



West Hants
something inspiring awaits

**WEST HANTS REGIONAL MUNICIPALITY
Planning and Heritage Advisory Committee (PAC/HAC) Agenda
November 10, 2022 – 6:00pm
Sandford Council Chambers**

**NOTE: PUBLIC INFORMATION MEETINGS (PIMs) WILL BE HELD AT 6:00 PM.
PAC/HAC will begin immediately following the close of the PIMs**

- 1.0 Call to Order, Introductions and Attendance**
- 2.0 Election of Chair and Vice Chair**
- 3.0 Announcements**
- 4.0 Approval of Agenda and Additions**
- 5.0 Declaration of Conflict of Interest**
- 6.0 Approval of Minutes**
- 7.0 Business Arising from PIMs**
 - 7.1 File # 22-24 Rezoning: Bog Road, Hants Border (PIDs 45366473, 45366481, 45366499, 45366507, 45366515) (Alex Dunphy)
 - 7.2 File # 22-22 Development Agreement: Highway 215, Cheverie (PID 45178944) (Alex Dunphy)
- 8.0 PAC/HAC Introduction and Recap**
- 9.0 Business Arising from the Minutes**
 - 9.1 Update: File # 21-15 65 Fort Edward St., Windsor (Alex Dunphy)
 - 9.2 Update: File # 22-04 PID 45038361, 4245 Hwy 14: WHLUB Amendment (Alex Dunphy)
 - 9.3 Update: File # 22-19 PID 45026010: 697 Greenhill Road, Greenhill: WHLUB Map Amendment (Alex Dunphy)
 - 9.4 Update: File # 21-10 Development Agreement, Community Way, Windsor, PID 45055167, 45364775, 45421146 (Sara Poirier)

- 9.5 Update: File # 22-12 Hantsport; 22-13 West Hants; 22-14 Windsor, MPS and LUB Amendments: Secondary Suites in Accessory Buildings (Sara Poirier)
- 9.6 Update: File # 22-17 WHLUB Amendments: Wentworth Road PID 45190386 and Cole Drive PID 45366457 (Sara Poirier)
- 9.7 File # 22-10 Development Agreement: 4701 Hwy 1, Three Mile Plains (Sara Poirier)
- 9.8 Update: Heritage Plaques (Madelyn LeMay)
- 9.9 Update: Heritage Grant Request: Kempt Shore Church; 5659 Hwy 215 (Madelyn LeMay)
- 9.10 Update: File # 22-06 Hantsport; 22-07 West Hants; 22-08 Windsor, MPS and LUB Amendments: Small Options Housing (Madelyn LeMay)
- 9.11 Update: File # 22-16 WHLUB Housekeeping Amendments (Madelyn LeMay)

10.0 Building and Development Activity Reports (October)

11.0 New Business

- 11.1 MCCAP Recommendations to PAC/HAC: Coastal Protection Act (Alex Dunphy) (Note: the reports and recommendations to MCCAP are attached and will be considered by MCCAP on November 9, 2022; recommendations from MCCAP will be made at that meeting and brought to PAC/HAC on November 10 for consideration)
- 11.2 Update: File #22-05/22-11 Cole Drive West Hants and Windsor MPS and LUB Amendments (Alex Dunphy)
- 11.3 Update: File #22-21 394 Greenhill Road, Greenhill Development Agreement (Alex Dunphy)
- 11.4 Plan Review: Windsor What we Heard Report (Sara Poirier)

12.0 Notices from Adjacent Municipal Units

13.0 Questions and Comments from the Public

14.0 Next Meeting Date (December 8) / Adjournment



PLANNING & DEVELOPMENT SERVICES

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ACTIVITY REPORT

For Month of October 10/31/2022

Type	Oct 2021			Oct 2022		
	Permits	Units	Value of Construction	Permits	Units	Value of Construction
Single Unit	20	8	3,030,869	22	11	4,944,356
Duplex/Semi	6	10	1,505,000	0	0	0
Apartments	0	0	0	1	0	100,000
Other Residential	12	0	463,900	12	0	390,750
Commercial	5	1	255,000	2	0	60,000
Industrial	0	0	0	0	0	0
Inst & Gov	0	0	0	1	0	11,000
Agriculture	0	0	0	0	0	0
Other	0	0	0	1	0	8,000
Total	43	19	5,254,769	39	11	5,514,106
Year To Date	428	115	43,147,851	446	162	51,864,444
Demolition	3	0		1	0	
Sign Permits	0			0		
Sub Applications	1	0 (Lots Requested)		7	29 (Lots Requested)	



WEST HANTS REGIONAL MUNICIPALITY REPORT

Information <input type="checkbox"/>	Recommendation <input checked="" type="checkbox"/>	Decision Request <input type="checkbox"/>	Councillor Activity <input type="checkbox"/>
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To: Members of Planning and Heritage Advisory Committee (PAC/HAC)

Submitted by: _____
 Alex Dunphy, Planner

Date: November 10th, 2022

Subject: West Hants MPS and LUB Amendments: PID 45366432 Cole Drive, Garlands Crossing/Windsor; File #22-11

LEGISLATIVE AUTHORITY

Municipal Government Act Sections 205 & 210

RECOMMENDATION

To allow the requested amendment, staff recommends that the PAC/HAC forward a positive recommendation by passing the following motion:

... that PAC/HAC recommends that Council give First Reading and hold a Public Hearing to consider amending the Generalized Future Land Use Map of the West Hants Municipal Planning Strategy to include PIDs 45366432 and 45366457 in the Three Mile Plains Growth Centre and the Residential designation, as well as amending the zoning map of the West Hants Land Use By-law to include PIDs 45366432 in the Multiple Unit Residential (R-3) zone.

BACKGROUND

Property X	Public Opinion <input type="checkbox"/>	Environment <input type="checkbox"/>	Social <input type="checkbox"/>	Economic <input type="checkbox"/>	Councillor Activity <input type="checkbox"/>
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A completed application was received from Darren Shupe of Brighter Community Planning on behalf of the property owner, Mainland South Investments, on June 15th, 2022 to request two 4-storey, mixed-use apartment buildings containing a total of 84 dwelling units at PID 45366432 Cole Drive, Windsor.

PAC/HAC History

During the July 14th PAC/HAC meeting, staff presented an information report on the application for two 4-storey, mixed-use apartment buildings to be developed on Cole Drive. The Committee discussed this report and determined that more information was required, requesting staff to provide an inventory of available industrial and residential lands.

During the August 16th PAC/HAC meeting staff returned with a report with additional information and land inventory maps. The Committee determined that allowing residential uses on the property would not affect the ability of nearby industrial lands to be developed. The Committee recommended holding a Public Information Meeting for the application.

Surrounding Context

The Windsor portion of the subject lot is directly abutting other lands that are designated Joint Industrial and zoned Light Industrial Type Three (LI-3). Nearby, on the south side of Cole Drive are lands designated Residential and zoned Agriculture (AG). Existing uses in this area of the Joint Industrial designation include a grocery store which directly abuts the subject lot, as well as fast food restaurants and a gas station nearer to the intersection of Cole Drive and Wentworth Road. The 101 Highway also directly abuts the subject lot. The Residentially designated land located on the south side of Cole Drive is currently an open field.

The West Hants portion of the subject lot is directly abutting other lands that are designated Joint Industrial Park and zoned Joint Industrial Type Three (LI-3) and is nearby other lands that are designated Residential and zoned Agricultural Priority Three (AR-3). There is an office building which is currently not in use directly abutting the subject lot. Further along Cole Drive in the Joint Industrial Park designation is a hotel and a vacant lot. Highway 101 also directly abuts the subject lot. The Residentially designated land located on the south side of Cole Drive is currently an open field.

DISCUSSION

The subject lot is partially within the jurisdiction of the Windsor Municipal Planning Strategy and partially within the jurisdiction of the West Hants Municipal Planning Strategy. Due to the subject lot being split between the two planning areas, staff, the Planning and Heritage Advisory Committee, and Council must consider the planning documents for both Windsor and West Hants for any potential development on the property.

The subject lot is currently designated Joint Industrial Park on the Generalized Future Land Use Map (GFLUM) of the Windsor and West Hants Municipal Planning Strategies (MPS). This designation is a special joint effort between the former Town of Windsor and former Municipality of West Hants to create an industrially focused area close to Highway 101 on the border of the two jurisdictions. The Joint Industrial Park designation is intended to mirror policies and zoning regulations in each document for all lots within it. The subject lot is zoned Joint Industrial Type Three (LI-3) on Schedule A of the West Hants Land Use By-law and zoned Light Industrial Type Three (LI-3) on Schedule A of the Windsor LUB.

Municipal Planning Strategy Document Review

Policy 16.1.1 allows Council to review and make amendments to the West Hants Municipal Planning Strategy or the Generalized Future Land Use Map. Amendments may be considered when the Generalized Future Land Use Map is required to be changed, in order to bring the Strategy in line with the Statements of Provincial Interest, or when Council deems it necessary because of a change in policy intentions or the development environment. In this circumstance, the proposed amendments align with the Statements of Provincial Interest Regarding Housing and Infrastructure. The proposed amendment also seeks to match the pattern of development in the area surrounding Cole Drive.

Policy 16.3.1 establishes the general criteria that all amendments to the West Hants Land Use By-law must meet. The full list of criteria is included with this report in Attachment A. In summary, the proposal meets the criteria as:

- the proposal is not considered premature or inappropriate for the area;
- no municipal costs related to the proposal are anticipated; and
- the Fire Chief, Development Officer, Manager of Building and Fire Inspection Services, Municipal Project Engineer, and Municipal Traffic Authority have no concerns.

Policy 5.1.6 provides Council with an opportunity to consider expanding the boundaries of the Growth Centres. The full list of criteria is included with this report in Attachment A. In summary, the proposal meets the criteria as:

- the expansion is necessary to accommodate proposed serviced development;
- the subject lot's location is well suited for the proposed development; and
- the subject lot already has access to municipal services.

Policy 5.3.7 establishes the criteria to consider rezoning land within the Three Mile Plains Growth Centre to the Multiple Unit Residential (R-3) zone. The full list of criteria is included with this report in Attachment A. In summary, the proposal meets the criteria as:

- Cole Drive is identified as a Collector Street on the Future Streets Map (Figure 5) within the West Hants Subdivision By-law;
- the Development Officer, Municipal Project Engineer, and Municipal Traffic Authority have no concerns.

Nova Scotia Statements of Provincial Interest

The Statement of Provincial Interest Regarding Housing seeks to provide a wide range of housing types and opportunities to meet the needs of all Nova Scotians. The proposed development aligns with this interest as introducing a mixed-use apartment building to this area would enable a higher density of residential units to be provided for the community in an area with existing amenities.

The Statement of Provincial Interest Regarding Infrastructure seeks to make efficient use of existing municipal water supply and wastewater disposal systems. The proposed development aligns with this interest as the subject lot is currently vacant and enabling infill development would allow for effective use of existing municipal services.

NEXT STEPS

Discussion by PAC/HAC will be incorporated into the report and presentation to Council.

FINANCIAL IMPLICATIONS

There are no financial implications to the Municipality with regard to the filing of this report.

ALTERNATIVES

The Planning and Heritage Advisory Committee (PAC/HAC) may:

- provide alternative direction, such as requesting further information on a specific topic.

ATTACHMENTS

Figure 1	GFLUM Extract: Current Designation
Figure 2	GFLUM Extract: Proposed Designation
Figure 3	Zoning Map Extract: Existing Zoning
Figure 4	Zoning Map Extract: Proposed Zoning
Figure 5	West Hants Future Street Conceptual Plan
Attachment A	Policy Summary of West Hants MPS and LUB Amendments
Attachment B	File 22-05B - West Hants and Windsor MPS and LUB Amendments: Cole Drive, Garlands Crossing/Windsor - Information Report
Attachment C	Public Information Meeting Notes

