

MEMO

TO: Planning Advisory Committee
FROM: Torben Laux, Land Use Planner
DATE: July 2nd, 2024
RE: **Development Agreement – 9 LaPlanche Street**

PROPOSAL

An application by Jeanault Lasnier of Camaleon Holdings for a development agreement (DA) to allow the renovation of an existing building, located on 9 LaPlanche Street. The development agreement would allow the creation of six new apartment units on the second and third floors.

PUBLIC PARTICIPATION

A Public Participation Opportunity (PPO), advertised in accordance with the Policy for Public Participation and Notification, was held on June 20th. No members of the public spoke to this application.

BACKGROUND INFORMATION

The attached application briefing provides the site details, neighborhood context, and building proposal details. The developer proposes six units within an existing structure located in the Downtown Core Area. The building is situated on three PIDs: 25022872, 25022922, and 25005828, with the structure on the middle one. The structure currently has commercial use on the first floor, with the second and third floors empty and ready for development. The proposed units would be located on the second and third floors, with three units on each.

Onsite parking exists to the right of the building, and greenspace is to the left. The exterior will remain largely untouched, except for the addition of fire exits and fire escapes located at the back of the building as may be required by the Building Code.

RELEVANT POLICIES

1. Residential Policies (RP)

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.*

The proposed development would not be relocating or constructing a new building but using the existing structure to densify. Furthermore, sufficient on-site parking already exists, therefore, satisfying this policy.

2. General Land Use and Development Policies (GP)

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*

The proposed development would satisfy this policy by using existing space to create new apartment units.

GP-7 Compatibility

It shall be the intention of Council to allow a mix of compatible land uses to minimize their impacts by:

- (a) requiring adequate buffering and setbacks;*
- (b) screening development by the use of visual barriers; and,*
- (c) regulating the location of parking, storage buildings and other accessory uses or facilities.*

The draft DA mainly address (c) the regulation of the location of parking, storage buildings and other accessory uses or facilities as much of the current site will remain the same.

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:

- (a) 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.*

The proposal meets the intent of the relevant town bylaws and regulations. In terms of subsection (b), there would be no significant burden on the Town's finances. The street network and town water, sanitary and storm sewer services can accommodate the development. With regard to subsection (c), the proposed use does not conflict with the existing uses in the neighborhood and the dimensions fit other existing developments in the area. Parking and traffic generation is not to be an issue for the area.

DISCUSSION & CONCLUSION

Staff feel the draft DA is in keeping with the general intent of the relevant policies of the MPS. The proposal has the potential to have a significant positive impact not just for the Town of Amherst by

addressing the shortage of suitable and affordable housing. This development is appropriate for the area in terms of its height, bulk, and general built form.

The following decision options are therefore put forward:

OPTIONS:

Option One: Recommend that Council enter into the Development Agreement for 9 LaPlanche Street Development as drafted.

Option Two: Recommend that Council not enter into the Development Agreement 9 LaPlanche Street.

Option Three: Defer a decision and request additional information and /or changes to the proposal.

STAFF RECOMMENDATION: Option One.