

Development Agreement:
475 Upper Branch Rd.
(Cluster Development)

Planning Advisory Committee
Planning & Development Services
December 11, 2025



Agenda

- What is Cluster Development
- What is a Development Agreement
- Proposed Development
- Site Details
- Content of a Development Agreement
- Policy Evaluation
- Public Input
- Recommendation
- Development Agreement Process
- Question period



What is Cluster Development?

Cluster developments involve multiple detached or multi-unit dwellings on a single property, with regulations ensuring they meet required standards.

Cluster Development in MODL

- Six (6) or more Dwelling Units contained in two or more Dwellings on a single Lot,
- that is partly or entirely un-serviced by municipal water and sewer,
- including new phases or units in a phased-development condominium with six (6) or more Dwelling Units overall.
- A Recreational Vehicle Parking Site is not considered a Cluster Development.



What is a Development Agreement?

- Allows for site specific design control for each permitted use subject to Development Agreement.
- Legal contract between a landowner and Municipal Council that controls various aspects of the development.
- Used for types of land uses that would not conform to the character of the existing community.
- Requires public consultation.
- Council's decision to approve a Development Agreement can be appealed.
- **Timeline:** minimum 4-month process



Proposed Development

Applicant: Fathom Studio/Ramey Investments

Location: 475 Upper Branch Road, Wileville (PID 60303724 & PID 60303781)

Project Scope:

- Cluster development with 96 residential units (3 two-storey buildings with 84 units/12 stacked town homes)
- 5,000 m² light industrial/commercial facility

Zoning: Currently unzoned, but must follow cluster development regulations

Approval Process: Development Agreement (DA) process

Regulations: Must meet MODL's MPS Sections 5.1, 5.2 & 6

Public Participation: Public Information Session held on November 19, 2025



Site Features

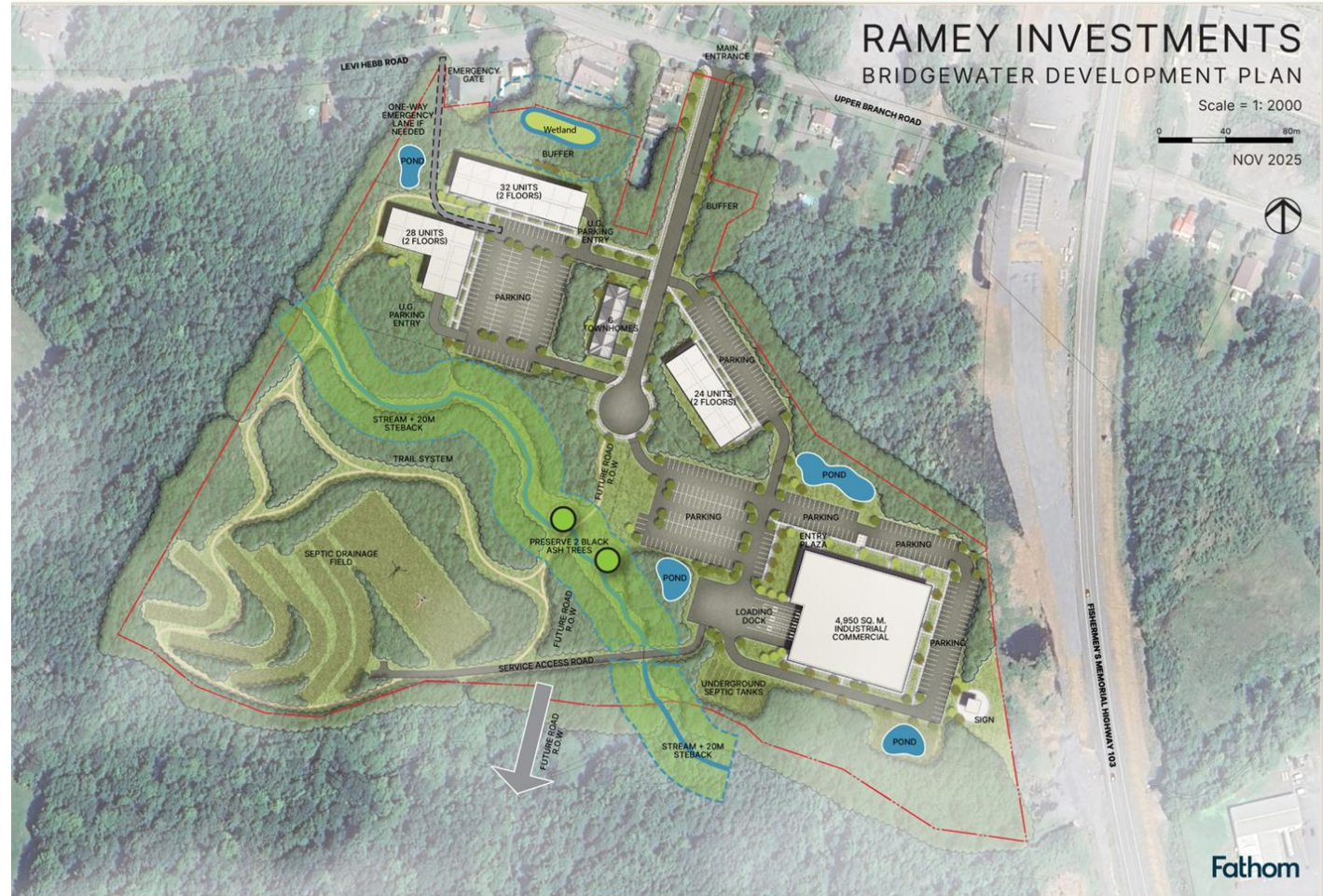
- 3 delineated wetlands:
 - WL1= 2,129 m²
 - WL2= 15,635 m²
 - WL3= 1,679 m²
- 1 delineated watercourse
- Two identified Black Ash trees

