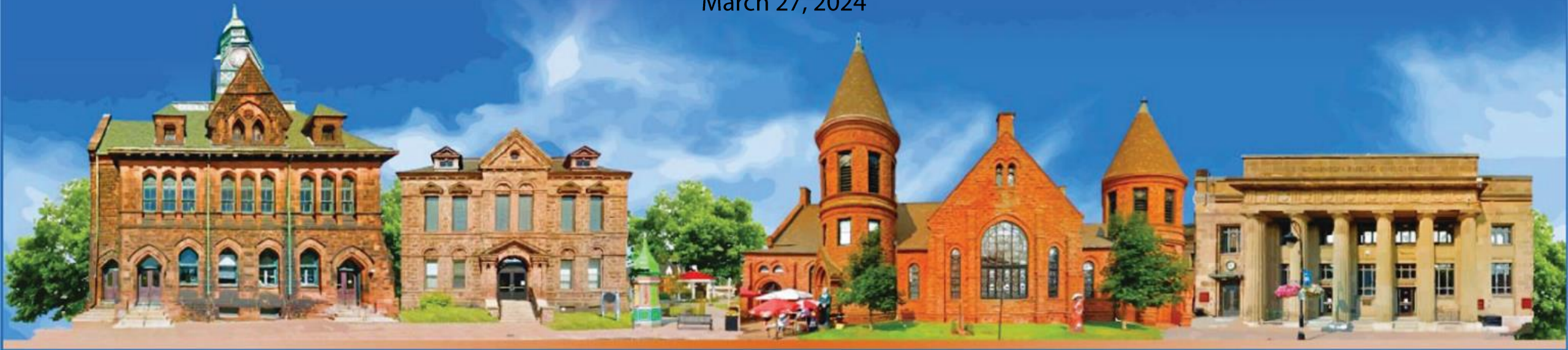


# Public Participation Opportunity

**Development Agreement to Permit the Construction of a mix of single detached and multi-unit dwellings**

March 27, 2024



## **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 approval or decisions have been made.

# Introduction

## Aim

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

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

# Development Agreement

## 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 include:



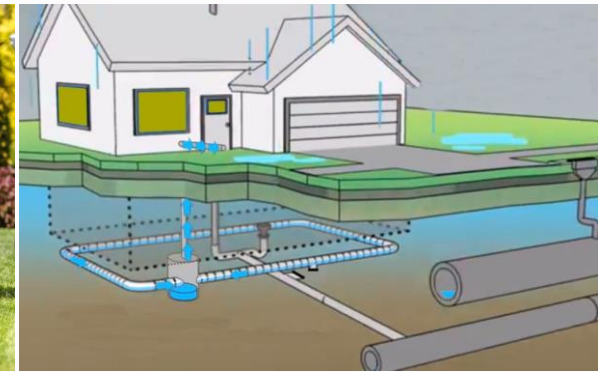
Architectural Design



Parking



Landscaping



Drainage

A development agreement may also influence the use, of 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 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 Planning Advisory Committee (PAC) considers a recommendation to Council based on a summary of the Public Participation Opportunity meeting and a staff report.
3. Council considers First Reading of the agreement and schedules a Public Hearing.
4. Council considers Second Reading, and if approved, notice is placed in local media providing 14-days to appeal the decision.
5. 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.

**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



# Application Details

**Applicant/ Owner:** Stephanie Mah Trottier, Shaw Group Limited

**Summary of Proposal:** Construction of a residential development containing a maximum of 200 dwelling units within a mix of single detached, cluster and multi-unit dwellings.