Report Prepared by: _____

Alex Dunphy, Planner

Report Approved by: _____

Madelyn LeMay, Director of Planning and Development

Figure 1 – GFLUM Extract: Current Designation

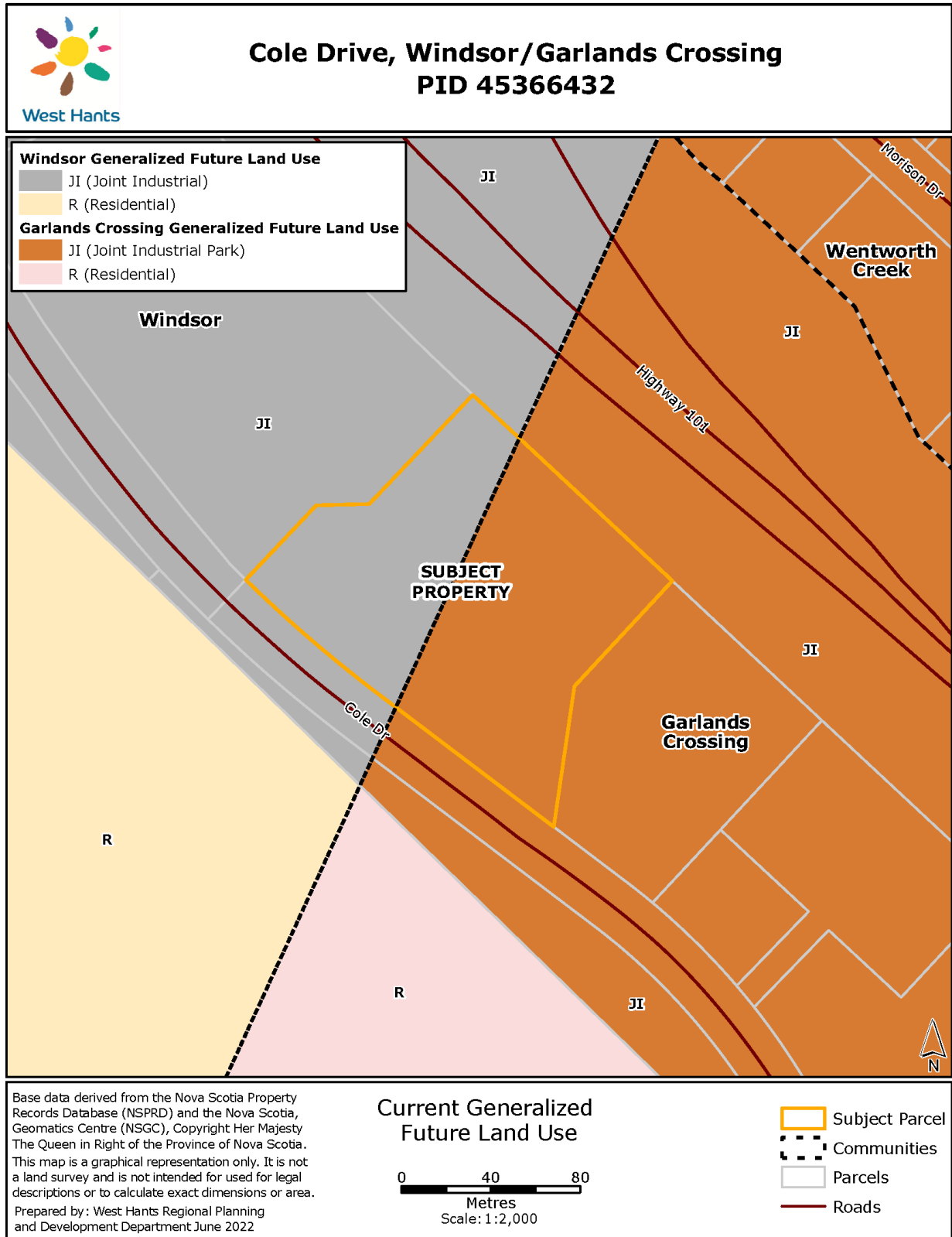


Figure 2 – GFLUM Extract: Proposed Designation

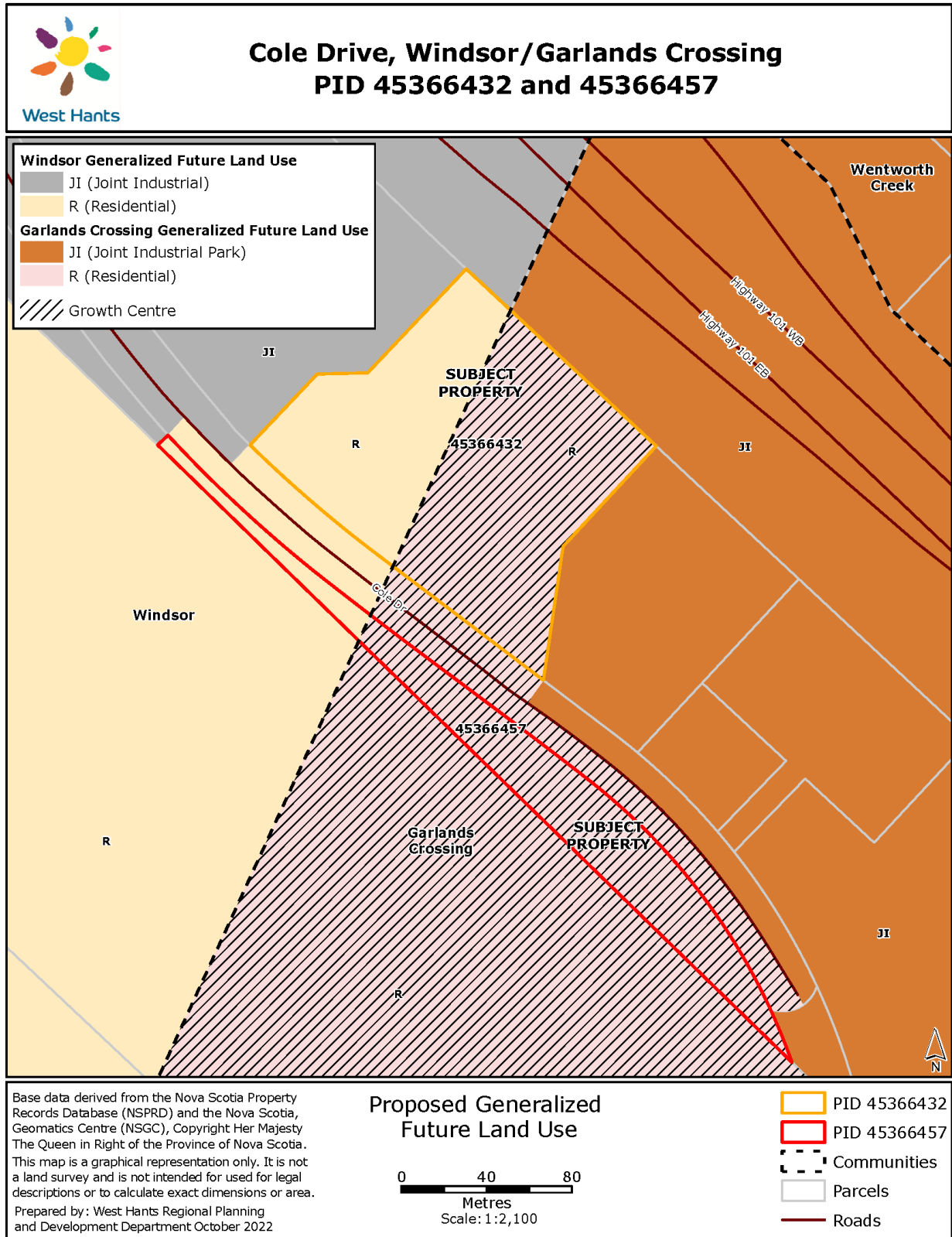


Figure 3 – Zoning Map Extract: Existing Zoning

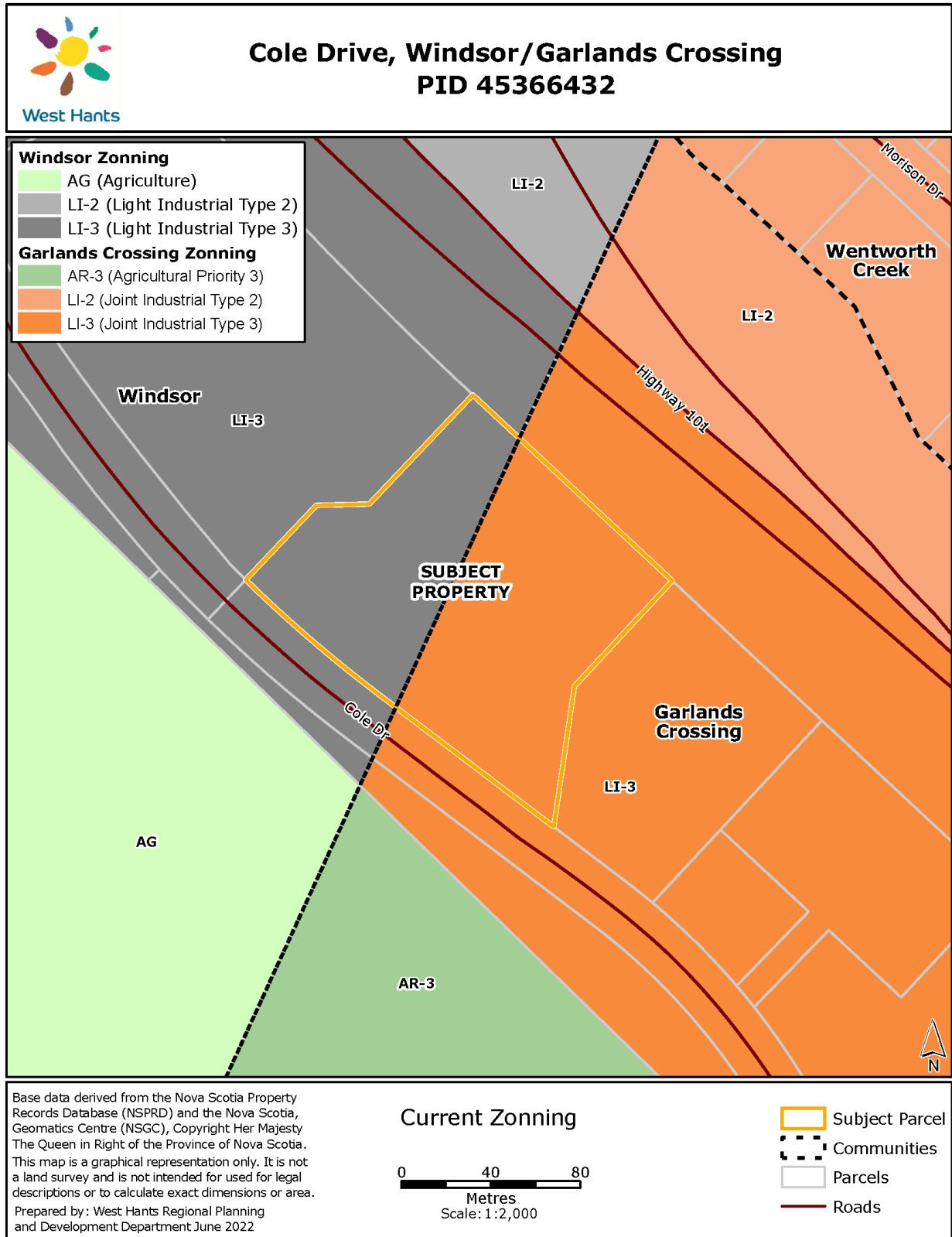


Figure 4 – Zoning Map Extract: Proposed Zoning

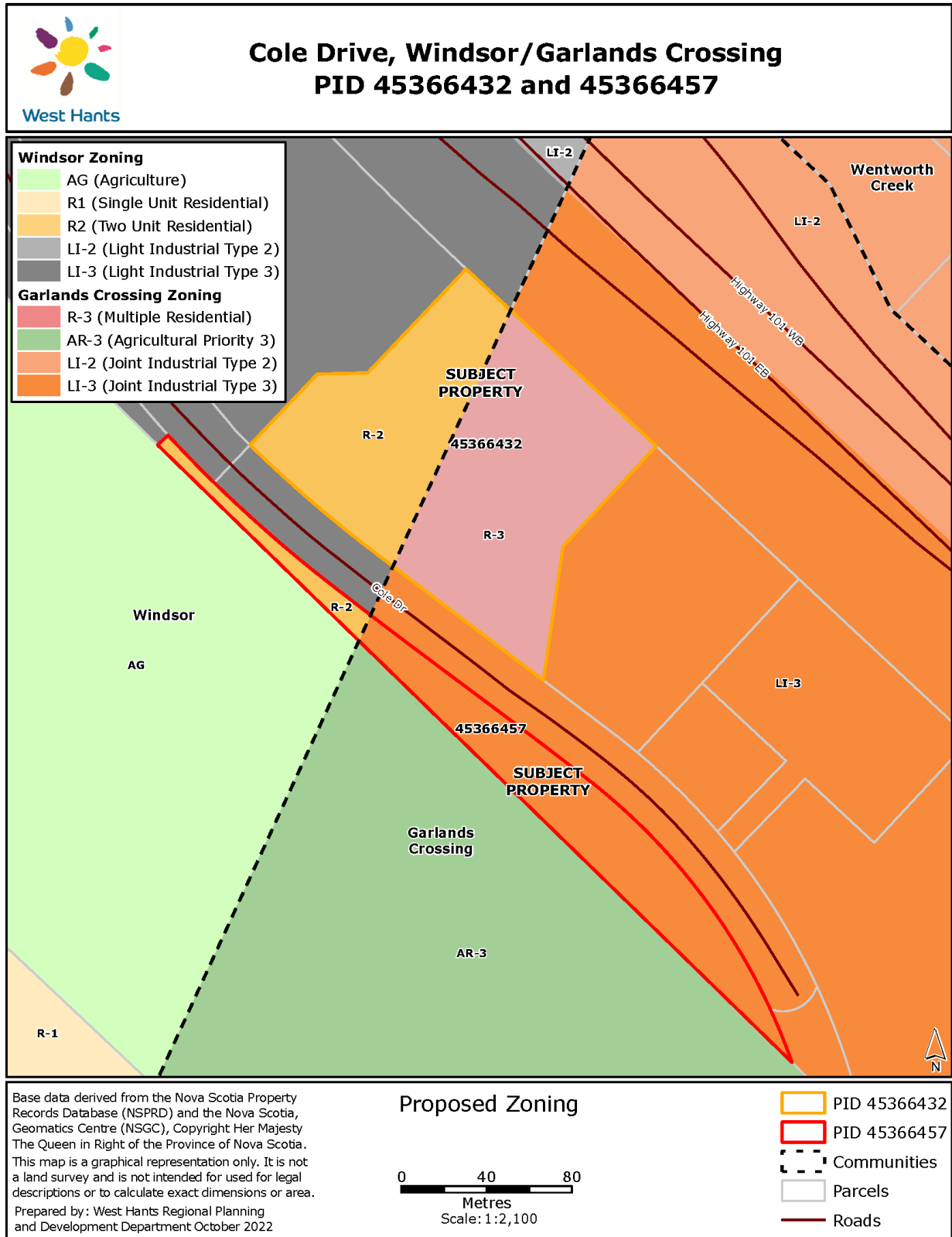
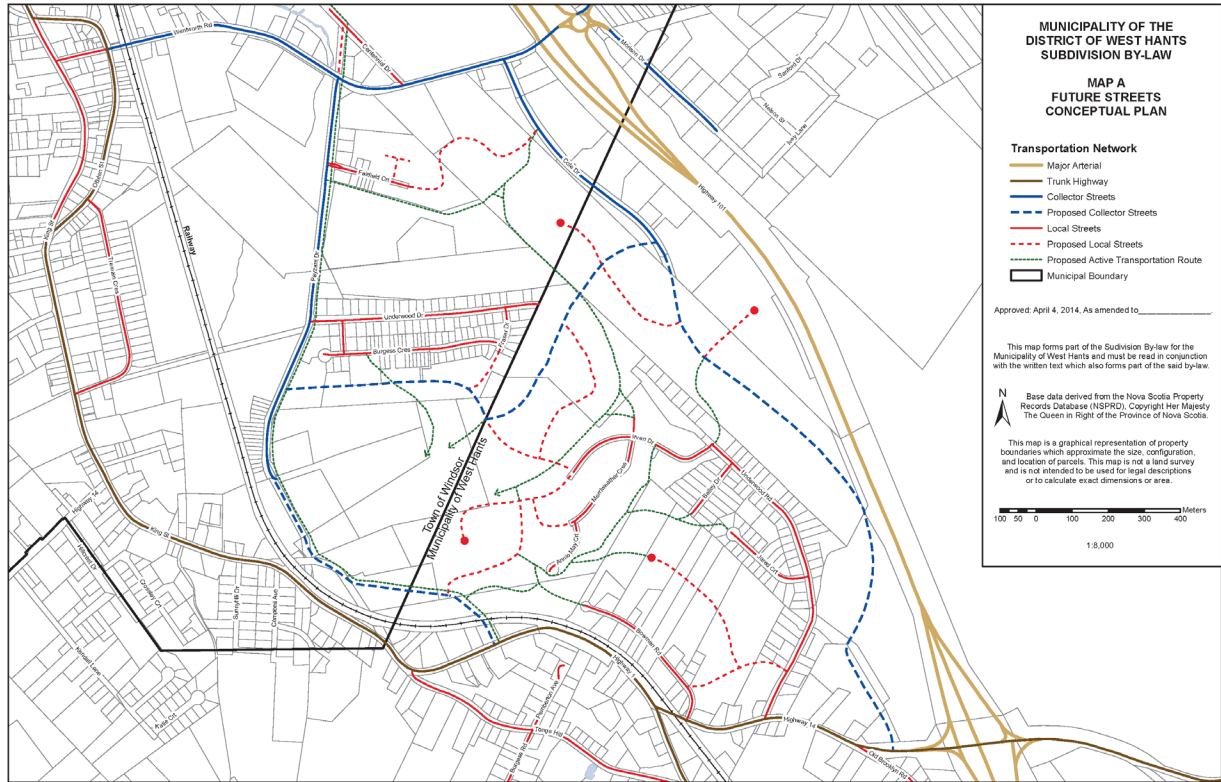


Figure 5 – West Hants Future Street Conceptual Plan



Attachment A – Policy Summary for Amendments to Municipal Planning Strategy and Land Use By-law

<p>Policy 16.1.1 <i>It shall be the policy of Council to review and make amendments to this Strategy:</i></p>	
<p>(a) <i>when there is a requirement to change the Generalized Future Land Use Map (Map 1);</i></p>	<p>The GFLUM will be updated if Council approves the redesignation.</p>
<p>(b) <i>to bring the Strategy in line with Provincial Statements of Interest; or</i></p>	<p>The redesignation would address the Statements of Provincial Interest with regard to housing and infrastructure.</p>
<p>(c) <i>when Council deems it necessary because of a change in policy intentions or the development environment.</i></p>	<p>Although the area surrounding Cole Drive is considered the Joint Industrial Park, much of the existing and proposed development in the area would not be classified as ‘industrial uses’. The development environment appears to be moving towards a mix of business park and residential uses.</p>

<p>Policy 16.3.1 <i>In considering development agreements and amendments to the West Hants Land Use By-law, in addition to the criteria set out in various policies of this Strategy, Council shall consider:</i></p>	
<p>(a) <i>whether the proposal is considered premature or inappropriate in terms of:</i></p>	
<p>(i) <i>the adequacy of sewer and water services;</i></p>	<p>The Public Works Department had no concerns with regard to the adequacy of municipal water and sewer services.</p>
<p>(ii) <i>the adequacy of school facilities;</i></p>	<p>No impact on school facilities is anticipated.</p>
<p>(iii) <i>the adequacy of fire protection;</i></p>	<p>The local Fire Chief and Manager of Building and Fire Inspection Services have stated that there is adequate fire protection for the building and proposed amendments.</p>
<p>(iv) <i>the adequacy of road networks adjacent to, or leading to the development; and</i></p>	<p>The Traffic Authority commented that there were no concerns regarding the road network.</p>
<p>(v) <i>the financial capacity of the Municipality to absorb any costs relating to the development.</i></p>	<p>There are no anticipated costs to the Municipality regarding this development.</p>

<i>(b) whether the development is serviced, or capable of being serviced, by a potable water supply and either central sewer or an approved on-site sewage disposal system;</i>	The Public Works Department confirmed that the subject lot has access to municipal water and sewer services.
<i>(c) the suitability with any aspect relative to the movement of auto, rail and pedestrian traffic;</i>	The Traffic Authority commented that the subject lot is considered to have safe roadway access to Cole Drive and has no further concerns.
<i>(d) the adequacy of the dimensions and shape of the lot for the intended use;</i>	The Development Officer commented that there were no concerns with the dimensions and shape of the lot for the proposed amendments.
<i>(e) the pattern of development which the proposal might create;</i>	The proposal is in line with the pattern of development as other applications for properties abutting or nearby to Cole Drive to permit residential development are being considered. The Development Officer has no concerns regarding the pattern of the development.
<i>(f) the suitability of the area in terms of steepness of grade, soil and geological conditions, location of water courses, marshes or bogs and susceptibility of flooding;</i>	The site appears to be at a higher elevation in comparison to buildings nearer to Wentworth Road. No concerns were recorded during the site visit.
<i>(g) whether the proposal meets the requirements of the appropriate provincial or federal agencies as well as whether it conforms to all other relevant municipal by-laws and regulations; and</i>	All Municipal, Provincial, and Federal regulations will have to be met.
<i>(h) any other matter required by relevant policies of this Strategy.</i>	All relevant matters have been addressed in this report.

Policy 5.1.6

It shall be the policy of Council to consider expanding the boundaries of the Growth Centres subject to the following criteria:

<i>(a) the expansion is necessary to accommodate proposed serviced development;</i>	The expansion of the Growth Centre will provide the opportunity for serviced development on the subject lot.
<i>(b) it is clearly demonstrated that existing serviceable land within the Growth Centre is unsuitable or unavailable for the development;</i>	The subject lot is located nearby existing amenities and services and the proposed infill development would benefit from the subject lot's location.

<i>(c) the expanded area is capable of being serviced by both municipal water and sewer services; and</i>	The subject lot currently has access to both municipal water and sewer services.
<i>(d) the Municipality is financially capable of providing the necessary services.</i>	No financial implications with regard to servicing are anticipated from this proposal.
<p>Policy 5.3.7 <i>It shall be the policy of Council to consider rezoning land within the Three Mile Plains Growth Centre to R-3 subject to the following:</i></p>	
<i>(a) the development has frontage on an arterial or collector street designated on the Transportation Map (Map 2) if it consists of 12 or more units;</i>	Cole Drive is shown as a local road on the Transportation Map of the West Hants Municipal Planning Strategy. Even though Cole Drive is within an area designated Joint Industrial Park and was constructed with a sidewalk on one side of the street, it is most likely classified as a local road due to it being a dead-end street with no current connections elsewhere. The Future Streets Map (Figure 5) attached to the West Hants Subdivision By-law identifies Cole Drive as a collector street by way of connecting to Edward Drive. Due to this classification and the Traffic Authority having no concerns, this criterion is considered met.
<i>(b) the lot is serviced, or is capable of being serviced, with municipal water and sewer; (Amendment WHMPS 14-01 Effective January 22, 2015)</i>	The Public Works Department confirmed that the subject lot has access to municipal water and sewer services.
<i>(c) the development is compatible with the character of the area with respect to building scale and design, traffic generation, population density and similar matters;</i>	The proposal is of a similar scale and design to the surrounding existing uses. There are no concerns regarding traffic generation or density.
<i>(d) existing and proposed streets are adequate to support the development and existing streets will not require major infrastructure improvements as a result of the development; a traffic impact study may be required in accordance with Section 14.6 of this Strategy;</i>	The Traffic Authority commented that there were no concerns regarding the adequacy of the existing streets.
<i>(e) adequate open space or recreational space is provided;</i>	The subject lot is an appropriate size to accommodate the proposed amendments. There are no concerns regarding the adequacy of open space or recreational space.

<i>(f) adequate on-site parking is provided;</i>	The subject lot is an appropriate size to accommodate the proposed amendments. There are no concerns regarding the adequacy of on-site parking.
<i>(g) any other matter which may be addressed in a Land Use By-law; and</i>	All relevant matters have been addressed in this report.
<i>(h) Policy 16.3.1.</i>	See Policy 16.3.1.

**Attachment B - File 22-05B - West Hants and Windsor MPS and LUB Amendments: Cole Drive,
Garlands Crossing/Windsor - Information Report**



WEST HANTS REGIONAL MUNICIPALITY REPORT

Information <input checked="" type="checkbox"/>	Recommendation <input type="checkbox"/>	Decision Request <input type="checkbox"/>	Councillor Activity <input type="checkbox"/>
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To: Members of Planning and Heritage Advisory Committee (PAC/HAC)

Submitted by: _____
Alex Dunphy, Planner

Date: September 8th, 2022

Subject: West Hants and Windsor MPS and LUB Amendments: Cole Drive, Garlands Crossing/Windsor

LEGISLATIVE AUTHORITY

Municipal Government Act Section 205 & 219 (2)

BACKGROUND

Property <input checked="" type="checkbox"/>	Public Opinion <input type="checkbox"/>	Environment <input type="checkbox"/>	Social <input type="checkbox"/>	Economic <input type="checkbox"/>	Councillor Activity <input type="checkbox"/>
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A completed application was received from Darren Shupe of Brighter Community Planning on behalf of the property owner, Mainland South Investments, on June 15th, 2022 to request two 4-storey, mixed-use apartment buildings containing a total of 84 dwelling units on Cole Drive, Garlands Crossing (PID 45366432) be considered through:

- (i) amendments to the West Hants Municipal Planning Strategy to allow a change in zoning to the General Commercial (GC) zone within the Joint Industrial Park designation;
- (ii) amendments to the West Hants Land Use By-law zoning map to change the zoning for the West Hants portion of the lot from Joint Industrial Type Three (LI-3) to the General Commercial (GC) zone as enabled through the new policy created above;
- (iii) amendments to the Windsor Land Use By-law zoning map to change the zoning for the Windsor portion of the lot from Light Industrial Type Three (LI-3) to the General Commercial (GC) zone as enabled through Policy 8.3.2; and

- (iv) amendments to the West Hants and Windsor Land Use By-law to increase the maximum height of the main building to 45 ft. (13.7 m.) and increase the total allowable residential floor area of the main building to 75% in the Joint Industrial Park designation.