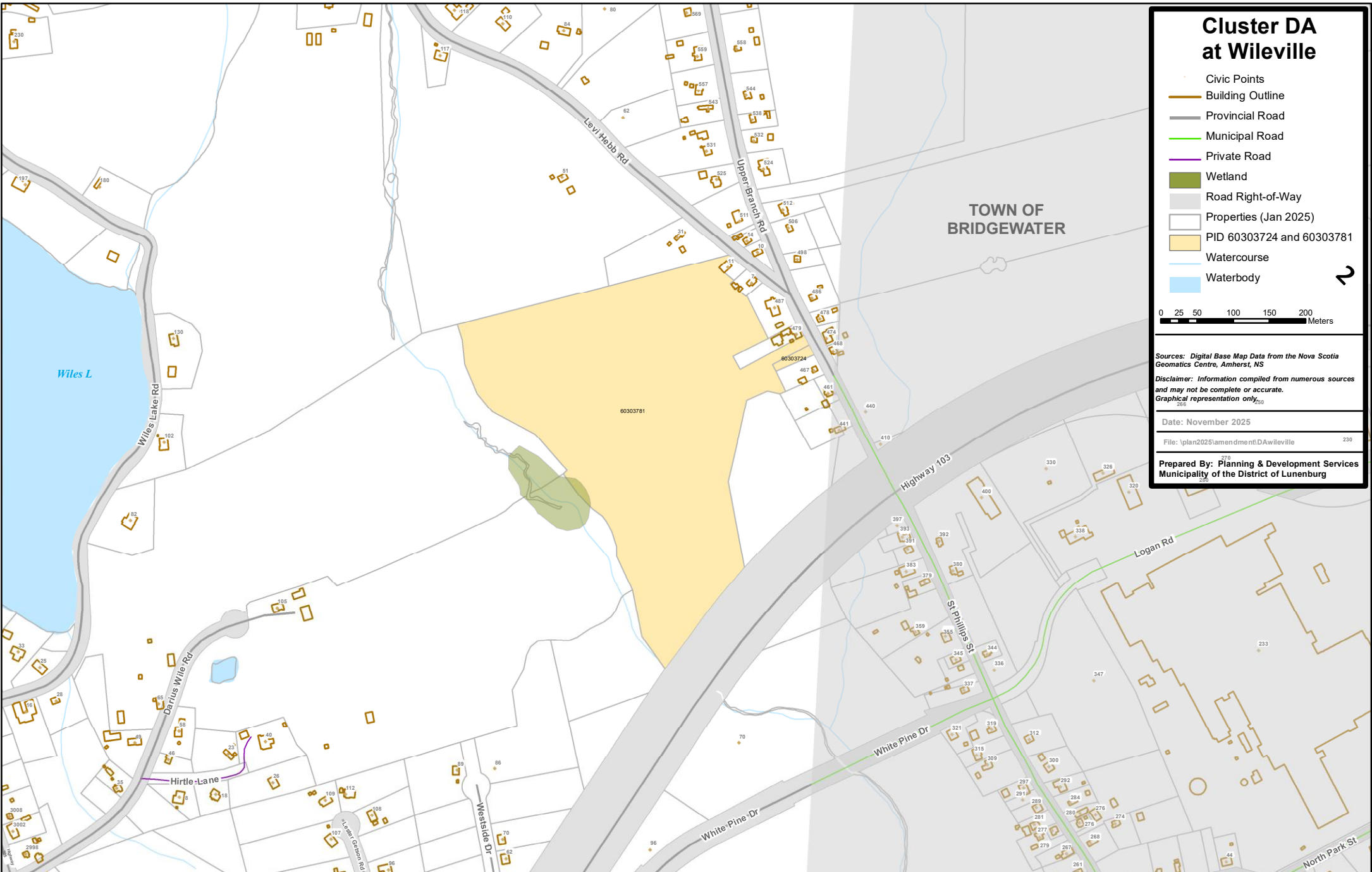


Site Plan

Area: approximately 12.5 ha

- Main access road (9m)
- One-way emergency egress
- Future ROW extension
- Residential multi-unit buildings/townhomes
- Highway related light industrial/commercial facility
- Surface parking lots
- Proposed septic fields with walking trails
- Proposed stormwater management area/fire ponds
- Close to Highway 103 and the Town of Bridgewater





Cluster DA at Wileville

- Civic Points
- Building Outline
- Provincial Road
- Municipal Road
- Private Road
- Wetland
- Road Right-of-Way
- Properties (Jan 2025)
- PID 60303724 and 60303781
- Watercourse
- Waterbody

0 25 50 100 150 200 Meters

Sources: Digital Base Map Data from the Nova Scotia Geomatics Centre, Amherst, NS
 Disclaimer: Information compiled from numerous sources and may not be complete or accurate. Graphical representation only.

Date: November 2025

File: \plan2025\amendment\DAwileville 230

Prepared By: Planning & Development Services
 Municipality of the District of Lunenburg

Content of a Development Agreement

Municipal Planning Strategy - Section 6.2

- (a) Adequacy of street networks, site access, and emergency evacuation;
- (b) Adequacy of services such as water and sewer;
- (c) Access of emergency vehicles;
- (d) Stormwater management;
- (e) Grading and erosion control;
- (f) The phasing of a development;
- (g) Time limits for the initiation and/or completion of development;
- (h) Availability of a safe water supply;
- (i) The suitability of the site in relation to environmental impact; and
- (j) All other matters enabled in Section 227 of the Municipal Government Act.



Development Agreement- General Evaluation Criteria

