



Subject: Clayton Development Ltd. - Development Agreement Amendment
To: CAO for Planning Advisory Committee, June 17, 2025
Date Prepared: June 5, 2025
Related Motions: PAC25(23), PAC25(24) and PAC25(25)
Prepared by: Rachel Gilbert, Manager of Planning
Approved by: John Woodford, Director of Planning and Development

Summary

The Municipality has received an application from Clayton Developments Limited for an amendment to their development agreement which was permitted in 2020.

Financial Impact Statement

A financial impact analysis has not been undertaken for this proposal. A summary of any financial impacts will be provided in the final staff report.

Recommendation

That Planning Advisory Committee lift motion PAC25(23) from the table and recommend that Council give initial consideration to the application by Clayton Development Ltd. and authorize staff to schedule a public hearing.

Recommended Motion

Motion PAC25(23) February:

Planning Advisory Committee recommends to Council that Council:

- Give initial consideration to amendments to the existing Shaw Group Limited development agreement for a mixed-use master planned development in Lantz, for the purpose of enabling a public hearing to be scheduled; and
- Authorize staff to schedule a public hearing.

Background

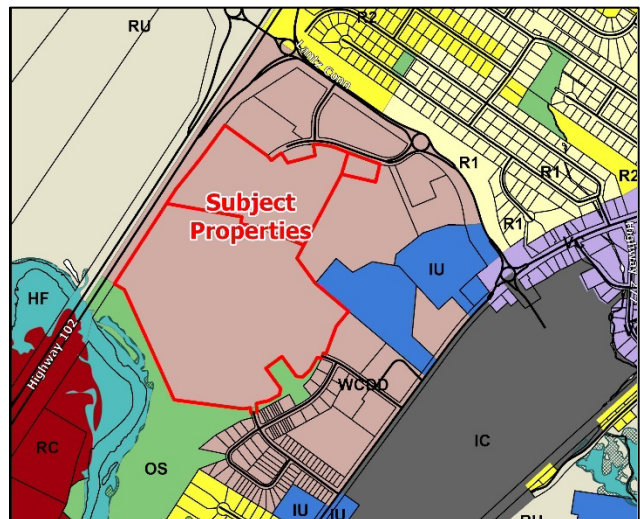
In June 2020 Council approved an application by Clayton Developments Ltd. (Shaw Group Ltd.) for a mixed-use comprehensive development on their WCDD (Walkable Comprehensive Development District) land in Lantz. This area is now known as Kiln Creek. The Development Agreement permitted a mixture of residential, commercial and mixed use. The residential includes single unit dwellings, two-unit dwellings, townhouses, garden homes and apartment buildings, with a total of 1,500 dwelling units. The commercial development includes land alongside the Lantz connector, land fronting onto Highway 2 (between the Sportsplex and the elementary school) and mixed-use buildings in the centre of the development. Also included are open spaces contributions, parkland and Active Transportation Trails

An application was received in December 2024 from Clayton Developments Ltd. to amend their 2020 development agreement for the comprehensive development district. In February 2025, this current application was presented to PAC. At that meeting several concerns were raised. Council tabled a motion to give initial consideration and approval to schedule a public hearing. Planning staff have been discussing the concerns raised by PAC with the developer and they have submitted amendments to their application.

Subject Property

The application relates to several properties in Lantz. A zoning map to the right identify the properties. All of these sites are zoned Walkable Comprehensive Development District (WCDD). The developer also owns a smaller property, which is located between the Sportsplex and the school property, which was also included in the original development agreement. Several parcels of land have been subdivided out of the original development agreement area. The original agreement will continue to apply on all of the land which included in the original agreement.

The adjacent elementary school and the Sportsplex property are both zoned Institutional Use (IU). Land opposite the site on Highway 2 is zoned Industrial Commercial (IC) and is owned by The Shaw Group Ltd. The municipality owns a parcel of open space between the application properties and the Nine Mile River. This was contributed to the municipality by the developer as part of their open space contributions.



The Nova Scotia Government has recently purchased an area of land from the developer. This area of land can be identified on the proposed concept plan. No details have been provided from the provincial government as to what the intended plans are for this land.

Since the original development agreement was approved the Lantz Connector has opened and the applicants land has a direct connection to this connector road.

Development Proposal

The applicant is applying for substantial amendments to their development agreement. The application requests the following amendments:

1. Permit a self-storage use on an individual lot, Block K (formally block I);
2. Permit a reconfiguration of the proposed site design at “Block J” where the existing low density housing transitions into the highway commercial area This would require an increase in the unit caps within the development agreement by 100 units both for the development as a whole, and the unit cap specific to multi-unit development.
3. Enhance opportunities for townhouses, in particular manufactured 16 ft wide townhouses, increasing options for housing diversity. This would require amendments to the provisions of the development agreement to enable 16-foot-wide townhouse units to be individually subdivided. The applicant is also requesting that additional areas be permitted for townhouses - increasing the “medium density development” area proposed.
4. Permitting Sub-Phasing at Subdivision - Which would enable portions of a subdivision phase to be developed, rather than requiring the entirety of the phase to be processed at once, while maintaining the flexibility of the existing agreement to modify phase ordering.

