

# Planning Advisory Committee

Development Agreement to Permit the Construction of 6 units within an existing structure.

July 2, 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.

## Purpose

The purpose is **to ensure public involvement in the planning process** when a development requires a development agreement or amendments to existing planning documents. **To explain the concept of a “development agreement”** and how it is administered in the Town of Amherst and **describe the proposal while outlining 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:



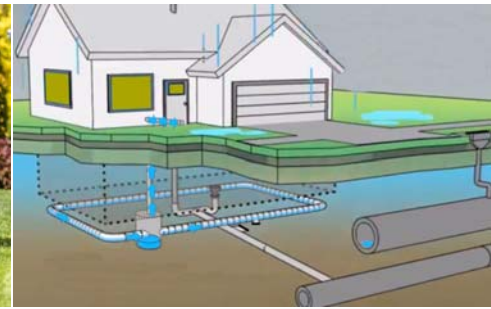
Architectural Design



Parking



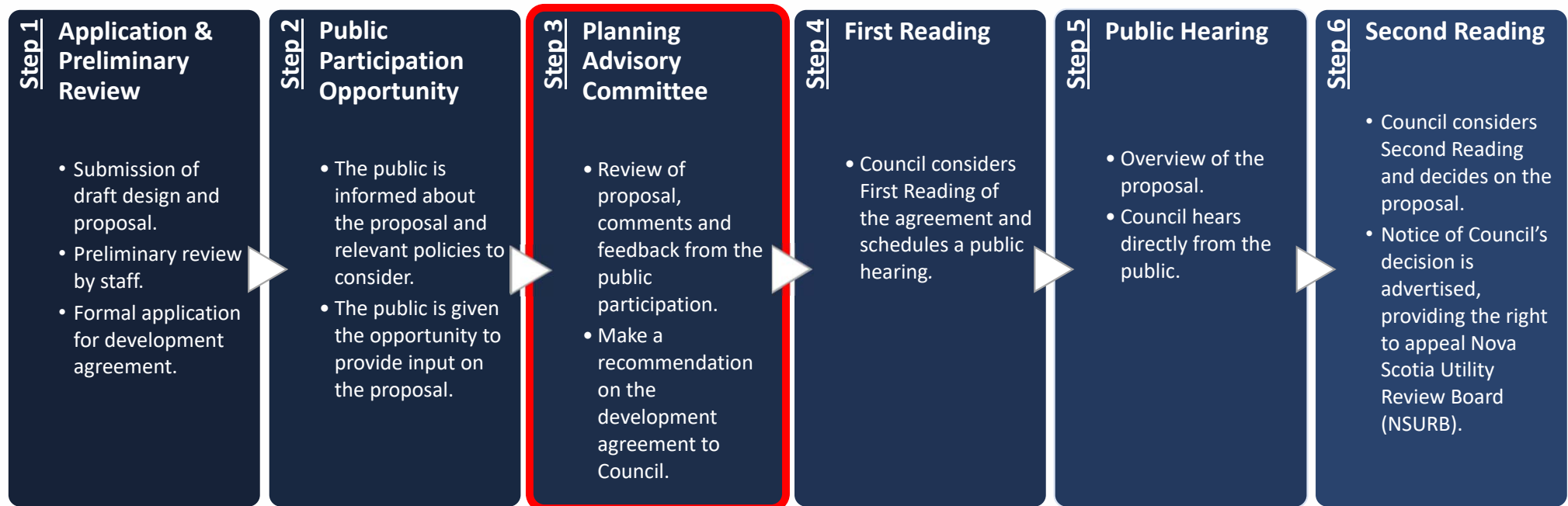
Landscaping



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





# Application Details

**Applicant/ Owner:** Jeanault Lasnier, Camaleon Holdings.

**Summary of Proposal:** to create 6 units on the upper floor within the building

**Location:** 9 LaPlanche St. (PID: 25022872, 25022922, and 25005828)

**Total Property Area:** 1347 sqm (14500 sq ft)

**Existing Zoning:** Downtown Zone – Core Area

**Existing Land Use:** Commercial, Parking Lot

**Street Frontage:** 51m along LaPlanche St.



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## Neighbourhood Context

- Located in the Downtown Core Area between LaPlance St and Eddy St.
- Town Hall and Burbine's Gym are located to the South and a 5-minute walk to Lawtons Drugs.
- Located on three lots, parking space to the right and green space to the left
- TD Canada Trust and Dayle's Grand Market to the north



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# Relevant Planning Bylaws & Policies

## 1. General Land Use and Development Policies

### GP-4 (Efficient Development)

It shall be the intention of Council to ensure that growth and development within the Town is efficient and cost effective by:

- (a) facilitating the contiguous expansion of the built up areas of the Town;
- (b) limiting development in un-serviced areas of the Town;
- (c) concentrating new development in adequately serviced and properly planned areas;
- (d) encouraging and facilitating infill development on underutilized properties within the built up area of town.

### 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.



# 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 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 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 & Policies

## 2. Residential Policies

### 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 utilities;
- (c) incorporates a hierarchy of streets that efficiently and safely accommodates traffic flows and proper access to 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. 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.