Municipal Planning Strategy - Section 6.3

- (a) Is consistent with the intent of the Municipal Planning Strategy;**
- (b) Does not conflict with Municipal or Provincial programs, bylaws or regulations;**
- (c) Is not premature or inappropriate due to:**
 - (i) Impacts on drinking water supplies;
 - (ii) The suitability of the site to accommodate on-site water and sewage services;
 - (iii) The creation of excessive traffic hazards or congestion;
 - (iv) The adequacy of fire protection services and equipment;
 - (v) Impacts on known habitat for species at risk;
 - (vi) The potential to create flooding or serious drainage issues;
 - (vii) The suitability of the site in terms of grades, soil and geological conditions, the location of watercourses and wetlands, and proximity to utility right-of-way.



Development Agreement- Specific Evaluation Criteria

Municipal Planning Strategy - Section 6.4

(a) A detailed plot plan showing features such as, but not limited to:

- (i) The layout of the site and associated wastewater systems in accordance with Nova Scotia Environment's on-site sewage technical guidelines;
- (ii) Location and dimensions of existing and proposed road, bicycle, and pedestrian networks;
- (iii) The location of dedicated green space, including open space and amenities;

(b) A hydrogeological assessment in accordance with the guidelines set out in Nova Scotia Environment's groundwater assessment standards;

(c) An environmental impact study identifying the potential impact and recommended mitigation measure for wetlands, natural habitats, or species at risk;

(d) Access for emergency vehicles; and

(e) Any other matters enabled in Section 227 of the Municipal Government Act.