Self-Storage Use

The Development Agreement includes areas for commercial development and lists the type of commercial uses which are permitted within those areas. The DA does not allow for a self-storage use in any of the commercial areas.

Section 6.3(f) of the development agreement enables amendments to the list of commercial uses be considered as an unsubstantial amendment. The applicant is requesting a self-storage building with between 2 to 4 four storeys. Any image of an example from Bayers Lake has been provided by the applicant.

No new commercial areas are included as part of this application. The self-storage use, if approved, would be located in an area already identified for commercial development.

Multi-Unit Development on Block J

The applicant is requesting that additional multi-unit residential buildings be permitted. These are proposed to be located adjacent to Highway 102 and adjacent to land identified as commercial. Along with the addition of more apartment buildings the applicant is requesting that the development agreement enable 100 more residential units which will increase the maximum number of units to 1,600.

To enable the new apartment buildings some of the commercial land has been removed and some of the lower density housing has been removed. A wetland is also proposed to be altered.

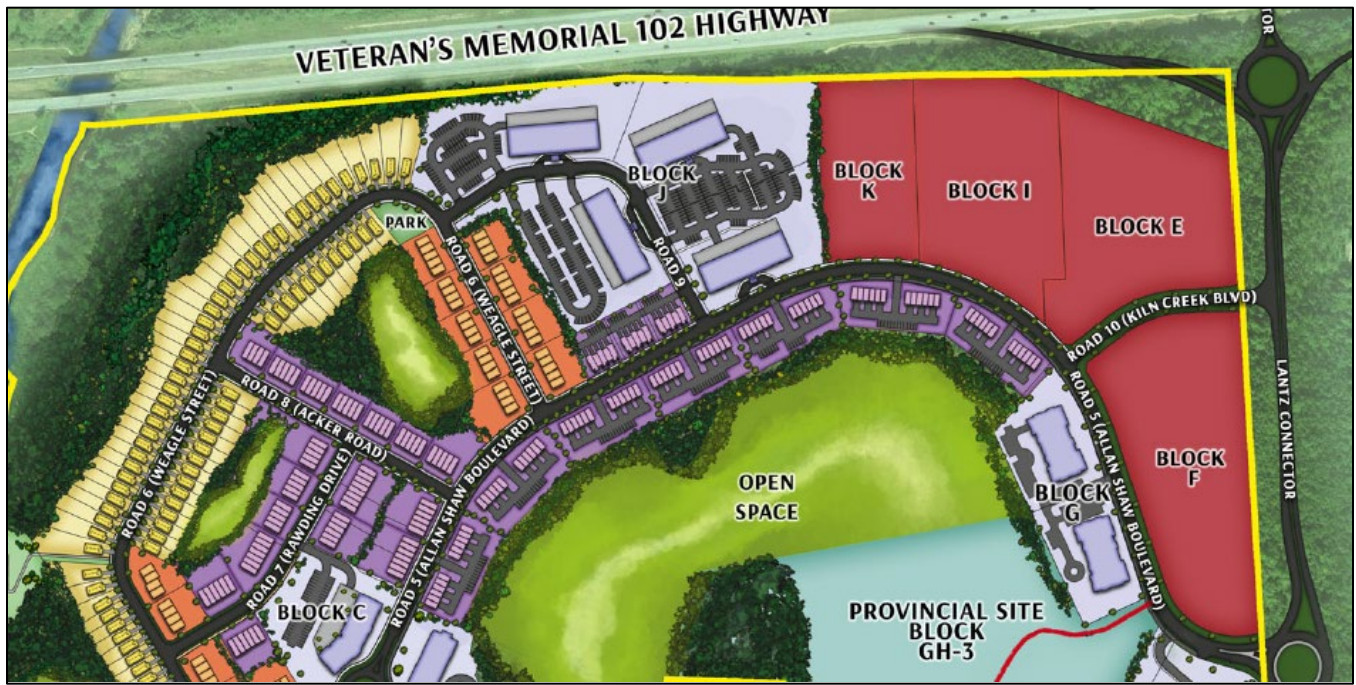


The initial design for the proposed new multi-unit residential area included a driveway. Since the PAC meeting in February 2025, the applicant has amended the design for Block J to now include a municipal street. The applicant has also amended the layout for the proposed Block J by moving the buildings up closer to the municipal street and where possible fronting those buildings onto a street.

Existing Concept Plan



Proposed Amended Concept Plan



The proposed concept includes land for a new pocket park which staff PRC negotiated with the developer for.

The applicant has submitted a wetland alteration request and received approval from the Nova Scotia Department of Environment. These alterations were necessary for the proposed amendments to be developed.