DISCUSSION

The subject lot is partially within the jurisdiction of the Windsor Municipal Planning Strategy and partially within the jurisdiction of the West Hants Municipal Planning Strategy. Due to the subject lot being split between the two planning areas, staff, the Planning and Heritage Advisory Committee, and Council must consider the planning documents for both Windsor and West Hants for any potential development on the property.

The subject lot is currently designated Joint Industrial Park on the Generalized Future Land Use Map (GFLUM) of the Windsor and West Hants Municipal Planning Strategies (MPS). This designation is a special joint effort between the former Town of Windsor and former Municipality of West Hants to create an industrially focused area close to Highway 101 on the border of the two jurisdictions. The Joint Industrial Park designation is intended to mirror policies and zoning regulations in each document for all lots within it. The subject lot is zoned Joint Industrial Type Three (LI-3) on Schedule A of the West Hants Land Use By-law and zoned Light Industrial Type Three (LI-3) on Schedule A of the Windsor LUB.

Surrounding Context

The Windsor portion of the subject lot is directly abutting other lands that are designated Joint Industrial and zoned Light Industrial Type Three (LI-3). Nearby, on the south side of Cole Drive are lands designated Residential and zoned Agriculture (AG). Existing uses in this area of the Joint Industrial designation include a grocery store which directly abuts the subject lot, as well as fast food restaurants and a gas station nearer to the intersection of Cole Drive and Wentworth Road. The 101 Highway also directly abuts the subject lot. The Residentially designated land located on the south side of Cole Drive is currently an open field.

The West Hants portion of the subject lot is directly abutting other lands that are designated Joint Industrial Park and zoned Joint Industrial Type Three (LI-3) and is nearby other lands that are designated Residential and zoned Agricultural Priority Three (AR-3). There is an office building which is currently not in use directly abutting the subject lot. Further along Cole Drive in the Joint Industrial Park designation is a hotel and a vacant lot. Highway 101 also directly abuts the subject lot. The Residentially designated land located on the south side of Cole Drive is currently an open field.

PAC/HAC Discussion

During the July 14th PAC/HAC meeting, staff presented an information report on the application for two 4-storey, mixed-use apartment buildings to be developed on Cole Drive. Upon initial review, I had determined that there were no existing policies to allow for residential uses within the Joint Industrial Park. I had posed a number of questions to the Committee such as if the lot was suitable for a mix of residential and commercial development, if there was enough information to change the lot from potential industrial use, and if it would be reasonable to

allow an increase to maximum height and total allowable residential floor space in a mixed-use development in a Commercial zone. The Committee discussed these questions and determined that more information was required including staff providing an inventory of available industrial and residential lands.

Availability of Industrial Lands

The first request from PAC/HAC was to provide an overview of the industrial land available in WHRM.

West Hants Regional Municipality encompasses 309,672.5 acres (1253.2 sq. km.) (Census profile 2016). Based on estimates made through an analysis of all industrially zoned properties in the Region, there is an approximate total of 650.22 acres of industrial land. This corresponds to approximately 0.2% of the land area of the Region. This includes the Joint Industrial Park, Windsor Industrial Park, lots in rural areas zoned Industrial (M), Hamlet Industrial (M-2), and Resource Industrial (M-1). Of that total, 177.35 acres of industrial designated or zoned land does not currently have an assigned civic number or otherwise appears vacant when cross referencing with orthophotos and site visits (Figure 4). This equates to 27% of the Industrial land within our Region. It is important to note that it is possible that some of the properties included in this inventory may be vacant or undesirable for development due to present conditions on the property.

Based on the WHRM Industrial mapping (Figure 2), there are distinct clusters of industrial land in Hantsport, Windsor, and Falmouth. There is also a number of industrial lots spread out located along Highway 101, as well as some sparsely located along Highway 215. Industrially zoned land with no civic address assigned appears to be vacant and available throughout the Region as a whole. There appears to be a number of lots available in Hantsport, Falmouth, and the Joint Industrial Park. Certain properties in the Joint Industrial Park are likely unsuitable for industrial development due to their lot shape and size. Certain properties in the Windsor Industrial Park may also be designated Dykeland, making them unsuitable for industrial development. The only other developable industrially zoned land near the subject lot is located at the end of Cole Drive and is currently vacant. It is unlikely that allowing a residential use on the subject lot would affect the ability of nearby industrial land to be developed but it may change the use of existing Industrial buildings when owners change or consider repurposing. However, permitting a change from industrial to residential will set a precedent for future applications similar to this one.

Availability of Commercial Lands in Windsor's Downtown

During the discussion by PAC/HAC there were comments on whether allowing commercial/residential development in the Industrial areas would affect the downtown area in Windsor.

To find information regarding the availability of commercial space in Windsor's downtown, I spoke with the Manager of Community Economic Development and a representative from the Windsor Township. There is no formal record kept by either the Municipality or the Township which indicates the availability of commercial space. The Manager of Community Economic Development performed a site visit and determined that there were four properties available

on Gerrish Street, two on Water Street, and one on Albert Street. The representative from Windsor Township had stated that not all of the available commercial spaces in the downtown are suitable for use. Some commercial units are in disrepair that may not be seen on the surface, while other units do not have a responsive property owner to coordinate rental agreements.

Availability of Residential Lands in Windsor

Another part of the discussion during the PAC/HAC meeting was whether there was already an abundance of residential land for mixed use development.

Looking at the residentially zoned properties in Windsor (Figure 5), there appears to be only a small number of available properties which are zoned for higher density residential development and all of them are smaller in size than the subject lot. The rest of the available residential properties would require a development agreement to accommodate higher density development. Certain properties are not zoned or designated for residential uses but allow for residential development through development agreement only (Figure 6). Of those properties, there are only a small number which are a similar size as the subject lot.

Inquiries for Industrial Lands

I sought information regarding inquiries for industrial uses to be located in the Region from the Chief Administrative Officer (CAO), the Manager of Community Economic Development, and an Economic Development Officer with the Valley Regional Enterprise Network (REN). Both the CAO and the Manager of Community Economic Development had not received many inquiries regarding new or expanding industrial uses in the previous two years. It should be noted that this may be due to the pandemic. Of the few inquiries received by the Municipality for industrial land, the only one that was actively seeking a new use was for a property located on the Hants Shore and only one business in the Industrial Park was considering expanding. Other discussions surrounding industrial lands were mainly focused on the lack of interest by certain owners to develop or sell their vacant parcels and concern with the lack of available 'shovel ready' industrial lands. Of the inquiries received by the Valley REN, most did not require or prefer industrial space for their business. There was some interest in industrial space located near Highway 101, but the proprietor was unable to find a suitable space. There were also reports that the pandemic had interrupted plans for some of these businesses.

PID 45366457

This property is included in the recommendations in this report as there is another application (File # 22-17) to consider rezoning the West Hants portion of this lot and the West Hants portion of PID 45190386, the larger lot to the west of this PID to allow residential development. The West Hants portion of PID 45366457 is being considered to be rezoned to Multiple Unit Residential (R-3) as part of that application. Although present WHMPS policies would permit the rezoning without a change in designation, it would be reasonable to consider amending the designation of this entire lot in conjunction with the application on Cole Drive to align with the intended residential use of the lot and avoid separating the proposed residential developments by a small lot within the Joint Industrial designation. PID 45366457 is highlighted in Figure 7.

NEXT STEPS

In response to this report, the PAC/HAC may:

- recommend holding a Public Information Meeting to consider:

Windsor Portion

- amending the map of the Windsor Municipal Planning Strategy to include PIDs 45366432 and 45366457 in the Residential designation and amending the map of the Windsor Land Use By-law to include PIDs 45366432 and 45366457 in the Two Unit Residential (R-2) zone; and

West Hants Portion

- amending the map of the West Hants Municipal Planning Strategy to include PIDs 45366432 and 45366457 in the Three Mile Plains Growth Centre and the Residential Designation, as well as amending the map of the West Hants Land Use By-law to include PID 45366432 in the Multiple Unit Residential (R-3) zone.

FINANCIAL IMPLICATIONS

There are no financial implications to the Municipality or residents with regard to the filing of this report.

ALTERNATIVES

The Planning and Heritage Advisory Committee (PAC/HAC) may:

- amending the text of the Windsor and West Hants Municipal Planning Strategies and Land Use By-laws to allow Council to consider mixed-use commercial and residential development by development agreement in the Joint Industrial Park designation, based on criteria established in a new policy;
- recommend Council not move forward with this application; or
- provide alternative direction such as requesting further information on a specific topic.

ATTACHMENTS

Figure 1	Subject Lot Context Map
Figure 2	West Hants Regional Municipality Industrial Zones (Without Civic Numbers Assigned)
Figure 3	Hantsport Industrial Zones (Without Civic Numbers Assigned)
Figure 4	West Hants Regional Municipality Industrial Spreadsheet
Figure 5	Windsor Residential Zones (Without Civic Numbers Assigned)
Figure 6	Windsor Residential Development Only Permitted by DA (Without Civic Numbers Assigned)
Figure 7	Additional Property in Recommendation Context Map (PID 45366457)

Report Prepared by: _____

Alex Dunphy, Planner

Report Approved by: _____

Madelyn LeMay, Director of Planning and Development

Figure 1 – Subject Lot Context Map (PID 45366432)

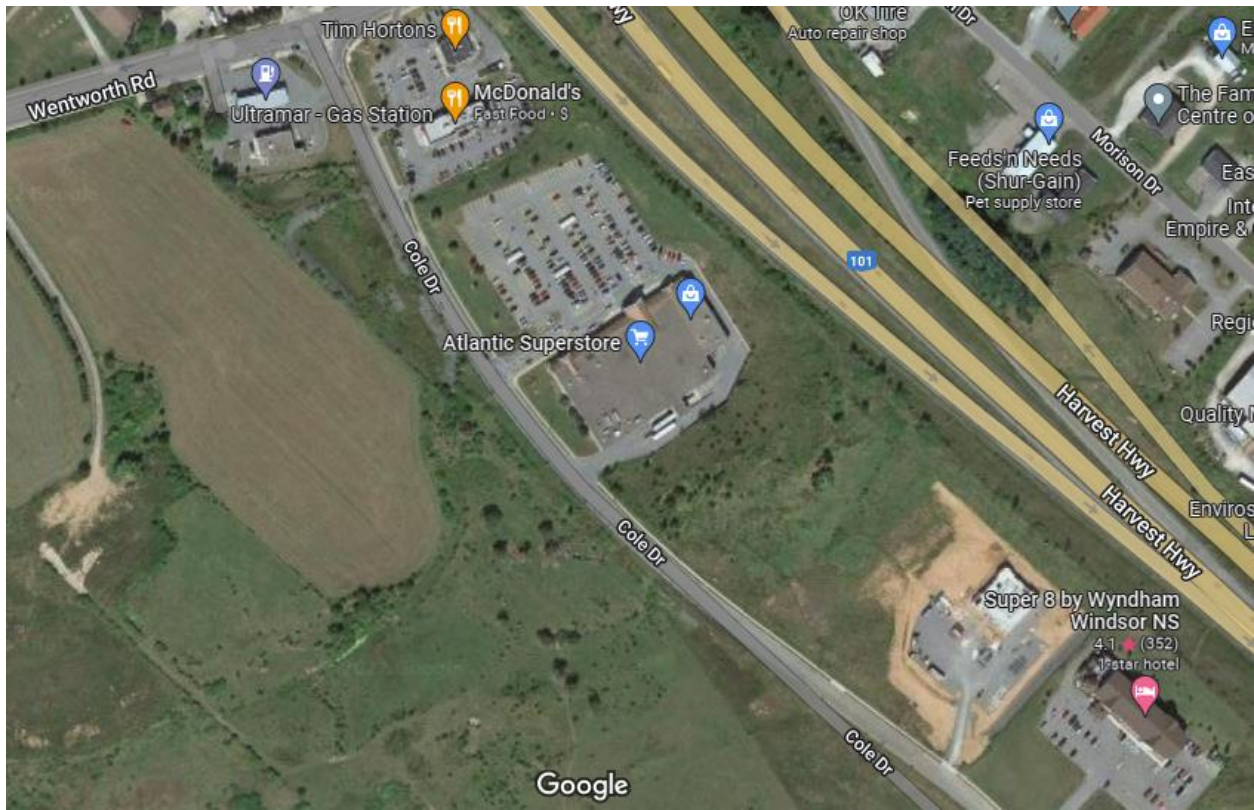


Figure 2 – West Hants Regional Municipality Industrial Zones (Without Civic Numbers Assigned)

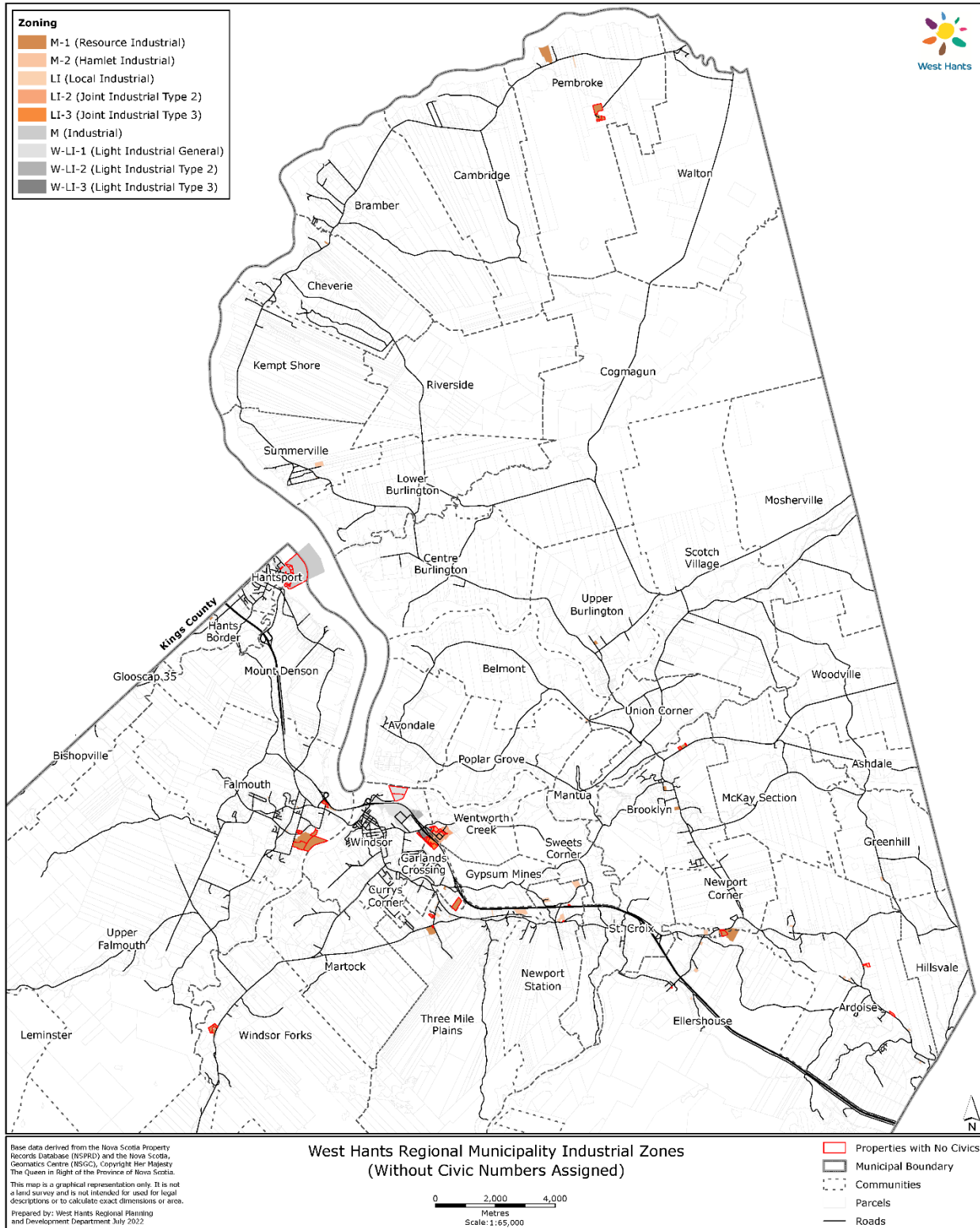
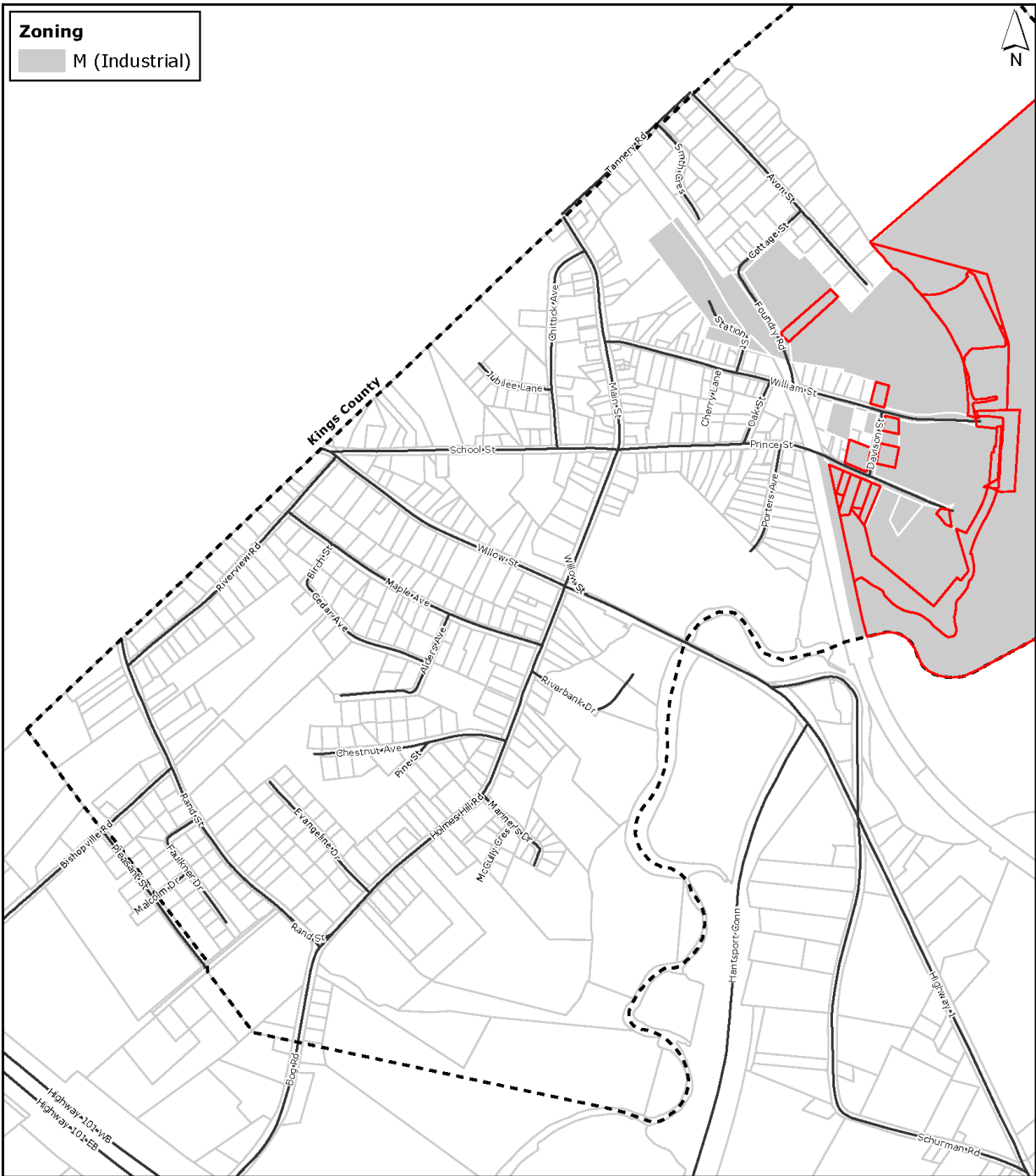