Policy Evaluation

Site access, street networks, and emergency evacuation (Conditional)

- Proposed 9m main access road
- Proposed secondary one-way emergency egress
- Proposed future ROW to connect with Darius Wile Rd. (limitations regarding septic and subdivision)

- Transportation Impact Assessment submitted - No additional traffic impact study required
- Truck-turning analysis recommended by Department of Public Works
- Traffic signs must meet policies of Department of Public Works
- 10m setback from 100 series Right of Way (Highway 103) must be maintained
- Approval required for proposed access roads

Water (Pending)

- Level 1 Groundwater Resources Assessment complete – confirms 56 residential units
- Level 2 Hydrogeological Study underway – results will confirm maximum water yield/number of units
- Must be completed before entering into DA



Policy Evaluation

Sanitary (Conditional)

- Proposed on-site septic system and treated wastewater dispersion area
- Provincial 30 m setback requirement for septic systems from wetlands and watercourses is met
- NSECC approval required for septic system

Access of emergency vehicles (Conditional)

- Main two-way traffic access road (9m) proposed with cul-de-sac
- Lack of clear access to proposed industrial building and fire lanes - can be conditional

Stormwater management (Conditional)

- Stormwater management plan submitted
- NSECC indicated that drainage patterns will be altered, and stormwater will impact some wetland areas.
- Stormwater must be diverted away from the existing wetlands, and the impacts on the wetlands from the stormwater plan are unknown.
- A stormwater management plan that is accepted by the Municipal Engineer can be conditional



Policy Evaluation

Grading and Erosion Control (Conditional)

- Erosion and sedimentation controls recommended by NSECC
- No erosion control plan submitted - can be conditional

Phasing (Conditional)

- Phasing plan not yet determined

Project Timeframe (Conditional)

- Project timeframe not yet determined



Policy Evaluation

Environmental Impact

Wetlands and watercourses (Conditional)

- Some proposed structures, parking areas, and stormwater management areas are located near or directly on portions of the wetland areas.
- NSECC requires a Wetland Assessment– must include mitigation measures and measures to restore wetlands if functions become impaired.
- NSECC approval required for any wetland or watercourse alteration
- No municipal setback/buffer requirements to be met

Species at Risk (Conditional)

- 2 Black Ash trees observed on-site



Public Input

A Public Information Session was held on November 19, 2025, at the Wileville Fire Hall.

Twenty (20) residents attended.

Roads and Traffic

- Concerns regarding the potential for increased traffic volume on Upper Branch Road
- Proximity of the proposed access road to Enterprise Drive
- Questions about including additional access roads to mitigate traffic issues
- Proximity of the one-way emergency access road (Levi Hebb Rd.) to the main access road
 - Concerns about efficient evacuation for residents living on Levi Hebb Rd.
- Width of proposed access road and turning space



Public Input

Light Industrial/Commercial Facility

- Unknown nature of the use and the potential impact on nearby residents and access road
- Comments on limiting or prohibiting certain types of industrial uses

Environment

- Deforestation, habitat loss, and wetland drainage
- Question about remediation plan post development

Water Drainage and Flooding

- Concerns that existing flooding issues in area could be intensified/increased
- It was noted that one of the existing wetlands drains directly across proposed access road
- Potential for existing water drainage issues to be improved if site is properly designed



Public Input

Adjacent Properties

- Request to maintain existing property access, curb cut, and maximum buffer
- Concerns about proposed future Right of Way (ROW)

Housing

- Positive feedback on increasing housing supply
- Questions about affordability/supporting housing for seniors



Recommendation

That the Planning Advisory Committee recommend that Municipal Council approve the proposed Development Agreement for a cluster development at 475 Upper Branch Road (PID 60303724 and PID 60303781) subject to the Development Agreement conditions as identified in the staff report.



Development Agreement Process

1. Municipality receives development application
2. Staff Review
3. Public Information Session – November 19, 2025
4. Staff provides feedback from Info Session to Planning Advisory Committee (PAC)
5. **Planning Advisory Committee meeting – December 11, 2025**
 - **PAC makes recommendation to Council**
5. Council reviews PAC recommendation and provides direction to enter or not to enter into DA
6. Public Hearing
7. Council Decision: approves or refuses
8. 14-day appeal period - If no appeals, application is approved



Thank You
Questions?

