

MEMO

TO: Planning Advisory Committee

FROM: Andrew Fisher, Director of Planning & Strategic Initiatives

DATE: April 2, 2024

RE: Zoning Map Amendment – Industrial Park Drive Rezoning

PROPOSAL

An application by Wendi Chase and Bruce White Insurance Agencies LTD for a zoning map amendment to rezone property on Industrial Park Drive from Highway Commercial to the Mini Home Zone.

BACKGROUND INFORMATION

The attached application briefing provides the property details, neighborhood context, and proposed subdivision layout. The subject property contains a vacant parcel (PID 25395872) and a portion of 11 Industrial Park Drive (PID 2508507). The subject portion of 11 Industrial Park Drive would be subdivided from the existing buildings (Cooperators Insurance) and assembled with the vacant lot. The new lot would then be subdivided into 18 single dwelling building lots with a new street constructed to provide frontage.

The subject property is currently zoned Highway Commercial that does permit residential uses, except Mobile Homes. Mobile Homes are defined as prefabricated dwellings with a length to width ratio greater than 3:1. Below is the LUB section 7.4 pertaining to the Mini Home Zone:

7.4 Mini Home Park Zone

7.4.1 Mini Home Park Zone Uses Permitted

The following use shall be permitted in the Mini Home Park Zone:

- (a) All uses permitted in the General Residential Zone, subject to General Residential Zone regulations
- (b) Mini Homes
- (c) Mini Home Parks
- (d) Multiple Section Mini Homes

7.4.2 Accessory Uses Permitted

Accessory uses are permitted in the Mini Home Park Zone provided that the accessory use does not exceed 35 m² of floor as per mini home rental pad or space.

7.4.3 Conformance with Mini Home Park Bylaw

Notwithstanding anything in this Bylaw, any development permit issued for a Mini Home Park shall satisfy all relevant provisions of the Mobile Home Park Bylaw.

Collectively, this type of development will provide further growth to the Town of Amherst and allow the Mini Home Zone already existing to the west to expand. Parking spaces and landscaping for each lot will be provided to satisfy policies, and the density of this proposed development fits seamlessly into its surroundings. The applicant has stated that their intention is to sell each lot individually and is in partnership with a prefabricated building manufacturer in the region.

PUBLIC PARTICIPATION

An advertised Public Participation Opportunity was held March 27th. The applicant was in attendance and spoke to the proposal.

Jason Murphy spoke on behalf of Clarence Farms which neighbors the subject property. He indicated that there is a significant amount of water on the subject property and he would like staff to take water displacement into account and for it to be dealt with correctly. He also suggested that a privacy fence be considered separating the Clarence Farms property from the subject property as they do have large trucks making deliveries and he feels it would keep residents of the subject project safe.

Susan Costin looked for clarification that conventional dwellings would be permitted on the subject property, to which Mr. Fisher replied yes.

RELEVANT POLICIES

1. Residential Policies (RP)

RP-11 Affordable Housing

It shall be the intention of Council to encourage and promote the provision of affordable housing units within all residential areas of the Town by:

- (a) encouraging a mix of housing types and densities; and,*
- (d) cooperating with Federal and Provincial Governments to facilitate affordable housing within the town.*

The development will allow for more mini-homes to be constructed and allow homeownership.

2. General Land Use and Development Policies (GP)

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 proposal does meet the minimum setback standards in the LUB, and fencing or other forms of visual barrier are not needed as this proposal is compatible with other land uses in the area. The parking areas for the development are distributed in a manner that does not dominate the area by limiting accessibility, utilization of vegetation, or aesthetic quality.

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.

The density of this development is appropriate to the overall characteristics of its surrounding area.

3. Municipal Service Policies (MS)

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 dependant 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 development of the undeveloped lands outside the immediate development.

The surrounding infrastructure is capable of accommodating this development.

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 proposal conforms with the general intent of relevant policies of the MPS, and represents an opportunity to provide additional attainable housing.

OPTIONS:

Option One: Recommend that Council amend the Land Use Bylaw Schedule A Zoning Map by changing the zoning designation of the subject property to Mini Home Zone.

Option Two: Recommend that Council not amend the Land Use Bylaw.

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

STAFF RECOMMENDATION: Option One.