Figure 3 – Hantsport Industrial Zones (Without Civic Numbers Assigned)



Base data derived from the Nova Scotia Property Records Database (NSPRD) and the Nova Scotia, Geomatics Centre (NSGC), Copyright Her Majesty The Queen in Right of the Province of Nova Scotia. This map is a graphical representation only. It is not a land survey and is not intended for used for legal descriptions or to calculate exact dimensions or area. Prepared by: West Hants Regional Planning and Development Department July 2022

**Hantsport Industrial Zones
(Without Civic Numbers Assigned)**

0 200 400

Metres

Scale: 1:9,500

Properties with No Cives

Hantsport

Parcels

Roads

Figure 4 – West Hants Regional Municipality Industrial Spreadsheet

See attached document

PID	CIVNUMBER	STREET	ST_TYPE	CITY	LOC	ACRES	Total Industrial Land	650.22
45190378		MORISON	DR	WENTWORTH CREEK	MORISON DR	LOT EFG WENTWORTH CREEK	INDUSTRIAL	5.78
45197803		MORISON	DR	WENTWORTH CREEK	MORISON DR	LOT 12 WENTWORTH CREEK	INDUSTRIAL	0.98
45075256		NO 101	HWY	WINDSOR	NO 101 HWY	WINDSOR	LAND WAREHOUSE	19.58
45248150		SANFORD	DR	WENTWORTH CREEK	SANFORD DR	WENTWORTH CREEK	LAND INDUSTRIAL	1.51
45055548		PARK	DR	WINDSOR	PARK DR	WINDSOR	LAND SERVICE	2.68
45062205		LAGOON	DR	WINDSOR	LAGOON DR	LOT D WINDSOR	INDUSTRIAL	0.91
45062189		CENTENNIAL	DR	WINDSOR	CENTENNIAL DR	LOT E WINDSOR	INDUSTRIAL	1.21
45347150		SANFORD	DR	WENTWORTH CREEK	SANFORD DR	LOT H WENTWORTH CREEK	INDUSTRIAL	1.27
45062239		PARK	DR	WINDSOR	PARK DR	LOT B WINDSOR	INDUSTRIAL	2.34
45209053		TRECOTHIC	DR	WINDSOR	TRECOTHIC DR	LOT JL-2 WINDSOR		1.09
45209061		TRECOTHIC	DR	WINDSOR	TRECOTHIC DR	LOT JL-1 WINDSOR		1.05
45413416		IVEY	LANE	WENTWORTH CREEK	IVEY LANE	LOT 45A2 WENTWORTH CREEK	INDUSTRIAL	1.4
45055282		COLE	DR	WINDSOR	COLE DR	WINDSOR	LAND	1.83
45395514		IVEY	LANE	WENTWORTH CREEK	IVEY LANE	LOT 28A WENTWORTH CREEK	INDUSTRIAL	0.29
45055605		CENTENNIAL	DR	WINDSOR	CENTENNIAL DR	WINDSOR	LAND INDUSTRIAL	0.86
45366432		COLE	DR	WINDSOR	COLE DR	LOT 1 & 2 WINDSOR	INDUSTRIAL	4.29
45366408		COLE	DR	WINDSOR	COLE DR	WINDSOR	LAND INDUSTRIAL	0.59
45366440		COLE	DR	GARLANDS CROSSING	COLE DR	GARLANDS CROSSING	LAND INDUSTRIAL	6.72
45280088		OLD BROOKLYN	RD	THREE MILE PLAINS	OLD BROOKLYN RD	BLOCK 1CD THREE MILE PLAINS		17.84
45388907		HIGHWAY 1	HWY	THREE MILE PLAINS	HIGHWAY 1 HWY	THREE MILE PLAINS	LAND GARAGE	0.13
45003167		THREE MILE PLAINS CROSS	RD	THREE MILE PLAINS	THREE MILE PLAINS CROSS RD	LOT 1 PORT THREE MILE PLAINS		0.28
45003076		THREE MILE PLAINS CR	RD	THREE MILE PLAN	THREE MILE PLAINS CR RD	LOT 3 THREE MILE PLAN		0.34
45002847		THREE MILE PLAINS CR	RD	THREE MILE PLAINS	106 THREE MILE PLAINS CR RD	THREE MILE PLAINS	LAND	3.21
45002508		NO 1	HWY	THREE MILE PLAINS	NO 1 HWY	LOT HL-4A THREE MILE PLAINS	BUILDING	0.98
45191749								0.73
45191731								2.22
45379534								0.15
45322419								1.13
45359825								0.32
45413598								1.12
45367281		DRESSER MINERALS	RD	PEMBROKE	DRESSER MINERALS RD	PEMBROKE	LAND	18.47
45367281		DRESSER MINERALS	RD	PEMBROKE	DRESSER MINERALS RD	PEMBROKE	LAND	5.45
45044948		FOUNDRY	RD	HANTSPORT	FOUNDRY RD	HANTSPORT	LAND SPORTS PARK	4.05
45044930		FOUNDRY	RD	HANTSPORT	FOUNDRY RD	HANTSPORT	LAND	0.7
45228137		WILLIAM	ST	HANTSPORT	WILLIAM ST	PARCEL 4 HANTSPORT	SHIP REPAIR	1.38
45364080		STATION	LANE	FALMOUTH	STATION LANE	FALMOUTH	LAND	3.09
45364031		NO 101	HWY	FALMOUTH	NO 101 HWY	FALMOUTH	LAND RAILWAY	0.18
45228137		WILLIAM	ST	HANTSPORT	WILLIAM ST	PARCEL 4 HANTSPORT	SHIP REPAIR	0.39
45085909		WILLIAM	ST	HANTSPORT	WILLIAM ST	PARCEL 4 HANTSPORT	SHIP REPAIR	0.34
45043775		PRINCE	ST	HANTSPORT	PRINCE ST	HANTSPORT	LAND	0.52
45048121		PRINCE	ST	HANTSPORT	PRINCE ST	HANTSPORT	LAND	0.19
45043668		PRINCE	ST	HANTSPORT	PRINCE ST	HANTSPORT	LAND	0.18
45043676		PRINCE	ST	HANTSPORT	PRINCE ST	HANTSPORT	LAND	0.42
45043684		PRINCE	ST	HANTSPORT	PRINCE ST	HANTSPORT	LAND	0.29
45043692		PRINCE	ST	HANTSPORT	PRINCE ST	HANTSPORT	LAND	0.32
45333671		PRINCE	ST	HANTSPORT	PRINCE ST	LOT CKF1995- HANTSPORT	PULP & PAPER	6.1
45333689		PRINCE	ST	HANTSPORT	PRINCE ST	HANTSPORT	LAND	4.71
45407897		PRINCE	ST	HANTSPORT	PRINCE ST	HANTSPORT	LAND	0.07
45384302								0.15
45406030		HIGHWAY 14		WINDSOR FORKS	HIGHWAY 14	LOT B-1 WINDSOR FORKS		2.68
45282555		HIGHWAY 14		WINDSOR FORKS	HIGHWAY 14	LOT GSCP-1 WINDSOR FORKS	INDUSTRIAL	6.45
45414489		GABRIEL	RD	FALMOUTH	GABRIEL RD	LOT 1 FALMOUTH		22.15
45199510		MOUNTAIN	RD	THREE MILE PLAINS	MOUNTAIN RD	LOT JWM-1 THREE MILE PLAINS		0.62
45015187		NO 1	HWY	NEWPORT STATION	NO 1 HWY	NEWPORT STATION		0.3
45259744		MAPLE	AVE	ELLERSHOUSE	MAPLE AVE	LOT ELLERSHOUSE		0.35
45041910		NO 1	HWY	ARDOISE	NO 1 HWY	LOT 1 ARDOISE		2.77
45203874		NO 1	HWY	ELLERSHOUSE	NO 1 HWY	ELLERSHOUSE	LAND	0.72
45013372		NO 1	HWY	NEWPORT CORNER	NO 1 HWY	NEWPORT CORNER	LAND	7.73
45275344		NO 1	HWY	ARDOISE	NO 1 HWY	LOT B ARDOISE		3.75
45366010		0 WENTWORTH	RD	WINDSOR	WENTWORTH RD	WINDSOR	LAND	1.5
45190865		0 CENTENNIAL	DR	WINDSOR	CENTENNIAL DR	WINDSOR	LAND	1.29
45200623		10 IVEY	LANE	WENTWORTH CREEK	10 IVEY LANE	LOT 8A WENTWORTH CREEK	WAREHOUSE	1.05
45055514		101 INDUSTRIAL	DR	WINDSOR	101 INDUSTRIAL DR	LOT JL-3 WINDSOR	RETAIL/OFFICE	1.6
45198421		103 MORISON	DR	WENTWORTH CREEK	103 MORISON DR	LOT 14-15 WENTWORTH CREEK	TRANS TERMINAL	2.25
45293784		103 CENTENNIAL	DR	WINDSOR	103 CENTENNIAL DR	LOT Z1-A WINDSOR	WAREHOUSE	1.72
45055571		104 CENTENNIAL	DR	WINDSOR	104 CENTENNIAL DR	LOT H WINDSOR	WAREHOUSE	1.06
45230729		108 FALMOUTH BACK	RD	FALMOUTH	108 FALMOUTH BACK RD	LOT BH-4 FALMOUTH	SMALL BUSINESS	0.68
45292653		11 COLE	DR	WINDSOR	11 COLE DR	WINDSOR	LAND GROCERY STORE	6.23
45229481		11 IVEY	LANE	WENTWORTH CREEK	11 IVEY LANE	LOT 16-17 WENTWORTH CREEK	INDUSTRIAL	2.32
45062106		112 CENTENNIAL	DR	WINDSOR	112 CENTENNIAL DR	LOT G WINDSOR	SERVICE	1.07
45212552		12 BONNIE	LANE	NEWPORT STATION	12 BONNIE LANE	PARCEL A PORT NEWPORT STATION	DWELLING GARAGE	4.72
45003084		12 THREE MILE PLAINS CROSS	RD	THREE MILE PLAINS	12 THREE MILE PLAINS CROSS RD	LOT 2 THREE MILE PLAINS	DWELLING	0.34
45037173		12 STATION	LANE	FALMOUTH	12 STATION LANE	LOT B FALMOUTH	BULK STORAGE	0.6
45201621		120 MORISON	DR	WENTWORTH CREEK	120 MORISON DR	LOT 11 WENTWORTH CREEK	WAREHOUSE	1.77
45062171		120 CENTENNIAL	DR	WINDSOR	120 CENTENNIAL DR	LOT F WINDSOR	BOWLING	1.09
45055621		125 CENTENNIAL	DR	WINDSOR	125 CENTENNIAL DR	WINDSOR	LAND INDUSTRIAL	0.79
45059698		133 CENTENNIAL	DR	WINDSOR	133 CENTENNIAL DR	WINDSOR	LAND	5.35
45198439		140 MORISON	DR	WENTWORTH CREEK	140 MORISON DR	LOT 10 WENTWORTH CREEK	POLICE	2.1
45168143		140 OLD WALTON	RD	UP BURLINGTON	140 OLD WALTON RD	LOT A UP BURLINGTON	DWELLING SERVICE	3.38
45191715		144 WILLIAMS	RD	ELLERSHOUSE	144 WILLIAMS RD	LOT 2-Z ELLERSHOUSE	DWELLING GARAGE	2.54
45015179		15 OLD HALIFAX	RD	NEWPORT STATION	15 OLD HALIFAX RDE	NEWPORT STATION	LAND GARAGE	1.82
45009990		15 MAPLE	AVE	ELLERSHOUSE	15 MAPLE AVE	LOT 2 ELLERSHOUSE	DWELLING GARAGE	0.5
45075389		155 TOWN	RD	FALMOUTH	155 TOWN RD	FALMOUTH	CEMETERY BUILDING	6.29
45193190		16 NELSON	ST	WENTWORTH CREEK	16 NELSON ST	LOT 45A1 WENTWORTH CREEK	WAREHOUSE	2.63
45048196		16 STATION	ST	HANTSPORT	16 STATION ST	LOT 1 HANTSPORT		3.35
45213691		173 AYLWARD	RD	FALMOUTH	173 AYLWARD RD	FALMOUTH	LAND DWELLING BUILDING GARAGE	0.93
45060027		1736 WENTWORTH	RD	NEWPORT STATION	1736 WENTWORTH RD	NEWPORT STATION	LAND INDUSTRIAL	12.65
45008687		1879 WENTWORTH	RD	NEWPORT STATION	1879 WENTWORTH RD	LOT 1&2 NEWPORT STATION	DWELLING BUILDINGS GARAGE	1.21
45169638		1888 BELMONT	RD	BELMONT	1888 BELMONT RD	BELMONT	LAND DWELLING BUILDING	2.03
45202215		19 SANFORD	DR	WENTWORTH CREEK	19 SANFORD DR	LOT 2 WENTWORTH CREEK	TELECOM	0.83
45246329		19 BONNIE	LANE	NEWPORT STATION	19 BONNIE LANE	LOT 94-2A NEWPORT STATION	DWELLING GARAGE	3.3
45181609		197 NUNN	RD	SUMMERVILLE	197 NUNN RD	SUMMERVILLE	LAND DWELLING GARAGE	0.92
45403946		1989 WENTWORTH	RD	NEWPORT STATION	1989 WENTWORTH RD	LOT A NEWPORT STATION	DINING	8.73
45282076		199 MUSGRAVE	RD	SUMMERVILLE	199 MUSGRAVE RD	LOT X SUMMERVILLE	FORESTRY	10.73
45044252		2 DAVISON	ST	HANTSPORT	2 DAVISON ST	HANTSPORT	LAND	0.22
45274198		20 PARK	DR	WINDSOR	20 PARK DR	LOT 1A WINDSOR	INDUSTRIAL	2.95
45341716		20 IVEY	LANE	WENTWORTH CREEK	20 IVEY LANE	LOT 27A-07 WENTWORTH CREEK	RESEARCH	5.92
45056561		212 COLONIAL	RD	WINDSOR	212 COLONIAL RD	WINDSOR	LAND	17.42
45347077		232 WENTWORTH	RD	WINDSOR	232 WENTWORTH RD	LOT 5 WINDSOR	GAS STATION	1.11
45333150		24 STATION	LANE	FALMOUTH	24 STATION LANE	LOT FW-1234 FALMOUTH	WAREHOUSE	1.04
45219797		244 WENTWORTH	RD	WINDSOR	244 WENTWORTH RD	PARCEL TOW-1 WINDSOR		0.09
45356011		255 WOODVILLE	RD	GREENHILL	255 WOODVILLE RD	LOT MD-1 GREENHILL	SMALL BUSINESS	3.27
45016672		257 OLD HALIFAX	RD	THREE MILE PLAINS	257 OLD HALIFAX RD W	THREE MILE PLAINS	LAND SERVICE	14.1
45213600		26 MORISON	DR	WINDSOR	26 MORISON DR	LOT 18 WINDSOR	RETAIL/OFFICE	0.72