Amendments to Townhouse Requirements

The applicant is requesting a reduction in the minimum lot frontage for on-street and stacked townhouses from 18ft (5.5m) to 16ft. The applicant has indicated that this will enable them to maintain the diversity of price points for first time homebuyers they are requesting that the development of manufactured townhouses which occupy a 16ft wide (4.87m) form. An example image of a 16ft wide townhouse has been provided from a development in Mount Hope, Dartmouth.



Since the PAC meeting in February 2025, the applicant has adjusted the concept plan to remove some of the proposed 16ft frontage townhouse units.

Permitting Sub-Phasing in Subdivisions

The applicant is requesting that sub-phasing of subdivision applications be enabled. This would mean that a phase can be broken into smaller parts if needed. For example, for Phase 3 to be broken into Phase 3A and Phase 3B.

Increase in Unit Numbers

Included in the application is a request to increase the number of residential units. The original maximum number of units was 1,500 residential units. The applicant is requesting this number increase to a maximum of 1,600 units which would include approximately 470 singles/semis/townhouses and approximately 1,130 multi-unit/garden suites. This count includes the removal of 55 units from the provincial land sale.

Other Considerations

The applicant has submitted a reviewed Traffic Impact Study which will be provided to the Nova Scotia Department of Public Works and the municipal department of Infrastructure and Operations. Comments received regarding the traffic impact study will be provide in the final staff report.

Planning staff will consult with the municipal department of Economic and Business Development regarding the loss of the some of the commercial land.

The applicant has submitted a post development master stormwater plan. This has been updated since the approved development agreement. This plan will be provided to the department of Infrastructure and Operations for comments. Each subdivision phase will include a detailed stormwater management plan which will need to meet municipal standards for stormwater at that time.

Policy Analysis

This is an initial report on the application and planning staff have not yet reviewed the application although following the February meeting of PAC, staff have been in discussion with the developer to seek changes to their proposed concept plan.

The Planning and Development Department will review this application based on the policies contained in the Municipal Planning Strategy. The final staff report will provide a detailed review of the application which will include any responses from internal and external agencies.

STRATEGIC ALIGNEMENT

One of the Key Strategies from the Strategic Plan is Strong Community. This development agreement amendment application will enable the developer to provide more housing to meet the needs of the growing East Hants and Nova Scotia community.

LEGISLATIVE AUTHORITY

The legislative authority and process for entering into a development agreement and amending that agreement is set out in the Municipal Government Act, Part VIII.

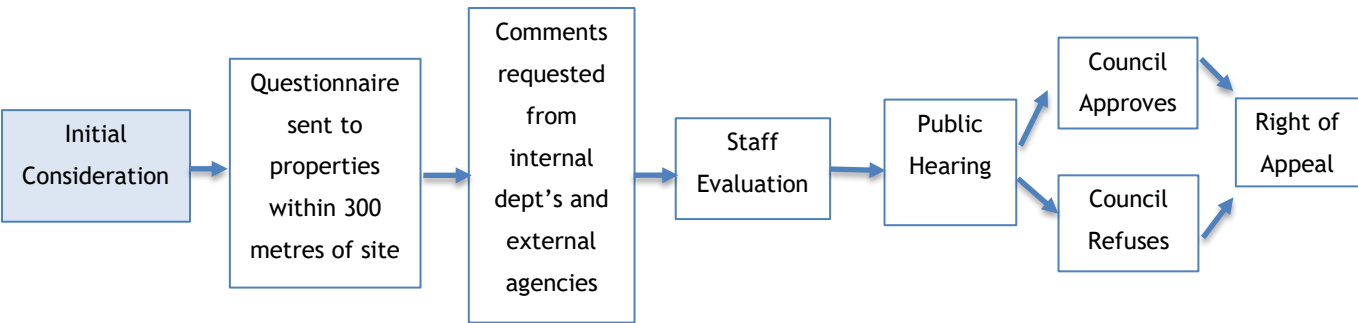
FINANCIAL CONSIDERATIONS

The proposal includes the loss of future commercial land and lower density residential and then the replacement with higher density residential. Staff will review the financial impact to the municipality of this change.

Citizen Engagement

Planning staff will comply with the Citizen Engagement Policies of the Municipal Planning Strategy when processing this application.

A letter and questionnaire will be mailed to all property owners within 300 m of the subject property asking for comments on the proposed application which will include many of the new residents of Kiln Creek.



Conclusion

The concept plan for the Kiln Creek was developed several years ago and to build-out the development for the area will take several years. During that time, it is to be expected that market conditions regarding housing will change. The applicant is attempting to address changes in the market by requesting amendments to the approved development agreement. The amendments will enable more smaller units be built whilst increasing the maximum unit numbers by only 6.6% (100 units).

This is an initial report regarding the application. Planning staff will review the proposal using policies in the Municipal Planning Strategy, consult with internal and external agencies and will seek comments from nearby residential property owners and residents.

Any decisions to approve or not the development agreement application is appealable to the Utility and Review Board.

Attachments

- Appendix A - Copy of proposed concept plan
- Appendix B - Copy of approved concept plan