**Location:** PID 25038720 (Dolan Property), 305 Church St.

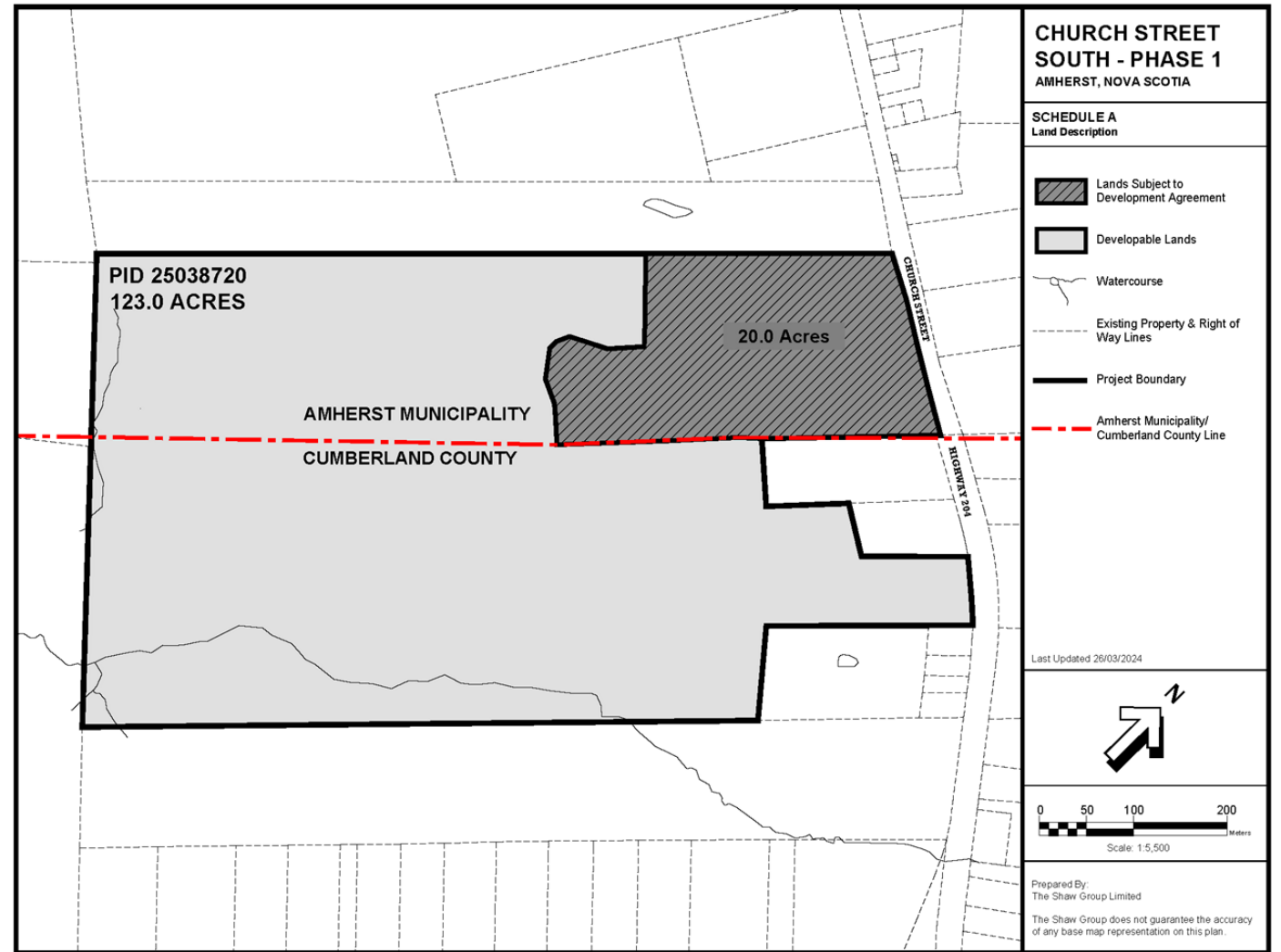
**Total Property Area:** 124 acres

**Area Subject to DA:** 20 acres

**Existing Zoning:** Highway Commercial Zoning

**Existing Land Use:** Vacant - open field and forested

**Street Frontage:** 219m (in Town), 80m (in County) along Church Street



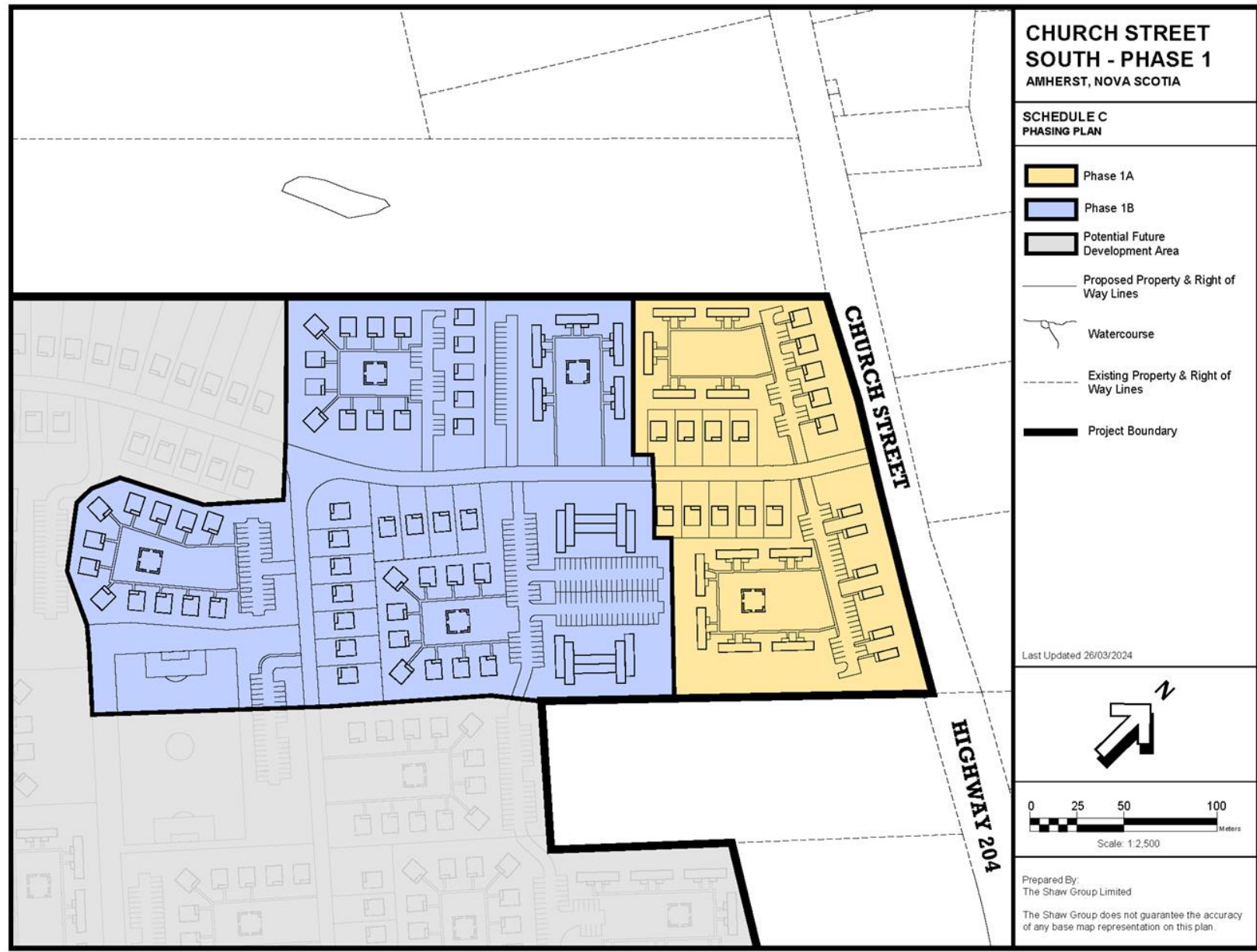


# Neighbourhood Context

- The subject property is located on the boundary of The Town of Amherst and Cumberland County.
- Immediately surrounded by vacant pasture and forested land.
- To the north, Brentwood Estates (Leased Land Community), a commercial storage facility and a 98-bed care facility (under construction) are nearby.









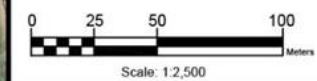
# CHURCH STREET SOUTH - PHASE 1 AMHERST, NOVA SCOTIA

## SCHEDULE B CONCEPT PLAN

### LEGEND

- General Residential
- Cluster Residential
- Multiple Residential
- Park
- Project Boundary
- County/Town Line

