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Shelburne Council reinstates draft approvals for Main Street East development, defers wastewater servicing allocations

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Shelburne council has reinstated the expired draft plan approvals for a proposed residential development at 600 Main Street East, giving the project until April 2, 2028, to advance toward final approval.

The property, located on the north side of Main Street East, is already pre-serviced for a development consisting of 58 townhouse dwellings, along with private roads, a parkette, open space, a stormwater management facility and other related infrastructure.

The development has a long planning history. Draft plans for the subdivision were originally approved in 2018, with council granting several extensions over the years since.

Most of the requirements for final approval had been completed by 2025, and council had delegated final approval to the town clerk, subject to the owner providing the remaining outstanding information and clearances.

Those conditions were ultimately not completed, and the approvals lapsed on April 2, 2025. The property subsequently entered receivership. The receiver asked council to revive the approvals and provide another three years to find a purchaser and move the development toward construction.

The Planning Act allows council to reinstate a lapsed draft plan approval once, provided certain requirements are met.

The town's report found the requirements had been satisfied, including that fewer than five years had passed since the approvals expired and that they had never previously been reinstated under the applicable legislation. The receiver also provided a sworn declaration confirming that there were no agreements for the sale of land based on the approved draft plan.

Town staff supported reinstating the approvals, noting that underground services and roads have already been completed, although the roads have not yet received preliminary acceptance.

Engineering and landscape designs have also been completed and approved. Staff said the development could contribute to the town's housing needs and includes a planned trail connection and creek crossing linking Main Street with Greenwood Park.

However, the council did not restore the project's wastewater servicing allocation.

The receiver had requested that servicing capacity be reallocated to the property to make it more attractive to potential purchasers. That request could not be granted because the town currently has no unallocated wastewater capacity available for new development.

Council previously determined that new servicing allocations would have to be tied to the completion of planned upgrades to the Wastewater Pollution Control Plant.

The town's engineer has determined that additional development approvals must be coordinated with those upgrades.

Council instead deferred the servicing allocation until the receiver provides a detailed development timeline and enters into a subdivision agreement that aligns the project's timing with the wastewater plant upgrades.

The town engineer must also confirm that sufficient servicing capacity will be available when the development requires it.

The reinstatement gives the receiver and any future purchaser until April 2, 2028 to satisfy the remaining conditions and obtain final approval. If the plans lapse again after that date, they cannot be reinstated a second time, and the owner would have to apply for new draft plan approvals.