45030285	273 TOWN	RD	FALMOUTH	273 TOWN RD	FALMOUTH	LAND INCORP FARM	34.98	
45062213	29 PARK	DR	WINDSOR	29 PARK DR	LOT B-2 WINDSOR	SELF STORAGE	1.58	
45405917	290 TOWN	RD	FALMOUTH	290 TOWN RD	FALMOUTH	LAND INCORP FARM	1.18	
45405933	290 TOWN	RD	FALMOUTH	290 TOWN RD	FALMOUTH	LAND INCORP FARM	0.44	
45030319	290 TOWN	RD	FALMOUTH	290 TOWN RD	FALMOUTH	LAND INCORP FARM	2.22	
45055464	295 WENTWORTH	RD	WINDSOR	295 WENTWORTH RD	LOT 2 WINDSOR	TELECOM	12.47	
45062197	3 LAGOON	DR	WINDSOR	3 LAGOON DR	WINDSOR	SEWAGE/WATER TREATMENT FACILITIES	14.29	
45000387	3 BOWMAN	RD	GARLANDS CROSSING	3 BOWMAN RD	GARLANDS CROSSING	LAND WAREHOUSE	0.19	
45056447	368 NESBITT	ST	WINDSOR	368 NESBITT ST	WINDSOR	LAND RES/COM MIX	4.87	
45025624	37 BEECH BROOK	RD	ARDOISE	37 BEECH BROOK RD	ARDOISE	LAND DWELLING GARAGE	2	
45294907	37 MORISON	DR	WINDSOR	37 MORISON DR	LOT 1A WINDSOR	RETAIL/OFFICE	0.87	
45030442	380 TOWN	RD	FALMOUTH	380 TOWN RD	LOT A1 FALMOUTH	DWELLING BUILDINGS	1.04	
45406063	3891 HIGHWAY 14		WINDSOR FORKS	3891 HIGHWAY 14	LOT B-4 WINDSOR FORKS	INDUSTRIAL	4.09	
45406055	3899 HIGHWAY 14		WINDSOR FORKS	3899 HIGHWAY 14	LOT B-3 WINDSOR FORKS	INDUSTRIAL	0.93	
45406048	3901 HIGHWAY 14		WINDSOR FORKS	3901 HIGHWAY 14	LOT B-2 WINDSOR FORKS	DWELLING BUILDING	1.13	
45067923	4 IVEY	LANE	WENTWORTH CREEK	4 IVEY LANE	LOT 9 WENTWORTH CREEK	OFFICE BUILDING	1.26	
45003019	40 THREE MILE PLAINS CROSS	RD	THREE MILE PLAINS	40 THREE MILE PLAINS CROSS RD	THREE MILE PLAINS	LAND DWELLING SMALL BUSINESS	1.28	
45293743	41 MORISON	DR	WINDSOR	41 MORISON DR	LOT B WINDSOR	SERVICE	1.07	
45033958	41 BEN JACKSON	RD	HANTS BORDER	41 BEN JACKSON RD	LOT MH-2 HANTS BORDER	DWELLINGS SMALL BUSINESS	41 BEN JACKSON RD	4.37
45055555	43 TRECOTHIC	DR	WINDSOR	43 TRECOTHIC DR	LOT A WINDSOR	WAREHOUSE	1.55	
45003126	4307 HIGHWAY 1		THREE MILE PLAINS	4307 HIGHWAY 1	THREE MILE PLAINS	LAND DWELLING	0.13	
45249307	4436 HIGHWAY 1		THREE MILE PLAINS	4436 HIGHWAY 1	LOT HL-2 POR THREE MILE PLAINS	DWELLING	0.45	
45272754	45 MORISON	DR	WENTWORTH CREEK	45 MORISON DR	LOT C-1 WENTWORTH CREEK	ANIMAL CLINIC	1.92	
45059706	46 PARK	DR	WINDSOR	46 PARK DR	WINDSOR	LAND WAREHOUSE	4.77	
45044237	46 WILLIAM	ST	HANTSPOUR	46 WILLIAM ST	HANTSPOUR	LAND DWELLING	0.73	
45043759	46 PRINCE	ST	HANTSPOUR	46 PRINCE ST	HANTSPOUR	LAND	0.62	
45173382	471 DRESSER MINERALS	RD	PEMBROKE	471 DRESSER MINERALS RD	PEMBROKE	LAND MINING	7.45	
45014461	48 MORISON	DR	WENTWORTH CREEK	48 MORISON DR	LOT 15 WENTWORTH CREEK	INDUSTRIAL	1.2	
45017365	49 DUNLOP	RD	BROOKLYN	49 DUNLOP RD	LOT H-1 BROOKLYN	SERVICE	0.63	
45059714	49 CENTENNIAL	DR	WINDSOR	49 CENTENNIAL DR	LOT K WINDSOR	WAREHOUSE	1.97	
45394913	49 COLE	DR	GARLANDS CROSSING	49 COLE DR	LOT 3 GARLANDS CROSSING	OFFICE BUILDING	2.36	
45044328	49 WILLIAM	ST	HANTSPOUR	49 WILLIAM ST	HANTSPOUR	LAND	0.29	
45200631	5 SANFORD	DR	WENTWORTH CREEK	5 SANFORD DR	LOT 1-A1 WENTWORTH CREEK	WAREHOUSE	1.88	
45333648	5 STATION	ST	HANTSPOUR	5 STATION ST	LOT 1-01 HANTSPOUR	WAREHOUSE	0.47	
45234929	5 DAVISON	ST	HANTSPOUR	5 DAVISON ST	LOT 1 HANTSPOUR	PULP & PAPER	0.21	
45234937	5 DAVISON	ST	HANTSPOUR	5 DAVISON ST	LOT 1 HANTSPOUR	PULP & PAPER	7.56	
45044286	5 DAVISON	ST	HANTSPOUR	5 DAVISON ST	LOT 1 HANTSPOUR	PULP & PAPER	0.22	
45044278	5 DAVISON	ST	HANTSPOUR	5 DAVISON ST	LOT 1 HANTSPOUR	PULP & PAPER	0.37	
45228467	51 WILLIAM	ST	HANTSPOUR	51 WILLIAM ST	HANTSPOUR	LAND MINING	2.57	
45044310	51 WILLIAM	ST	HANTSPOUR	51 WILLIAM ST	HANTSPOUR	LAND MINING	13.78	
45228467	51 WILLIAM	ST	HANTSPOUR	51 WILLIAM ST	HANTSPOUR	LAND MINING	3.51	
45228467	51 WILLIAM	ST	HANTSPOUR	51 WILLIAM ST	HANTSPOUR	LAND MINING	2.21	
45014057	5568 HIGHWAY 1		ST. CROIX	5568 HIGHWAY 1	LOT 89-1EB ST. CROIX	DWELLING GARAGE	1.24	
45228665	57 ELLERSHOUSE	RD	ELLERSHOUSE	57 ELLERSHOUSE RD	LOT KB-1 ELLERSHOUSE		2.18	
45044443	6 STATION	ST	HANTSPOUR	6 STATION ST	LOT 2 HANTSPOUR	COMMERCIAL/APT MIX UNITS	0.2	
45204120	60 MORISON	DR	WENTWORTH CREEK	60 MORISON DR	LOT 14A-1 WENTWORTH CREEK	WAREHOUSE	0.55	
45010857	60 PRIVILEGE	RD	ELLERSHOUSE	60 PRIVILEGE RD	ELLERSHOUSE	LAND	4.19	
45294782	6000 HIGHWAY 14		GARLANDS CROSSING	6000 HIGHWAY 14	LOT RAC-4 GARLANDS CROSSING	RETAIL/OFFICE	2.24	
45218690	61 MORISON	DR	WENTWORTH CREEK	61 MORISON DR	LOT 20 WENTWORTH CREEK	SERVICE	0.99	
45005782	6219 HIGHWAY 1		ELLERSHOUSE	6219 HIGHWAY 1	ELLERSHOUSE	LAND DWELLING	3.81	
45190097	6229 HIGHWAY 1		ELLERSHOUSE	6229 HIGHWAY 1	LOT F-1 ELLERSHOUSE	DWELLING SMALL BUSINESS	2.65	
45366390	63 COLE	DR	GARLANDS CROSSING	63 COLE DR	LOT 4 GARLANDS CROSSING	HOTEL	1.95	
45013364	6310 HIGHWAY 1		NEWPORT CORNER	6310 HIGHWAY 1	NEWPORT CORNER	LAND DWELLING BUILDINGS	2.45	
45013356	6398 HIGHWAY 1		NEWPORT CORNER	6398 NO 1 HWY	NEWPORT CORNER	LAND MOBILE	34.71	
45061199	671 COLLIER	RD	ARDOISE	671 COLLIER RD E	ARDOISE	LAND TELECOM	2.03	
45229895	6729 HIGHWAY 215		CHEVERIE	6729 HIGHWAY 215	LOT LC-1 CHEVERIE	DWELLING BUILDINGS	2.1	
45270865	7 COLE	DR	WINDSOR	7 COLE DR	LOT 18 WINDSOR	FAST FOOD	0.93	
45199965	711 COLLIER	RD	ARDOISE	711 COLLIER RD E	ARDOISE	LAND	1.71	
45193679	72 IVEY	LANE	WENTWORTH CREEK	72 IVEY LANE	PARCEL X WENTWORTH CREEK	TELECOM	0.33	
45218708	73 MORISON	DR	WENTWORTH CREEK	73 MORISON DR	LOT 19 WENTWORTH CREEK	SERVICE	1	
45025236	7493 HIGHWAY 1		ARDOISE	7493 HIGHWAY 1	ARDOISE	LAND TELECOM	2.45	
45055522	75 TRECOTHIC	DR	WINDSOR	75 TRECOTHIC DR	WINDSOR	LAND INDUSTRIAL	3.45	
45018595	76 IVEY	LANE	WENTWORTH CREEK	76 IVEY LANE	LOT 31 PORT WENTWORTH CREEK	GROW OPERATION	9.27	
45148731	76 MORISON	DR	WENTWORTH CREEK	76 MORISON DR	LOT 14A-23 WENTWORTH CREEK	MUNICIPAL BLDG	1.38	
45055597	79 CENTENNIAL	DR	WINDSOR	79 CENTENNIAL DR	WINDSOR	LAND WAREHOUSE	1.8	
45100724	79 OLD HALIFAX	RD	THREE MILE PLAINS	79 OLD HALIFAX RD W	LOT G-4 THREE MILE PLAINS	DWELLING GARAGE	2.05	
45001245	798 WINDSOR BACK	RD	THREE MILE PLAINS	798 WINDSOR BACK RD	THREE MILE PLAINS	LAND DWELLING BUILDING	0.18	
45062221	8 PARK	DR	WINDSOR	8 PARK DR	LOT B-1 WINDSOR	SELF STORAGE	1.7	
45044377	80 DUNLOP	RD	BROOKLYN	80 DUNLOP RD	BROOKLYN	LAND WAREHOUSE	3.27	
45060266	80 ROBERT	DR	ARDOISE	80 ROBERT DR	LOT 20-18 ARDOISE	DWELLING SMALL BUSINESS	1.15	
45206505	8061 HIGHWAY 1		ARDOISE	8061 HIGHWAY 1	LOT CA ARDOISE	DWELLING GARAGE	1.8	
45061132	8105 HIGHWAY 14		BROOKLYN	8105 HIGHWAY 14	BROOKLYN	LAND	4.06	
45055563	82 CENTENNIAL	DR	WINDSOR	82 CENTENNIAL DR	LOT J WINDSOR	WAREHOUSE	1.39	
45002938	83 THREE MILE PLAINS CR	RD	THREE MILE PLAINS	83 THREE MILE PLAINS CR	THREE MILE PLAN	LAND DWELLING BUILDINGS GARAGE	3.84	
45196698	834 WINDSOR BACK	RD	THREE MILE PLAINS	834 WINDSOR BACK RD	THREE MILE PLAINS	LAND INCORP FARM	15.72	
45019601	853 HIGHWAY 215		BROOKLYN	853 HIGHWAY 215	LOT B BROOKLYN	WAREHOUSE	4.98	
45227923	88 SANFORD	DR	WENTWORTH CREEK	88 SANFORD DR	LOT 30A-1 WENTWORTH CREEK	GROW OPERATION	2.24	
45173804	8879 HIGHWAY 215		PEMBROKE	8879 HIGHWAY 215	PEMBROKE	LAND DWELLING BUILDINGS	39.24	
45270840	9 COLE	DR	WINDSOR	9 COLE DR	LOT 2 WINDSOR	FAST FOOD	1.08	
45283603	90 SANFORD	DR	WENTWORTH CREEK	90 SANFORD DR	LOT 24AC-1 WENTWORTH CREEK	INDUSTRIAL	90 SANFORD DR	3.1
45173598	9048 HIGHWAY 215		PEMBROKE	9048 HIGHWAY 215	PEMBROKE	LAND DWELLING BUILDINGS GARAGE	4.22	
45262086	93 INDUSTRIAL	DR	WINDSOR	93 INDUSTRIAL DR	LOT JL-4 WINDSOR	AUTO SALES	2.02	
45059730	93 CENTENNIAL	DR	WINDSOR	93 CENTENNIAL DR	WINDSOR	LAND SERVICE	1.31	
45062114	98 CENTENNIAL	DR	WINDSOR	98 CENTENNIAL DR	LOT I WINDSOR	SERVICE	1.11	
45201613	98 MORISON	DR	WENTWORTH CREEK	98 MORISON DR	LOT 13A WENTWORTH CREEK	SERVICE	1.48	

Figure 5 – Windsor Residential Zones (Without Civic Numbers Assigned)



Figure 6 – Windsor Residential Development Permitted Only by DA (Without Civic Numbers Assigned)

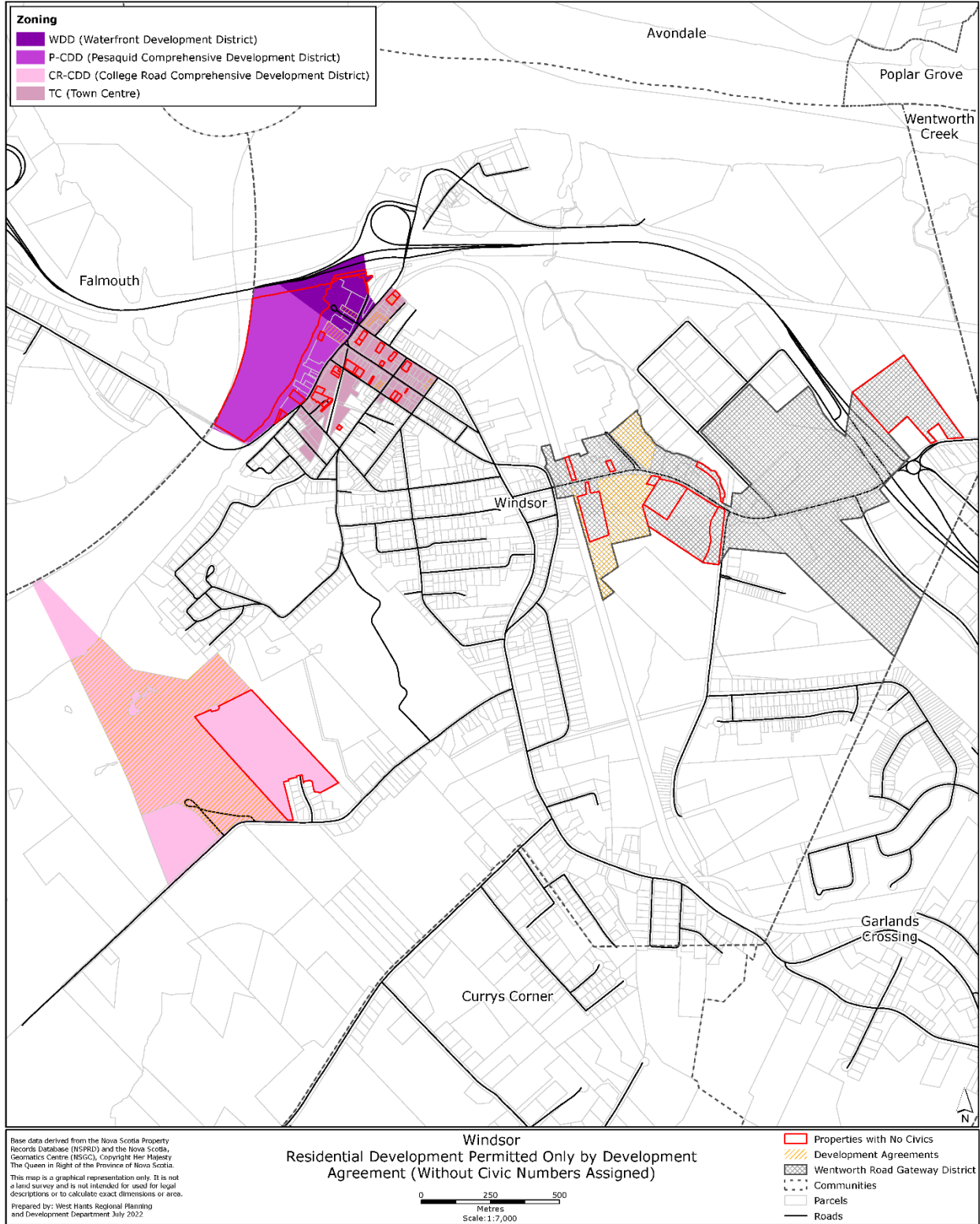
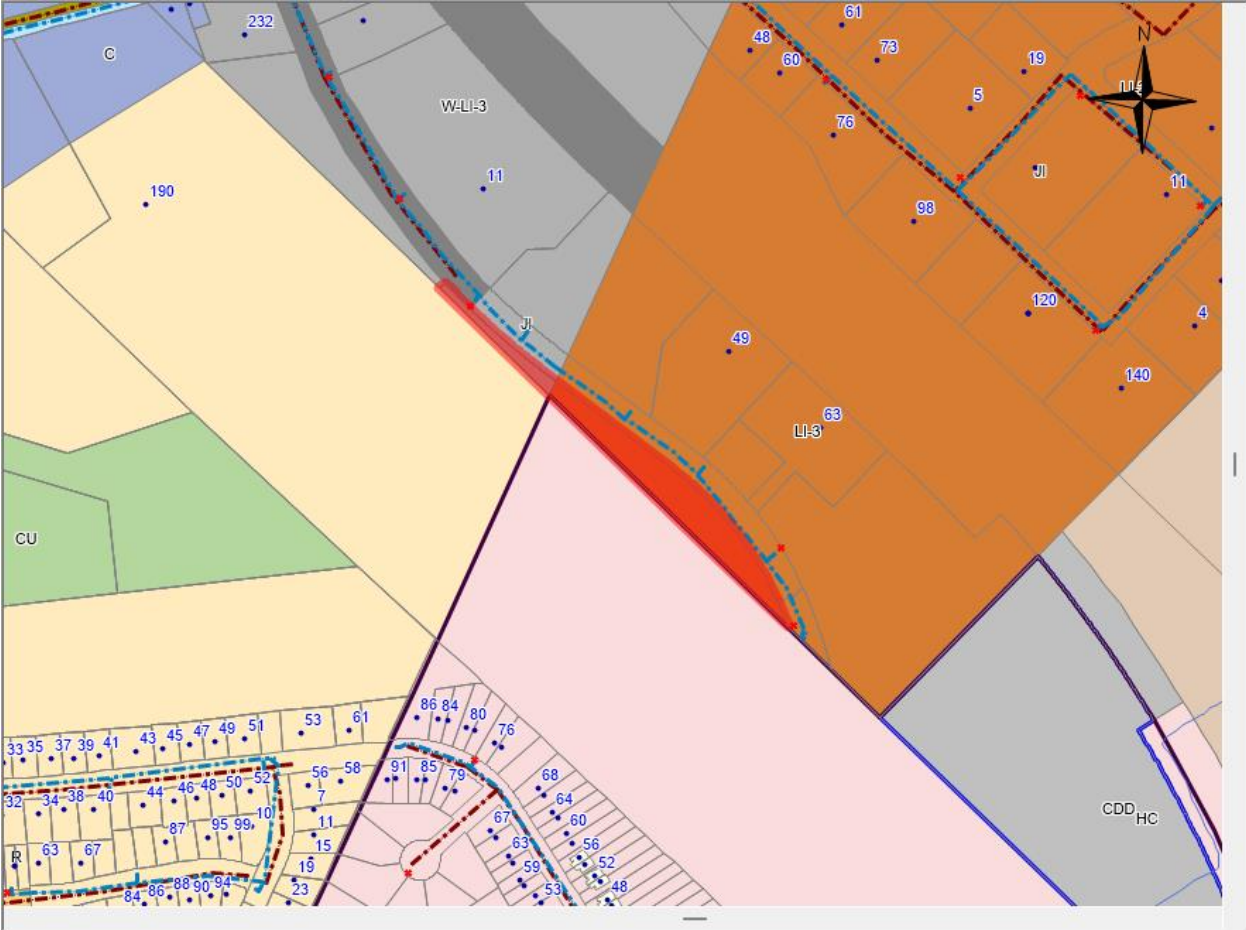


Figure 7 – Additional Property in Recommendation Context Map (PID 45366457)



Attachment C – Public Information Meeting Notes

October 13 - October 28, 2022

File 22-05: Cole Drive, Garlands Crossing/Windsor (PID 45366432) Windsor and West Hants Planning Document Amendments

Meeting date and time	A public information meeting was held on October 13, 2022 beginning at 6 p.m. The meeting was broadcast live on the Municipal Facebook page.
File Number	22-05
Attending	In attendance: One (1) Councillor: <ul style="list-style-type: none">• Councillor Jim Ivey Four (4) members of staff: <ul style="list-style-type: none">• Director LeMay• Planner Poirier• Planner Dunphy• Meeting Secretary Lake No members of the public were present for this meeting.
Applicant Darren Shupe, Brighter Community Planning on behalf of Mainland South Investments Property PID 45366432 Cole Drive, Windsor	Planner Dunphy outlined the application to allow a proposed development consisting of two 4-storey buildings in two parts by first amending both the Windsor and West Hants Municipal Planning Strategies and Land Use By-laws, then considering the proposal by development agreement.
Comments	Comments from the public could be submitted to Alex Dunphy by mail, e-mail and telephone between October 13 – October 28, 2022. No comments were received from the public.
Adjournment	The presentation portion of the PIM ended at approximately 6:10 p.m.



