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

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**1. Call to Order**

The Chair called the meeting to order at 4:30 PM.

**1.1 Territorial Acknowledgement**

The Chair gave the Territorial Acknowledgement.

**1.2 Approval of Agenda**

**Moved By: Councillor Davidson**

**Seconded By: Creighton McCarthy**

**That the agenda of the March 6, 2023 Planning Advisory Committee Meeting be approved as circulated.**

**Motion Carried**

**1.3 Approval of Minutes - February 6, 2023**

**Moved By: Larry Pardy**

**Seconded By: Councillor Davidson**

**That the minutes of the February 6, 2023 Planning Advisory Committee Meeting be approved as circulated.**

**Motion Carried**

## **2. Staff Reports / Presentations**

### **2.1 9 North Adelaide Street Development Agreement Application**

Andrew Fisher presented the proposal for a development agreement application to increase the number of dwelling units within the building at 9 North Adelaide Street (PID: 25008798) from 6 to 8 units.

**Deputy Mayor Landry** wanted to know about the driveway, it seems quite elevated. Is it elevated in the back of the property as well? Andrew Fisher answers for the most part the property is flat. Deputy Mayor Landry asked about the headlights of vehicles shining in people's windows due to elevated parking in the back. Andrew Fisher responded that it is a requirement in the development agreement to install an opaque fence around the back of the property line and twenty feet along the sides to reduce the lights shining in the back of houses. The Chair asked if there were other properties in that area that have issues with deficiencies regarding parking. Andrew Fisher answered it is normal for vehicles to park long that street.

Larry Pardy called the staff's attention to an inconsistency in the number of units quoted in the presentation. Staff clarified that the total number of apartments in the proposed design is eight (8), comprising five 1-bedroom, one 2-bedroom, and two 3-bedroom apartments.

**Moved By: Councillor Davidson**

**Seconded By: Deputy Mayor Landry**

**That the Planning Advisory Committee recommend to Council to enter into the Development Agreement for 9 North Adelaide Street (PID: 25008798) as drafted.**

**Motion Carried**

### **2.2 36/38 Beacon Street Rezoning Application**

Abiola Falaye presented the proposal for a development agreement application to amend the Land Use Bylaw Schedule "A" Zoning Map to rezone the property at 36/38 Beacon Street (PID: 25011248, 25011255) from General Residential to Open Space.

**Creighton McCarthy** wanted to know who owns that property. Abiola Falaye answered Amherst Little League Baseball Club owns the property.

**Larry Pardy** wanted to know if there was a development agreement and how will the property be maintained. Abiola Falaye answered that a development agreement is not required for this application. This application is requesting for an amendment to the land use bylaw zoning map. The process of amending the land use bylaw zoning map is quite similar to a development agreement and that is why we have to go through the Public Participation and a Planning Advisory Committee review before it can go before Council.

**Larry Pardy** stated that we are diminishing two residential lots in town and wonders about tax revenue loss. Larry feels the report should address those issues. Andrew Fisher answers that tax revenue is not a Planning concern for the committee. Andrew Fisher said yes, it is a loss of a residential lot, but it is a small lot that backs up to a busy playground. There is no policy about not reducing available residential land. Jason MacDonald responded that the taxes are

miniscule on this lot and that tax revenue should not be part of the decision-making process. The decision-making process should ask does the proposal satisfy the policy of the Municipal Planning Strategy and the regulations of the Land Use Bylaw.

**Councillor Davidson** supports this and feels that the Town needs to make sure there is enough leisure spaces and that Amherst Little League Baseball should be commended.

**Moved By: Deputy Mayor Landry**

**Seconded By: Creighton McCarthy**

**That the Planning Advisory Committee recommend that Council amend the Land Use Bylaw Schedule 'A' Zoning Map by changing the zoning of PIDs 25011255 and 25011248 from General Density Residential to Open Space.**

**Motion Carried**

### **2.3 52 Hickman Street Development Agreement Application**

Abiola Falaye presented the proposal for a development agreement application to permit the construction of a garden suite at 52 Hickman Street (PID: 25021973).

**Larry Pardy** asked about the elevations and wonders about the setbacks on Snowden Avenue.

**Councillor Davidson** noted that after seeing the address in question on the map there appears to be quite a few properties on that street with similar setbacks. Andrew Fisher answers that many of the residents in that area are using Snowden Avenue as a back entrance and this application is consistent with the surrounding neighbors.

**Moved By: Councillor Davidson**

**Seconded By: Deputy Mayor Landry**

**That the Planning Advisory Committee recommend that Council enter into the Development Agreement for 52 Hickman Street (PID:25021973) as drafted.**

**Motion Carried**

### **2.4 Public Participation Opportunity Minutes**

Information item only; no direction given or action required.

## **3. Dangerous/Unsightly Premises Administrator Update**

Andrew Fisher presented the Dangerous / Unsightly Premises Administrator report included as part of the agenda package. Information item only; no direction given or action required.

**4. Upland Planning + Design Presentation - Draft Municipal Planning Strategy and Land Use Bylaw**

Ian Watson from Upland Planning and Design presented the draft Municipal Planning Strategy and Land Use Bylaw.

**Under January Drafts - Housing Per Unit Frontage**

Councillor Davidson wanted to know where height comes into play when determining a building setback? Ian Watson says height standards would be considered separately. Andrew Fisher said the max permissible height of a building is 35 feet/11 meters.

**Under 5-8 Units**

Larry Pardy wants to know the criteria for evaluating development applications and parking based on site plan approval process. Ian Watson answered that in addition to meeting the zoning requirements, applications considered through site plan approval process will also have to meet other qualitative requirements provided in the revised planning regulation. This includes landscaping, location of driveways, screening of solid waste facilities among others.

**High Density**

Jason MacDonald spoke of pre-zoning some properties for high density residential use. Andrew Fisher answered that properties located between the downtown core and South Albion Street corridor are suitable considerations for this purpose.

**Under Home Offices and Home Teaching**

Councillor Davidson asked about the difference between a “home teaching” and “home business”. Ian Watson explained that home teaching is limited to teaching one student at a time. Where more than one student is involved, such activity will be considered as a home business.

**Andrew Fisher** wants the Planning Advisory Committee to send questions to staff by March 20, 2023 for collation and submission to Upland Planning+ Design. Printed copies of the Draft Municipal Planning Strategy and Land Use Bylaw will be made available to the committee members tomorrow.

**5. Adjournment  
Moved By: Councillor Davidson  
Seconded By: Larry Pardy  
To adjourn the meeting.**

**Motion Carried**

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Andrew Fisher  
Director of Planning and Strategic Initiatives

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Ron Wilson  
Chair