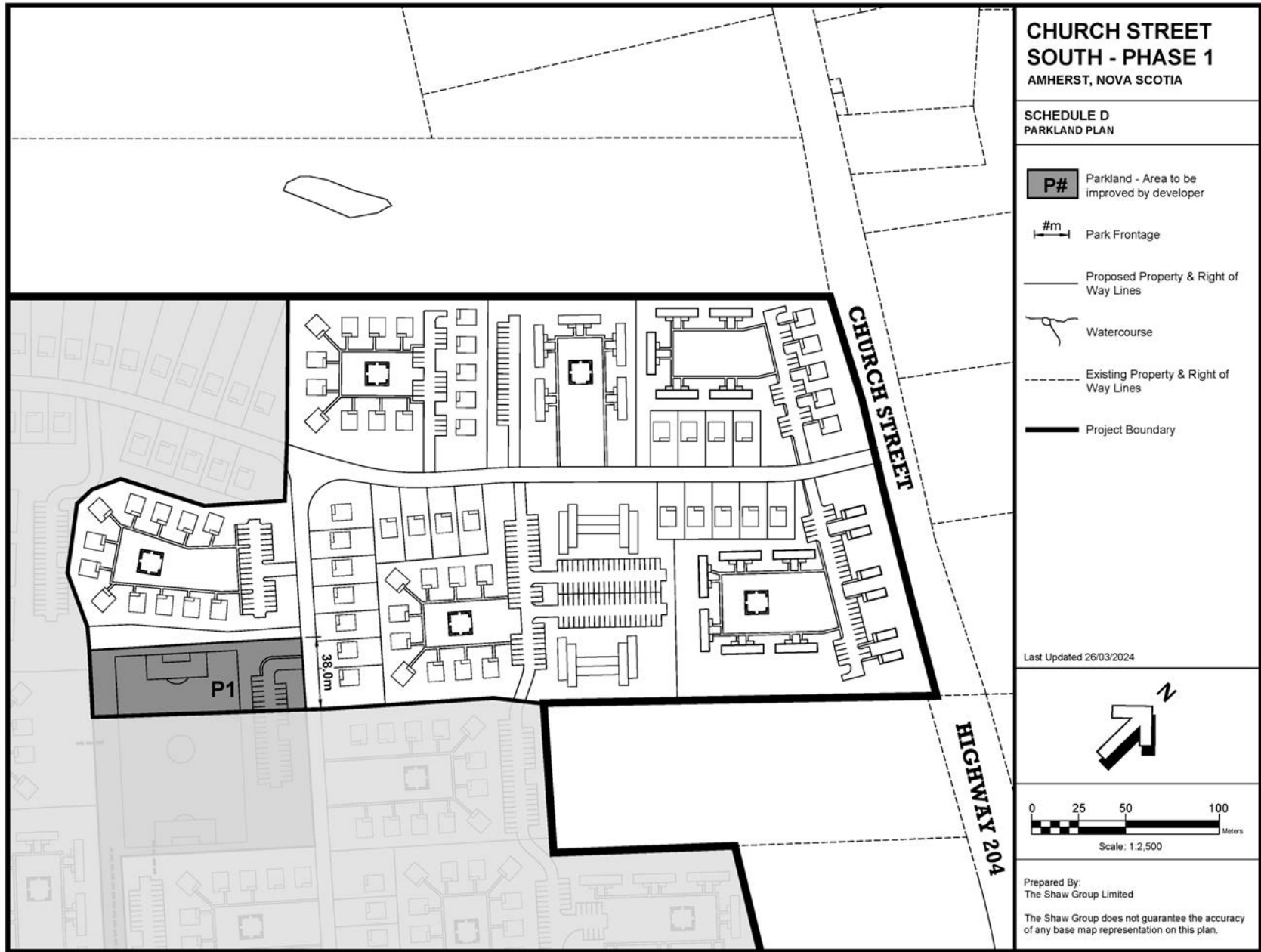
Last Updated 26/03/2024



Prepared By:  
The Shaw Group Limited

The Shaw Group does not guarantee the accuracy  
of any base map representation on this plan.







# Renderings



#seewhyweloveit

Amherst  
NOVA SCOTIA



# Renderings



#seewhyweloveit

Amherst  
NOVA SCOTIA



# Renderings



#seewhyweloveit

Amherst  
NOVA SCOTIA



# Multi-unit Example



#seewhyweloveit

Amherst  
NOVA SCOTIA



# Renderings



#seewhyweloveit

Amherst  
NOVA SCOTIA

# Relevant Planning Bylaws & Policies

## 1. General Land Use and Development Policies

### 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.



# Relevant Planning Bylaws & Policies

## 2. Residential Policies

### RP-9 (Medium and High Density By Development Agreement)

Within the Residential Designation, 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 neighbourhood. Specifically, Council shall require that all residential developments greater than 4 dwelling units per property, be subject to a Development Agreement. In Agreement. In negotiating such an agreement Council shall:

- (a) ensure that the structure 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

# Relevant Planning Bylaws & Policies

## 2. Residential 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 residential area of town by: (a) encouraging a mix of housing types and densities.

### RP-12 (Residential Area Design)

It shall be the intention of Council to ensure that new residential areas:

- (a) provide for the efficient use of land;
- (b) provide for the efficient and economic extension of existing water, storm sewer and sanitary sewer systems and other and other utilities;
- (c) incorporates a hierarchy of streets that efficiently and safely accommodates traffic flows and proper access to other other areas of Town;
- (d) provides for the efficient and safe movement of pedestrians and cyclists;
- (e) minimizes adverse effects on the environment;
- (f) provides for parks and other community uses in safe and central locations.

# Relevant Planning Bylaws & Policies

## 3. Municipal Services

### MS-2 (Service Capacity)

It shall be the intention of Council to require that new municipal water, sanitary sewer and storm sewer services be built to a capacity capable of providing service to undeveloped lands beyond the immediate development area, when the development of such an area is dependent upon use of said services.

It shall further be in the intention of Council to pay the incremental cost of such excess capacity and to recoup such costs upon costs upon development of the undeveloped lands outside the immediate development.

## 4. Recreation Policies

### R-21 High Density Open Space

It shall be the intention of Council to require multiple unit residential properties to provide usable open space for the use of residents on the site.



# Relevant Planning Bylaws & Policies

## 5. 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:

1. 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.