WEST HANTS REGIONAL MUNICIPALITY REPORT

Information <input type="checkbox"/>	Recommendation <input checked="" type="checkbox"/>	Decision Request <input type="checkbox"/>	Councillor Activity <input type="checkbox"/>
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To: Members of Planning and Heritage Advisory Committee (PAC/HAC)

Submitted by: _____
Alex Dunphy, Planner

Date: November 10th, 2022

Subject: Windsor MPS and LUB Amendments: PID 45366432 Cole Drive, Garlands Crossing/Windsor; File #22-05

LEGISLATIVE AUTHORITY

Municipal Government Act Sections 205 & 210

RECOMMENDATION

To allow the requested amendment, staff recommends that the PAC/HAC forward a positive recommendation by passing the following motion:

... that PAC/HAC recommends that Council give First Reading and hold a Public Hearing to consider amending the Generalized Future Land Use Map of the Windsor Municipal Planning Strategy to include PIDs 45366432 and 45366457 in the Residential designation and amending the zoning map of the Windsor Land Use By-law to include PIDs 45366432 and 45366457 in the Two Unit Residential (R-2) zone.

BACKGROUND

Property X	Public Opinion <input type="checkbox"/>	Environment <input type="checkbox"/>	Social <input type="checkbox"/>	Economic <input type="checkbox"/>	Councillor Activity <input type="checkbox"/>
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A completed application was received from Darren Shupe of Brighter Community Planning on behalf of the property owner, Mainland South Investments, on June 15th, 2022 to request two 4-storey, mixed-use apartment buildings containing a total of 84 dwelling units at PID 45366432 Cole Drive, Windsor.

PAC/HAC History

During the July 14th PAC/HAC meeting, staff presented an information report on the application for two 4-storey, mixed-use apartment buildings to be developed on Cole Drive. The Committee discussed this report and determined that more information was required, requesting staff to provide an inventory of available industrial and residential lands.

During the August 16th PAC/HAC meeting staff returned with a report with additional information and land inventory maps. The Committee determined that allowing residential uses on the property would not affect the ability of nearby industrial lands to be developed. The Committee recommended holding a Public Information Meeting for the application.

Surrounding Context

The Windsor portion of the subject lot is directly abutting other lands that are designated Joint Industrial and zoned Light Industrial Type Three (LI-3). Nearby, on the south side of Cole Drive are lands designated Residential and zoned Agriculture (AG). Existing uses in this area of the Joint Industrial designation include a grocery store which directly abuts the subject lot, as well as fast food restaurants and a gas station nearer to the intersection of Cole Drive and Wentworth Road. The 101 Highway also directly abuts the subject lot. The Residentially designated land located on the south side of Cole Drive is currently an open field.

The West Hants portion of the subject lot is directly abutting other lands that are designated Joint Industrial Park and zoned Joint Industrial Type Three (LI-3) and is nearby other lands that are designated Residential and zoned Agricultural Priority Three (AR-3). There is an office building which is currently not in use directly abutting the subject lot. Further along Cole Drive in the Joint Industrial Park designation is a hotel and a vacant lot. Highway 101 also directly abuts the subject lot. The Residentially designated land located on the south side of Cole Drive is currently an open field.

DISCUSSION

The subject lot is partially within the jurisdiction of the Windsor Municipal Planning Strategy and partially within the jurisdiction of the West Hants Municipal Planning Strategy. Due to the subject lot being split between the two planning areas, staff, the Planning and Heritage Advisory Committee, and Council must consider the planning documents for both Windsor and West Hants for any potential development on the property.

The subject lot is currently designated Joint Industrial Park on the Generalized Future Land Use Map (GFLUM) of the Windsor and West Hants Municipal Planning Strategies (MPS). This designation is a special joint effort between the former Town of Windsor and former Municipality of West Hants to create an industrially focused area close to Highway 101 on the border of the two jurisdictions. The Joint Industrial Park designation is intended to mirror policies and zoning regulations in each document for all lots within it. The subject lot is zoned Joint Industrial Type Three (LI-3) on Schedule A of the West Hants Land Use By-law and zoned Light Industrial Type Three (LI-3) on Schedule A of the Windsor LUB.

Municipal Planning Strategy Document Review

Policy 16.1.1 allows Council to review and make amendments to the Windsor Municipal Planning Strategy including the Generalized Future Land Use Map. Amendments may be considered when the Generalized Future Land Use Map is required to be changed, in order to bring the Strategy in line with the Statements of Provincial Interest, or when Council deems it necessary because of a change in policy intensions or the development environment. In this circumstance, the proposed amendments align with the Statements of Provincial Interest Regarding Housing and Infrastructure. The proposed amendment also seeks to match the pattern of development in the area surrounding Cole Drive.

Policy 16.3.1 establishes the general criteria that all amendments to the Windsor Land Use By-law must meet. The full list of criteria is included with this report in Attachment A. In summary, the proposal meets the criteria as:

- the proposal is not considered premature or inappropriate for the area;
- no municipal costs related to the proposal are anticipated; and
- the Fire Chief, Development Officer, Manager of Building and Fire Inspection Services, Municipal Project Engineer, and Municipal Traffic Authority have no concerns.

Nova Scotia Statements of Provincial Interest

The Statement of Provincial Interest Regarding Housing seeks to provide a wide range of housing types and opportunities to meet the needs of all Nova Scotians. The proposed development aligns with this interest as introducing a mixed-use apartment building to this area would enable a higher density of residential units to be provided for the community in an area with existing amenities.

The Statement of Provincial Interest Regarding Infrastructure seeks to make efficient use of existing municipal water supply and wastewater disposal systems. The proposed development aligns with this interest as the subject lot is currently vacant and enabling infill development would allow for effective use of existing municipal services.

NEXT STEPS

Discussion by PAC/HAC will be incorporated into the report and presentation to Council.

FINANCIAL IMPLICATIONS

There are no financial implications to the Municipality with regard to the filing of this report.

ALTERNATIVES

The Planning and Heritage Advisory Committee (PAC/HAC) may:

- provide alternative direction, such as requesting further information on a specific topic.

ATTACHMENTS

Figure 1 GFLUM Extract: Current Designation

Figure 2	GFLUM Extract: Proposed Designation
Figure 3	Zoning Map Extract: Existing Zoning
Figure 4	Zoning Map Extract: Proposed Zoning
Attachment A	Policy Summary of Windsor MPS and LUB Amendments
Attachment B	File 22-05B - West Hants and Windsor MPS and LUB Amendments: Cole Drive, Garlands Crossing/Windsor - Information Report
Attachment C	Public Information Meeting Notes

Report Prepared by: _____
Alex Dunphy, Planner

Report Approved by: _____
Madelyn LeMay, Director of Planning and Development

Figure 1 – GFLUM Extract: Current Designation

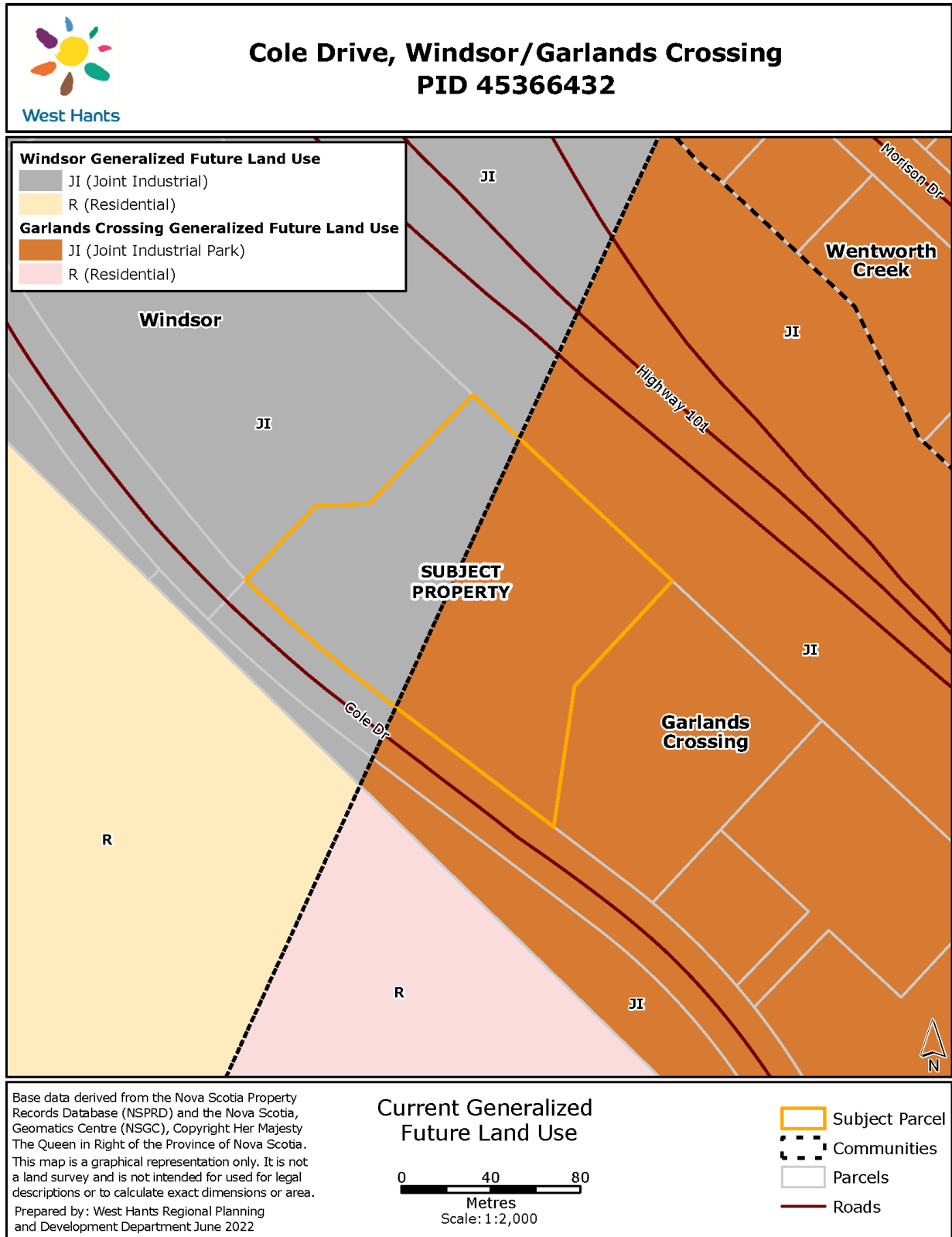


Figure 2 – GFLUM Extract: Proposed Designation

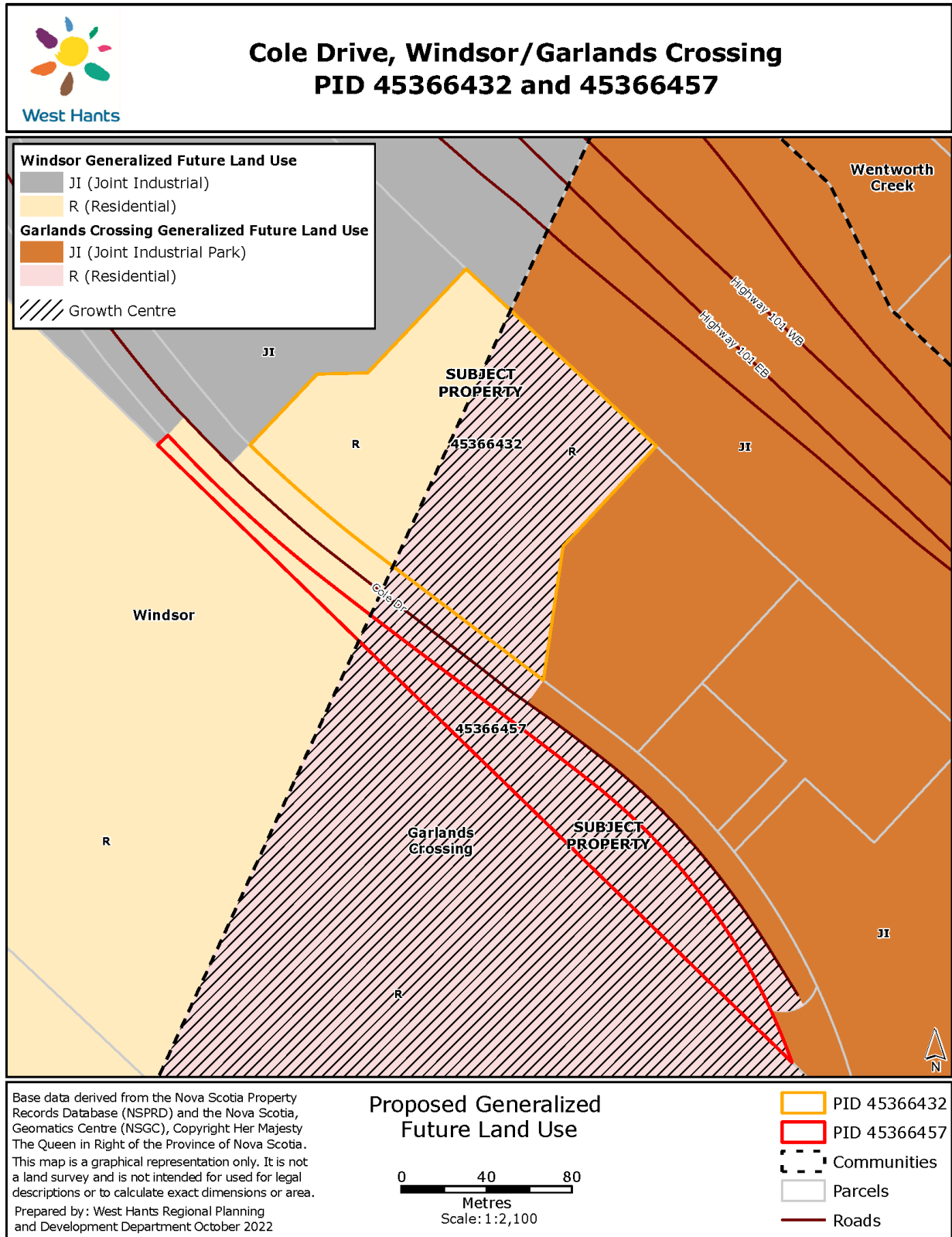


Figure 3 – Zoning Map Extract: Existing Zoning

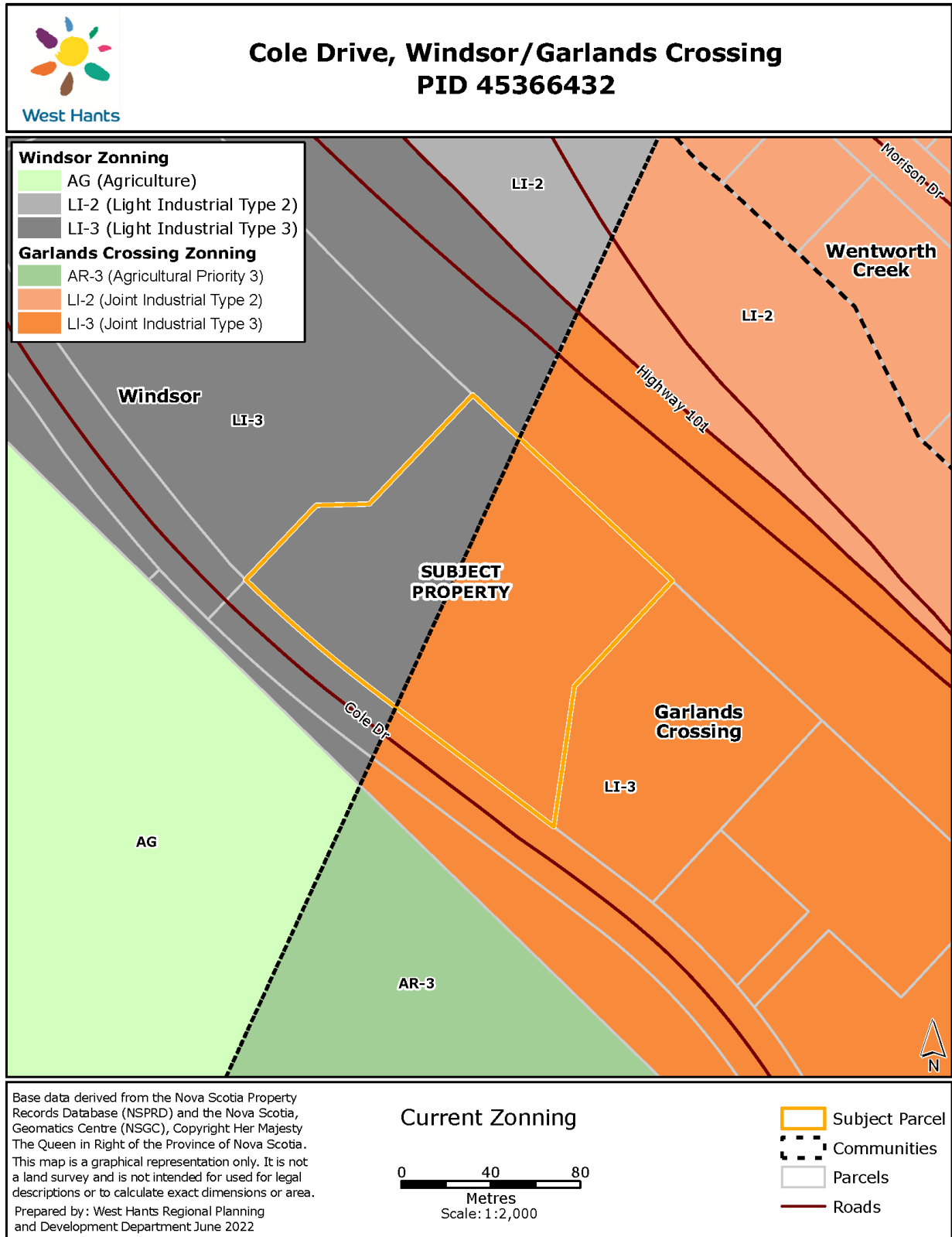
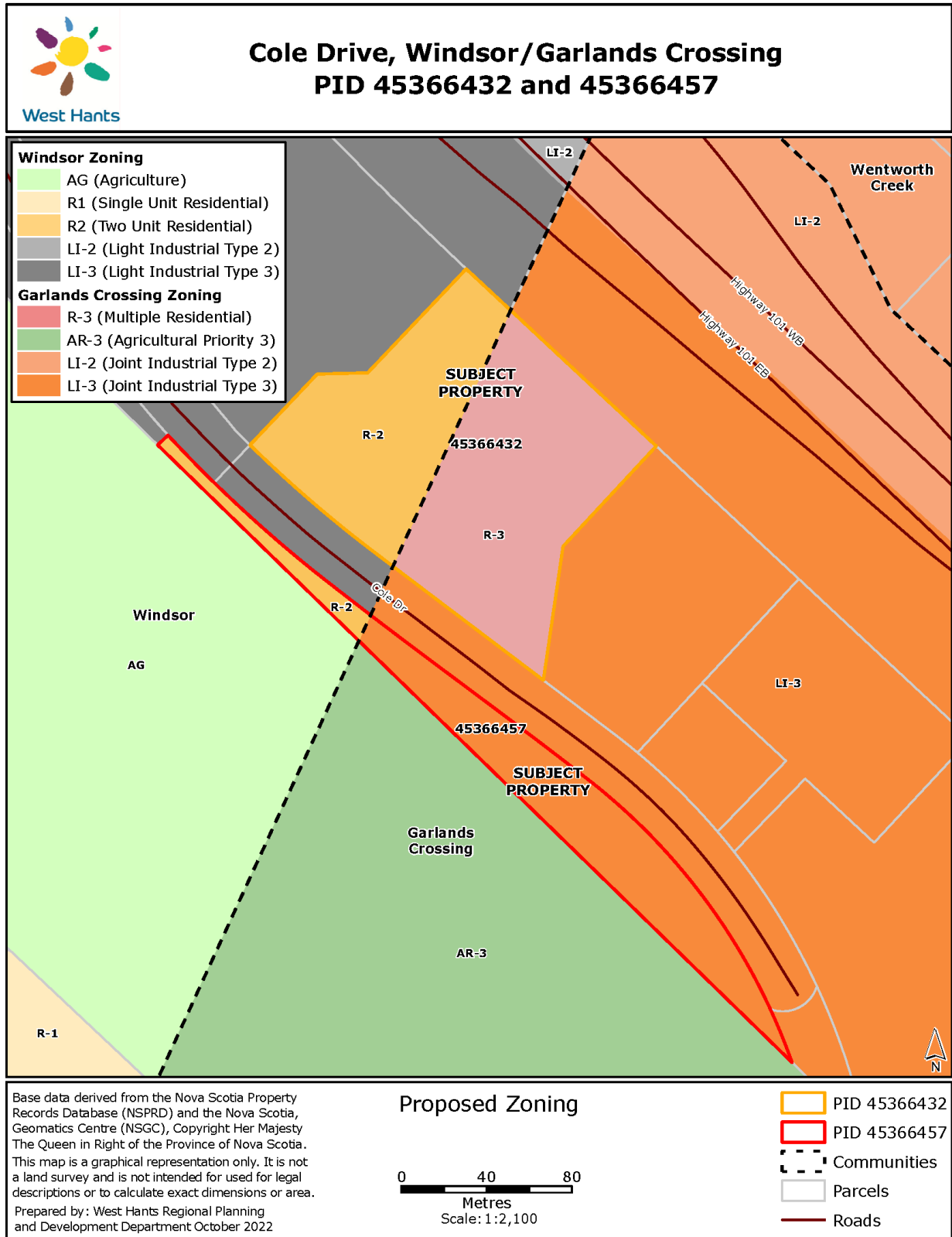


