

Town of Amherst

Planning Advisory Committee

Minutes

Date of Meeting: Friday, December 14, 2018
Location: Council Chambers, Town Hall

Members Present: Deputy Mayor Sheila Christie
Councillor Terry Rhindress (Vice Chair)
Councillor Jason Blanch
Citizen Appointee Gordon Goodwin
Citizen Appointee Ronald Wilson
Citizen Appointee Larry Pardy

Staff Present: Manager of Planning and Strategic
Priorities, Andrew Fisher
Director of Operations, Jason MacDonald
Municipal Clerk Kimberlee Jones
Admin Assistant Emily Wainwright

1. Call to Order

Vice-Chair called the meeting to order at 9:00 a.m.

1.1. Approval of Agenda

Deputy Mayor Christie added an update to 196 East Victoria Street to the agenda.

Moved By: Deputy Mayor Christie

Seconded By: Citizen Appointee Wilson

That the agenda be approved as amended.

Motion Carried

1.2. Approval of Minutes

Moved By: Citizen Appointee Goodwin

Seconded By: Citizen Appointee Pardy

That the minutes of the December 3, 2018 PAC meeting be approved.

Motion Carried

2. Motion – 150 East Victoria Street Development Agreement Application

2.1 Committee Questions

Deputy Mayor Christie asked if the committee was able to put a clause into the agreement that the pavement is to be brought up to standard for it be approved. Mr. Fisher replied that you can certainly do that, it already must be painted by August 1, 2019. There are general provisions that the building must be kept in good repair. You can say the pavement must be completely resurfaced, but that would be quite onerous. You could instead say that the parking lot be treated with a sealant.

Jason Blanch stated that he would like to support the development agreement, and that having heard from the two neighbours, we have the opportunity to appease both of them. He stated he would like to approve the agreement, and add some green space, but it is not fair to have them have to do that without people living there. The green space would include the space in front of the parking, and if we could make a statement that within a year of meeting the Canadian building codes, contingent on meeting all of the other expectations, they would then transfer that space to green space. If we give the man a year of income from renting, I think it would make it more attractive. In regard to the snow clearing, you could still put snow on top of grass. That would make me content. Mr. Fisher added that the development agreement could include a provision that states, 'one year after occupancy, three spaces would be converted to green space.' Rather than trying to design the details of it, it could say 'you need at least 3 spots turned into green space' so it gives the developer flexibility on how to achieve the green space.

Citizen Appointee Wilson stated that looking at the proposal, I think that as a committee we do have a mandate to seriously address the request to have a mixed residential and commercial area. A big concern has to do with the concerns expressed by Mr. Ettinger. Most of these concerns can be rectified by the national building code. If we want to encourage development, or redevelopment, it has come upon the developer to address the structural components of the building code, but the aesthetics to fit in the local area as well. We have to ensure that if we agree to the development agreement, that we address those concerns, such as fire, water, etc. In respect to the investments. I think that he has to look at return on investment, but if it's going to require him to get a return, it is in the best interest of the community for him to bring the aesthetics of the building up, so it fits in with the neighbourhood.

Citizen Appointee Goodwin added that he looked at the place this morning, and if the owner cleaned up the debris, and if he painted, took vent pipe out of back window, cleaned up and spruced up the property, it would greatly improve. I also noticed that here is a Development permit in one of the windows. In regard to green space, I am not against that either, but cautions that cars going to park there will just drive over the green space. If it's left to the developer to do it himself, I seriously doubt it will happen. Looking at cost return, he will not replace the pavement unless he absolutely has to. I would like to see the thing go ahead, but not at a cost to the owner.

Councillor Blanch wanted to clarify that we should set an amount of green space and then allow the owner to determine the best way to use it. If we only say 3 spaces, there is a whole section of driveway that we are missing. I would still put the amount higher to be higher, such as 5 spaces.

Deputy Mayor Christie stated that I understand Mr. Fisher's comments and that there's not always room for green space. If the goal is for aesthetics, what if the requirement is where the couch is to have flowers and some green space. In front of each window, there could be a patio, so each place has their own space. I would like to approve, and be for it, if there were restrictions on the aesthetics, and follow building codes for fire, safety, etc. We need it as a downtown to attract people and to be attractive. As time goes on, improvements need to be made. By permits not being issued, we need to be more hands on.

Mr. MacDonald stated, regarding Mr. Goodwin's comment on the Development Agreement being in the window of the motel, there was a permit issued well over a year ago for the original renovation of the motel. When Council declined changing the use to an apartment building, we then issued a development permit for renovating the motel units. We have also enforced the fact that they cannot have stoves in these units.

Citizen Appointee Pardy asked if the requirement of landscaping is outside our mandate as a Planning Advisory Committee. Mr. Fisher responded that you can definitely require it in the permit, and given the context of the area and agreement, that is probably more of an urban residential development. But you can require it. Mr. Pardy added that he believes it is a difficult area to put green space in because the area does not get much sun.

Citizen Appointee Wilson added that he was more strongly in favor of adding landscaping amenities without specifically stipulating it is a green area.

Councillor Blanch added that where the couch is in the photograph, the green space there are wise or acceptable. There is already grass there and beautification would go a long way to helping the neighbours, and aesthetically it would help the property. I think from the comments from the last meeting, that the neighbours would be happier if the simple maintenance had been done. I would be less concerned if there was a history of maintenance of the property.

Citizen Appointee Goodwin added that one thing I would want to get fixed is for someone to advise the residence about the venting, the dryer tube hanging out of the window, that needs proper ventilation

3. Motion – 150 East Victoria Street Development Agreement Application as Amended

Moved By: Deputy Mayor Christie

Seconded By: Citizen Appointee Wilson

That the Planning Advisory Committee recommend that Council enter into the proposed Development Agreement for 150 East Victoria Street but amended to include maintenance to all cladding, create a green space between the lower building and Herbert Street where possible, create a minimum of 600 square feet of amenity space, that any vents on north side of the lower building meet the national building code, and that there is repair of pavement within 12 months of an occupancy permit.

Motion Carried

4. 196 East Victoria Street Demolition - Update

Mr. MacDonald gave an update on the status of the demotion that is to take place at 196 East Victoria Street. The property owner has appealed the decision, so the demolition is currently on hold. Councillor Blanch asked on what grounds did the property owner have to appeal the decision. Mr. MacDonald responded that there are no grounds, and that he had simply received a written email saying that they appeal the decision.

5. Adjournment

Citizen Appointee Pardy motioned to adjourn the meeting at 9:55a.m

Motion Carried

Kimberlee Jones, Municipal Clerk

Vice Chairman Terry Rhindress