Figure 4 – Zoning Map Extract: Proposed Zoning



Attachment A – Policy Summary for Amendments to Municipal Planning Strategy and Land Use By-law

<p>Policy 16.1.1 <i>It shall be the policy of Council to review and make amendments to this Strategy:</i></p>	
<p><i>(a) when there is a requirement to change the Generalized Future Land Use Map (Map 1);</i></p>	<p>The GFLUM will be updated Council redesignates the lot.</p>
<p><i>(b) to bring the Strategy in line with Provincial Statements of Interest; or</i></p>	<p>The redesignation would address the Statements of Provincial Interest with regard to housing and infrastructure.</p>
<p><i>(c) when Council deems it necessary because of a change in policy intentions or the development environment.</i></p>	<p>Although the area surrounding Cole Drive is considered the Joint Industrial Park, much of the existing and proposed development in the area would not be classified as ‘industrial uses’. The development environment appears to be moving towards a mix of business park and residential uses.</p>

<p>Policy 16.3.1 <i>In considering development agreements and amendments to the Town of Windsor Land Use By-law, in addition to the criteria set out in various policies of this Strategy, Council shall consider:</i></p>	
<p><i>(a) whether the proposal is considered premature or inappropriate in terms of:</i></p>	
<p><i>(i) the adequacy of sewer and water services;</i></p>	<p>The Public Works Department had no concerns with regard to the adequacy of municipal water and sewer services.</p>
<p><i>(ii) the adequacy of school facilities;</i></p>	<p>No impact on school facilities is anticipated.</p>
<p><i>(iii) the adequacy of fire protection;</i></p>	<p>The local Fire Chief and Manager of Building and Fire Inspection Services have stated that there is adequate fire protection for the building and proposed amendments.</p>
<p><i>(iv) the adequacy of road networks adjacent to, or leading to the development; and</i></p>	<p>The Traffic Authority commented that there were no concerns regarding the road network.</p>
<p><i>(v) the financial capacity of the Town to absorb any costs relating to the development.</i></p>	<p>There are no anticipated costs to the Municipality regarding this development.</p>

<p><i>(b) the suitability with any aspect relative to the movement of auto, rail and pedestrian traffic;</i></p>	<p>The Traffic Authority commented that the subject lot is considered to have safe roadway access to Cole Drive and has no further concerns.</p>
<p><i>(c) the adequacy of the dimensions and shape of the lot for the intended use;</i></p>	<p>The Development Officer commented that there were no concerns with the dimensions and shape of the lot for the proposed amendments.</p>
<p><i>(d) the pattern of development which the proposal might create;</i></p>	<p>The proposal is in line with the pattern of development as other applications for properties abutting or nearby to Cole Drive to permit residential development are being considered. The Development Officer has no concerns regarding the pattern of the development.</p>
<p><i>(e) the suitability of the area in terms of steepness of grade, soil and geological conditions, location of water courses, marshes or bogs and susceptibility of flooding;</i></p>	<p>The site appears to be at a higher elevation in comparison to buildings nearer to Wentworth Road. No concerns were recorded during the site visit.</p>
<p><i>(f) whether the proposal meets the requirements of the appropriate provincial or federal agencies as well as whether it conforms to all other relevant municipal by-laws and regulations; and</i></p>	<p>All Municipal, Provincial, and Federal regulations will have to be met.</p>
<p><i>(g) any other matter required by relevant policies of this Strategy.</i></p>	<p>All relevant matters have been addressed in this report.</p>

**Attachment B - File 22-05B - West Hants and Windsor MPS and LUB Amendments: Cole Drive,
Garlands Crossing/Windsor - Information Report**



WEST HANTS REGIONAL MUNICIPALITY REPORT

Information <input checked="" type="checkbox"/>	Recommendation <input type="checkbox"/>	Decision Request <input type="checkbox"/>	Councillor Activity <input type="checkbox"/>
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To: Members of Planning and Heritage Advisory Committee (PAC/HAC)

Submitted by: _____
Alex Dunphy, Planner

Date: September 8th, 2022

Subject: West Hants and Windsor MPS and LUB Amendments: Cole Drive, Garlands Crossing/Windsor

LEGISLATIVE AUTHORITY

Municipal Government Act Section 205 & 219 (2)

BACKGROUND

Property <input checked="" type="checkbox"/>	Public Opinion <input type="checkbox"/>	Environment <input type="checkbox"/>	Social <input type="checkbox"/>	Economic <input type="checkbox"/>	Councillor Activity <input type="checkbox"/>
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A completed application was received from Darren Shupe of Brighter Community Planning on behalf of the property owner, Mainland South Investments, on June 15th, 2022 to request two 4-storey, mixed-use apartment buildings containing a total of 84 dwelling units on Cole Drive, Garlands Crossing (PID 45366432) be considered through:

- (i) amendments to the West Hants Municipal Planning Strategy to allow a change in zoning to the General Commercial (GC) zone within the Joint Industrial Park designation;
- (ii) amendments to the West Hants Land Use By-law zoning map to change the zoning for the West Hants portion of the lot from Joint Industrial Type Three (LI-3) to the General Commercial (GC) zone as enabled through the new policy created above;
- (iii) amendments to the Windsor Land Use By-law zoning map to change the zoning for the Windsor portion of the lot from Light Industrial Type Three (LI-3) to the General Commercial (GC) zone as enabled through Policy 8.3.2; and

- (iv) amendments to the West Hants and Windsor Land Use By-law to increase the maximum height of the main building to 45 ft. (13.7 m.) and increase the total allowable residential floor area of the main building to 75% in the Joint Industrial Park designation.

DISCUSSION

The subject lot is partially within the jurisdiction of the Windsor Municipal Planning Strategy and partially within the jurisdiction of the West Hants Municipal Planning Strategy. Due to the subject lot being split between the two planning areas, staff, the Planning and Heritage Advisory Committee, and Council must consider the planning documents for both Windsor and West Hants for any potential development on the property.

The subject lot is currently designated Joint Industrial Park on the Generalized Future Land Use Map (GFLUM) of the Windsor and West Hants Municipal Planning Strategies (MPS). This designation is a special joint effort between the former Town of Windsor and former Municipality of West Hants to create an industrially focused area close to Highway 101 on the border of the two jurisdictions. The Joint Industrial Park designation is intended to mirror policies and zoning regulations in each document for all lots within it. The subject lot is zoned Joint Industrial Type Three (LI-3) on Schedule A of the West Hants Land Use By-law and zoned Light Industrial Type Three (LI-3) on Schedule A of the Windsor LUB.

Surrounding Context

The Windsor portion of the subject lot is directly abutting other lands that are designated Joint Industrial and zoned Light Industrial Type Three (LI-3). Nearby, on the south side of Cole Drive are lands designated Residential and zoned Agriculture (AG). Existing uses in this area of the Joint Industrial designation include a grocery store which directly abuts the subject lot, as well as fast food restaurants and a gas station nearer to the intersection of Cole Drive and Wentworth Road. The 101 Highway also directly abuts the subject lot. The Residentially designated land located on the south side of Cole Drive is currently an open field.

The West Hants portion of the subject lot is directly abutting other lands that are designated Joint Industrial Park and zoned Joint Industrial Type Three (LI-3) and is nearby other lands that are designated Residential and zoned Agricultural Priority Three (AR-3). There is an office building which is currently not in use directly abutting the subject lot. Further along Cole Drive in the Joint Industrial Park designation is a hotel and a vacant lot. Highway 101 also directly abuts the subject lot. The Residentially designated land located on the south side of Cole Drive is currently an open field.

PAC/HAC Discussion

During the July 14th PAC/HAC meeting, staff presented an information report on the application for two 4-storey, mixed-use apartment buildings to be developed on Cole Drive. Upon initial review, I had determined that there were no existing policies to allow for residential uses within the Joint Industrial Park. I had posed a number of questions to the Committee such as if the lot was suitable for a mix of residential and commercial development, if there was enough information to change the lot from potential industrial use, and if it would be reasonable to

allow an increase to maximum height and total allowable residential floor space in a mixed-use development in a Commercial zone. The Committee discussed these questions and determined that more information was required including staff providing an inventory of available industrial and residential lands.

Availability of Industrial Lands

The first request from PAC/HAC was to provide an overview of the industrial land available in WHRM.

West Hants Regional Municipality encompasses 309,672.5 acres (1253.2 sq. km.) (Census profile 2016). Based on estimates made through an analysis of all industrially zoned properties in the Region, there is an approximate total of 650.22 acres of industrial land. This corresponds to approximately 0.2% of the land area of the Region. This includes the Joint Industrial Park, Windsor Industrial Park, lots in rural areas zoned Industrial (M), Hamlet Industrial (M-2), and Resource Industrial (M-1). Of that total, 177.35 acres of industrial designated or zoned land does not currently have an assigned civic number or otherwise appears vacant when cross referencing with orthophotos and site visits (Figure 4). This equates to 27% of the Industrial land within our Region. It is important to note that it is possible that some of the properties included in this inventory may be vacant or undesirable for development due to present conditions on the property.

Based on the WHRM Industrial mapping (Figure 2), there are distinct clusters of industrial land in Hantsport, Windsor, and Falmouth. There is also a number of industrial lots spread out located along Highway 101, as well as some sparsely located along Highway 215. Industrially zoned land with no civic address assigned appears to be vacant and available throughout the Region as a whole. There appears to be a number of lots available in Hantsport, Falmouth, and the Joint Industrial Park. Certain properties in the Joint Industrial Park are likely unsuitable for industrial development due to their lot shape and size. Certain properties in the Windsor Industrial Park may also be designated Dykeland, making them unsuitable for industrial development. The only other developable industrially zoned land near the subject lot is located at the end of Cole Drive and is currently vacant. It is unlikely that allowing a residential use on the subject lot would affect the ability of nearby industrial land to be developed but it may change the use of existing Industrial buildings when owners change or consider repurposing. However, permitting a change from industrial to residential will set a precedent for future applications similar to this one.

Availability of Commercial Lands in Windsor's Downtown

During the discussion by PAC/HAC there were comments on whether allowing commercial/residential development in the Industrial areas would affect the downtown area in Windsor.

To find information regarding the availability of commercial space in Windsor's downtown, I spoke with the Manager of Community Economic Development and a representative from the Windsor Township. There is no formal record kept by either the Municipality or the Township which indicates the availability of commercial space. The Manager of Community Economic Development performed a site visit and determined that there were four properties available

on Gerrish Street, two on Water Street, and one on Albert Street. The representative from Windsor Township had stated that not all of the available commercial spaces in the downtown are suitable for use. Some commercial units are in disrepair that may not be seen on the surface, while other units do not have a responsive property owner to coordinate rental agreements.

Availability of Residential Lands in Windsor

Another part of the discussion during the PAC/HAC meeting was whether there was already an abundance of residential land for mixed use development.

Looking at the residentially zoned properties in Windsor (Figure 5), there appears to be only a small number of available properties which are zoned for higher density residential development and all of them are smaller in size than the subject lot. The rest of the available residential properties would require a development agreement to accommodate higher density development. Certain properties are not zoned or designated for residential uses but allow for residential development through development agreement only (Figure 6). Of those properties, there are only a small number which are a similar size as the subject lot.

Inquiries for Industrial Lands

I sought information regarding inquiries for industrial uses to be located in the Region from the Chief Administrative Officer (CAO), the Manager of Community Economic Development, and an Economic Development Officer with the Valley Regional Enterprise Network (REN). Both the CAO and the Manager of Community Economic Development had not received many inquiries regarding new or expanding industrial uses in the previous two years. It should be noted that this may be due to the pandemic. Of the few inquiries received by the Municipality for industrial land, the only one that was actively seeking a new use was for a property located on the Hants Shore and only one business in the Industrial Park was considering expanding. Other discussions surrounding industrial lands were mainly focused on the lack of interest by certain owners to develop or sell their vacant parcels and concern with the lack of available 'shovel ready' industrial lands. Of the inquiries received by the Valley REN, most did not require or prefer industrial space for their business. There was some interest in industrial space located near Highway 101, but the proprietor was unable to find a suitable space. There were also reports that the pandemic had interrupted plans for some of these businesses.

PID 45366457

This property is included in the recommendations in this report as there is another application (File # 22-17) to consider rezoning the West Hants portion of this lot and the West Hants portion of PID 45190386, the larger lot to the west of this PID to allow residential development. The West Hants portion of PID 45366457 is being considered to be rezoned to Multiple Unit Residential (R-3) as part of that application. Although present WHMPS policies would permit the rezoning without a change in designation, it would be reasonable to consider amending the designation of this entire lot in conjunction with the application on Cole Drive to align with the intended residential use of the lot and avoid separating the proposed residential developments by a small lot within the Joint Industrial designation. PID 45366457 is highlighted in Figure 7.

NEXT STEPS

In response to this report, the PAC/HAC may:

- recommend holding a Public Information Meeting to consider:

Windsor Portion

- amending the map of the Windsor Municipal Planning Strategy to include PIDs 45366432 and 45366457 in the Residential designation and amending the map of the Windsor Land Use By-law to include PIDs 45366432 and 45366457 in the Two Unit Residential (R-2) zone; and

West Hants Portion

- amending the map of the West Hants Municipal Planning Strategy to include PIDs 45366432 and 45366457 in the Three Mile Plains Growth Centre and the Residential Designation, as well as amending the map of the West Hants Land Use By-law to include PID 45366432 in the Multiple Unit Residential (R-3) zone.

FINANCIAL IMPLICATIONS

There are no financial implications to the Municipality or residents with regard to the filing of this report.

ALTERNATIVES

The Planning and Heritage Advisory Committee (PAC/HAC) may:

- amending the text of the Windsor and West Hants Municipal Planning Strategies and Land Use By-laws to allow Council to consider mixed-use commercial and residential development by development agreement in the Joint Industrial Park designation, based on criteria established in a new policy;
- recommend Council not move forward with this application; or
- provide alternative direction such as requesting further information on a specific topic.

ATTACHMENTS

Figure 1	Subject Lot Context Map
Figure 2	West Hants Regional Municipality Industrial Zones (Without Civic Numbers Assigned)
Figure 3	Hantsport Industrial Zones (Without Civic Numbers Assigned)
Figure 4	West Hants Regional Municipality Industrial Spreadsheet
Figure 5	Windsor Residential Zones (Without Civic Numbers Assigned)
Figure 6	Windsor Residential Development Only Permitted by DA (Without Civic Numbers Assigned)
Figure 7	Additional Property in Recommendation Context Map (PID 45366457)

Report Prepared by: _____

Alex Dunphy, Planner

Report Approved by: _____

Madelyn LeMay, Director of Planning and Development

Figure 1 – Subject Lot Context Map (PID 45366432)

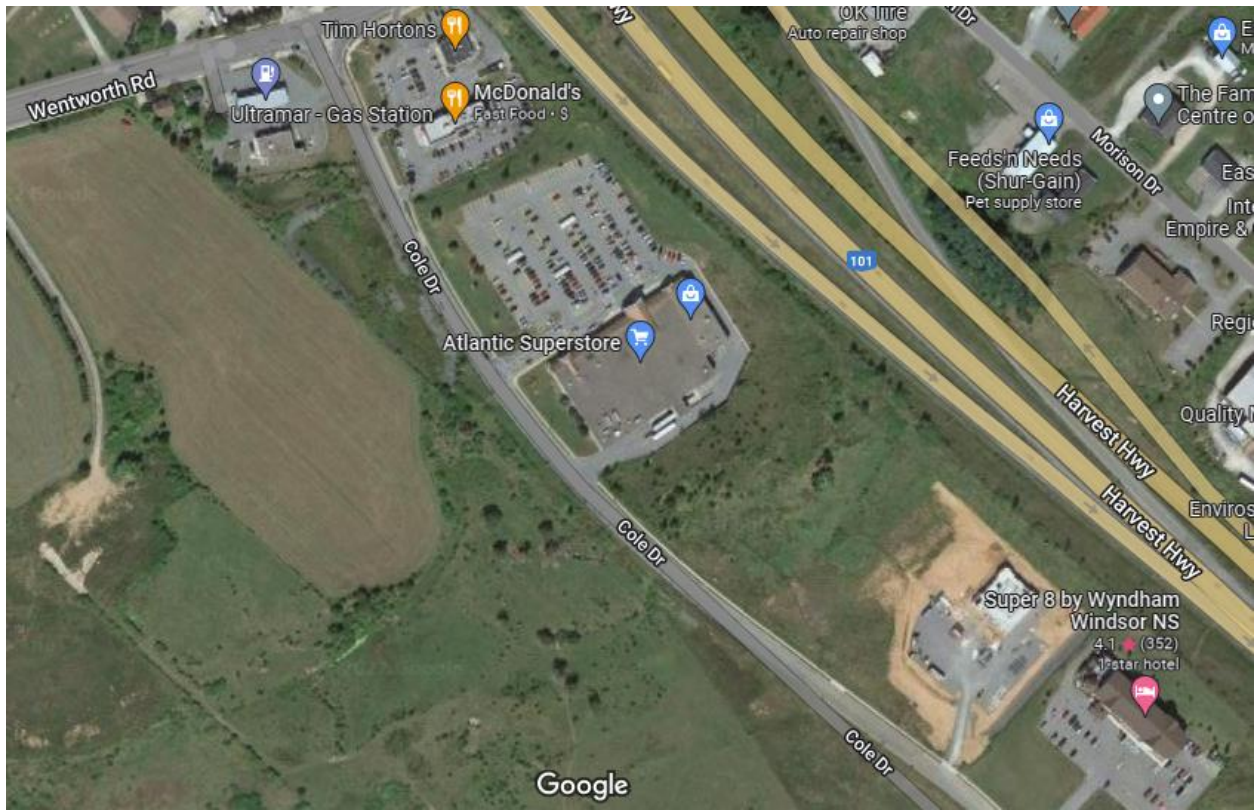


Figure 2 – West Hants Regional Municipality Industrial Zones (Without Civic Numbers Assigned)

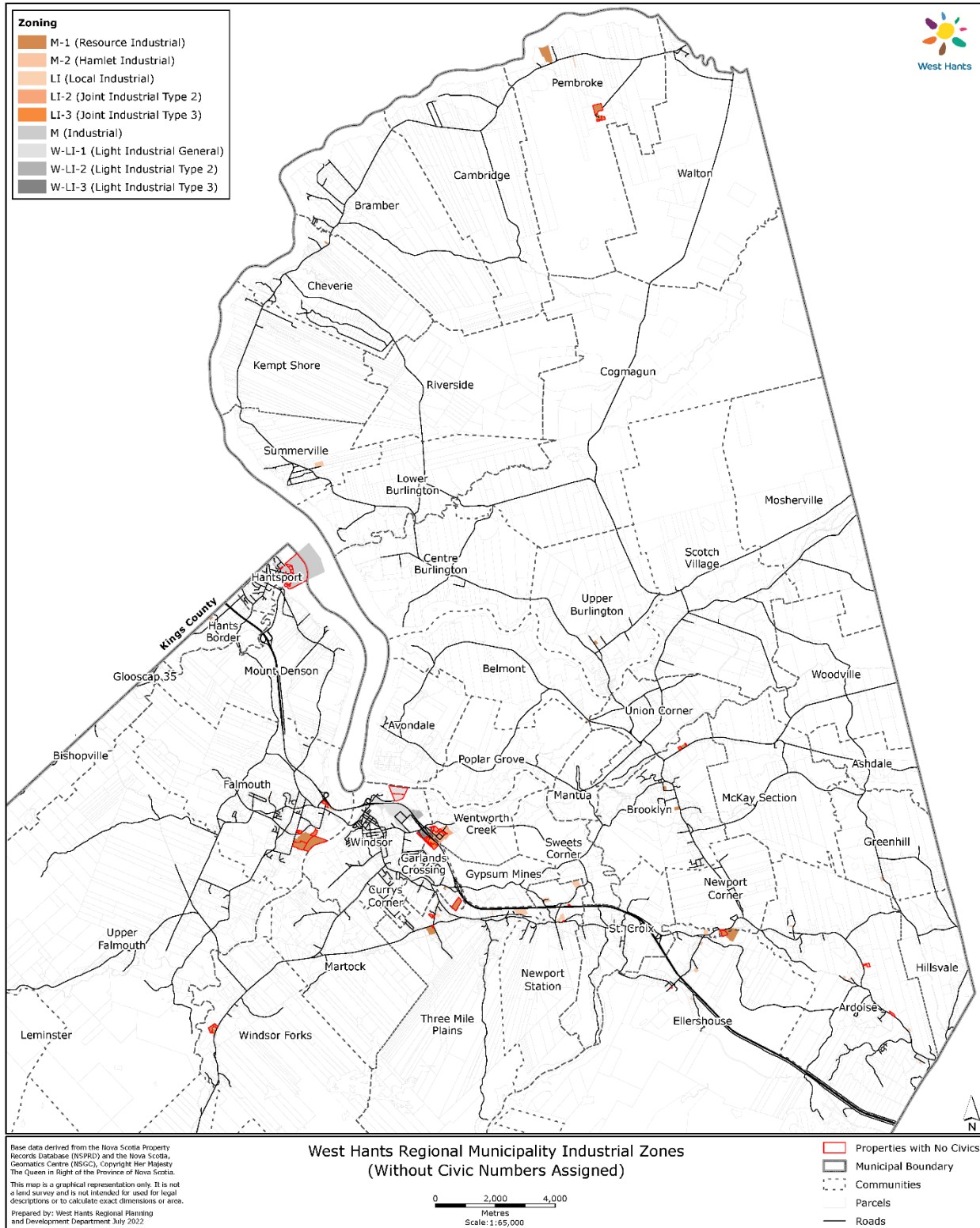
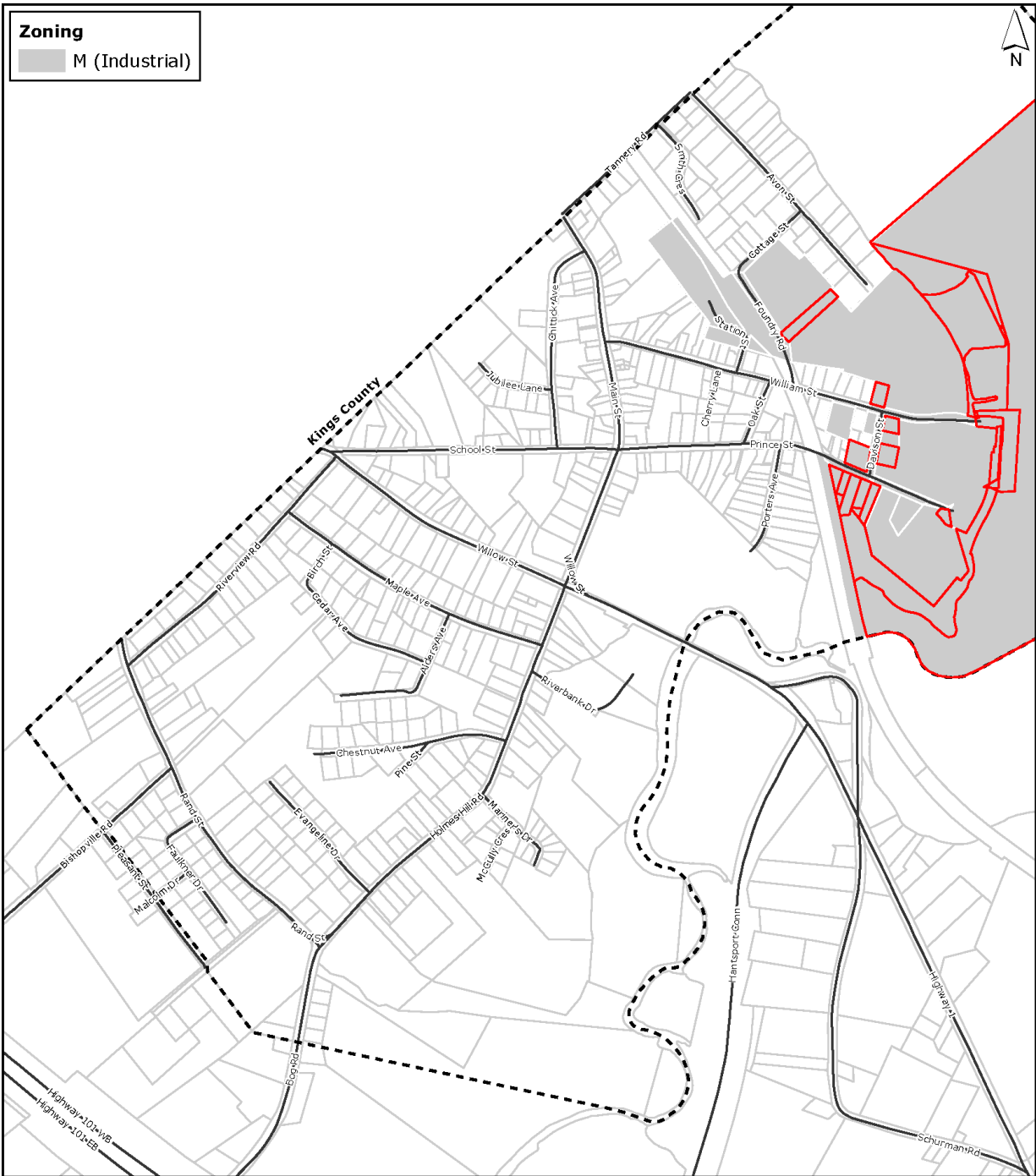
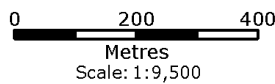


Figure 3 – Hantsport Industrial Zones (Without Civic Numbers Assigned)



Base data derived from the Nova Scotia Property Records Database (NSPRD) and the Nova Scotia, Geomatics Centre (NSGC), Copyright Her Majesty The Queen in Right of the Province of Nova Scotia. This map is a graphical representation only. It is not a land survey and is not intended for used for legal descriptions or to calculate exact dimensions or area. Prepared by: West Hants Regional Planning and Development Department July 2022

Hantsport Industrial Zones (Without Civic Numbers Assigned)



- Properties with No Cives
- Hantsport
- Parcels
- Roads

Figure 4 – West Hants Regional Municipality Industrial Spreadsheet

See attached document

PID	CIVNUMBER	STREET	ST_TYPE	CITY	LOC	ACRES	Total Industrial Land	650.22
45190378		MORISON	DR	WENTWORTH CREEK	MORISON DR	LOT EFG WENTWORTH CREEK	INDUSTRIAL	5.78
45197803		MORISON	DR	WENTWORTH CREEK	MORISON DR	LOT 12 WENTWORTH CREEK	INDUSTRIAL	0.98
45075256		NO 101	HWY	WINDSOR	NO 101 HWY	WINDSOR	LAND WAREHOUSE	19.58
45248150		SANFORD	DR	WENTWORTH CREEK	SANFORD DR	WENTWORTH CREEK	LAND INDUSTRIAL	1.51
45055548		PARK	DR	WINDSOR	PARK DR	WINDSOR	LAND SERVICE	2.68
45062205		LAGOON	DR	WINDSOR	LAGOON DR	LOT D WINDSOR	INDUSTRIAL	0.91
45062189		CENTENNIAL	DR	WINDSOR	CENTENNIAL DR	LOT E WINDSOR	INDUSTRIAL	1.21
45347150		SANFORD	DR	WENTWORTH CREEK	SANFORD DR	LOT H WENTWORTH CREEK	INDUSTRIAL	1.27
45062239		PARK	DR	WINDSOR	PARK DR	LOT B WINDSOR	INDUSTRIAL	2.34
45209053		TRECOTHIC	DR	WINDSOR	TRECOTHIC DR	LOT JL-2 WINDSOR		1.09
45209061		TRECOTHIC	DR	WINDSOR	TRECOTHIC DR	LOT JL-1 WINDSOR		1.05
45413416		IVEY	LANE	WENTWORTH CREEK	IVEY LANE	LOT 45A2 WENTWORTH CREEK	INDUSTRIAL	1.4
45055282		COLE	DR	WINDSOR	COLE DR	WINDSOR	LAND	1.83
45395514		IVEY	LANE	WENTWORTH CREEK	IVEY LANE	LOT 28A WENTWORTH CREEK	INDUSTRIAL	0.29
45055605		CENTENNIAL	DR	WINDSOR	CENTENNIAL DR	WINDSOR	LAND INDUSTRIAL	0.86
45366432		COLE	DR	WINDSOR	COLE DR	LOT 1 & 2 WINDSOR	INDUSTRIAL	4.29
45366408		COLE	DR	WINDSOR	COLE DR	WINDSOR	LAND INDUSTRIAL	0.59
45366440		COLE	DR	GARLANDS CROSSING	COLE DR	GARLANDS CROSSING	LAND INDUSTRIAL	6.72
45280088		OLD BROOKLYN	RD	THREE MILE PLAINS	OLD BROOKLYN RD	BLOCK 1CD THREE MILE PLAINS		17.84
45388907		HIGHWAY 1	HWY	THREE MILE PLAINS	HIGHWAY 1 HWY	THREE MILE PLAINS	LAND GARAGE	0.13
45003167		THREE MILE PLAINS CROSS	RD	THREE MILE PLAINS	THREE MILE PLAINS CROSS RD	LOT 1 PORT THREE MILE PLAINS		0.28
45003076		THREE MILE PLAINS CR	RD	THREE MILE PLAINS	THREE MILE PLAINS CR RD	LOT 3 THREE MILE PLAINS		0.34
45002847		THREE MILE PLAINS CR	RD	THREE MILE PLAINS	106 THREE MILE PLAINS CR RD	THREE MILE PLAINS	LAND	3.21
45002508		NO 1	HWY	THREE MILE PLAINS	NO 1 HWY	LOT HL-4A THREE MILE PLAINS	BUILDING	0.98
45191749								0.73
45191731								2.22
45379534								0.15
45322419								1.13
45359825								0.32
45413598								1.12
45367281		DRESSER MINERALS	RD	PEMBROKE	DRESSER MINERALS RD	PEMBROKE	LAND	18.47
45367281		DRESSER MINERALS	RD	PEMBROKE	DRESSER MINERALS RD	PEMBROKE	LAND	5.45
45044948		FOUNDRY	RD	HANTSPORT	10 FOUNDRY RD	HANTSPORT	LAND SPORTS PARK	4.05
45044930		FOUNDRY	RD	HANTSPORT	FOUNDRY RD	HANTSPORT	LAND	0.7
45228137		WILLIAM	ST	HANTSPORT	WILLIAM ST	PARCEL 4 HANTSPORT	SHIP REPAIR	1.38
45364080		STATION	LANE	FALMOUTH	STATION LANE	FALMOUTH	LAND	3.09
45364031		NO 101	HWY	FALMOUTH	NO 101 HWY	FALMOUTH	LAND RAILWAY	0.18
45228137		WILLIAM	ST	HANTSPORT	WILLIAM ST	PARCEL 4 HANTSPORT	SHIP REPAIR	0.39
45085909		WILLIAM	ST	HANTSPORT	WILLIAM ST	PARCEL 4 HANTSPORT	SHIP REPAIR	0.34
45043775		PRINCE	ST	HANTSPORT	PRINCE ST	HANTSPORT	LAND	0.52
45048121		PRINCE	ST	HANTSPORT	PRINCE ST	HANTSPORT	LAND	0.19
45043668		PRINCE	ST	HANTSPORT	PRINCE ST	HANTSPORT	LAND	0.18
45043676		PRINCE	ST	HANTSPORT	PRINCE ST	HANTSPORT	LAND	0.42
45043684		PRINCE	ST	HANTSPORT	PRINCE ST	HANTSPORT	LAND	0.29
45043692		PRINCE	ST	HANTSPORT	PRINCE ST	HANTSPORT	LAND	0.32
45333671		PRINCE	ST	HANTSPORT	PRINCE ST	LOT CKF1995- HANTSPORT	PULP & PAPER	6.1
45333689		PRINCE	ST	HANTSPORT	PRINCE ST	HANTSPORT	LAND	4.71
45407897		PRINCE	ST	HANTSPORT	PRINCE ST	HANTSPORT	LAND	0.07
45384302								0.15
45406030		HIGHWAY 14		WINDSOR FORKS	HIGHWAY 14	LOT B-1 WINDSOR FORKS		2.68
45282555		HIGHWAY 14		WINDSOR FORKS	HIGHWAY 14	LOT GSCP-1 WINDSOR FORKS	INDUSTRIAL	6.45
45414489		GABRIEL	RD	FALMOUTH	GABRIEL RD	LOT 1 FALMOUTH		22.15
45199510		MOUNTAIN	RD	THREE MILE PLAINS	MOUNTAIN RD	LOT JWM-1 THREE MILE PLAINS		0.62
45015187		NO 1	HWY	NEWPORT STATION	NO 1 HWY	NEWPORT STATION		0.3
45259744		MAPLE	AVE	ELLERSHOUSE	MAPLE AVE	LOT ELLERSHOUSE		0.35
45041910		NO 1	HWY	ARDOISE	NO 1 HWY	LOT 1 ARDOISE		2.77
45203874		NO 1	HWY	ELLERSHOUSE	NO 1 HWY	ELLERSHOUSE	LAND	0.72
45013372		NO 1	HWY	NEWPORT CORNER	NO 1 HWY	NEWPORT CORNER	LAND	7.73
45275344		NO 1	HWY	ARDOISE	NO 1 HWY	LOT B ARDOISE		3.75
45366010		0 WENTWORTH	RD	WINDSOR	WENTWORTH RD	WINDSOR	LAND	1.5
45190865		0 CENTENNIAL	DR	WINDSOR	CENTENNIAL DR	WINDSOR	LAND	1.29
45200623		10 IVEY	LANE	WENTWORTH CREEK	10 IVEY LANE	LOT 8A WENTWORTH CREEK	WAREHOUSE	1.05
45055514		101 INDUSTRIAL	DR	WINDSOR	101 INDUSTRIAL DR	LOT JL-3 WINDSOR	RETAIL/OFFICE	1.6
45198421		103 MORISON	DR	WENTWORTH CREEK	103 MORISON DR	LOT 14-15 WENTWORTH CREEK	TRANS TERMINAL	2.25
45293784		103 CENTENNIAL	DR	WINDSOR	103 CENTENNIAL DR	LOT Z1-A WINDSOR	WAREHOUSE	1.72
45055571		104 CENTENNIAL	DR	WINDSOR	104 CENTENNIAL DR	LOT H WINDSOR	WAREHOUSE	1.06
45230729		108 FALMOUTH BACK	RD	FALMOUTH	108 FALMOUTH BACK RD	LOT BH-4 FALMOUTH	SMALL BUSINESS	0.68
45292653		11 COLE	DR	WINDSOR	11 COLE DR	WINDSOR	LAND GROCERY STORE	6.23
45229481		11 IVEY	LANE	WENTWORTH CREEK	11 IVEY LANE	LOT 16-17 WENTWORTH CREEK	INDUSTRIAL	2.32
45062106		112 CENTENNIAL	DR	WINDSOR	112 CENTENNIAL DR	LOT G WINDSOR	SERVICE	1.07
45212552		12 BONNIE	LANE	NEWPORT STATION	12 BONNIE LANE	PARCEL A PORT NEWPORT STATION	DWELLING GARAGE	4.72
45003084		12 THREE MILE PLAINS CROSS	RD	THREE MILE PLAINS	12 THREE MILE PLAINS CROSS RD	LOT 2 THREE MILE PLAINS	DWELLING	0.34
45037173		12 STATION	LANE	FALMOUTH	12 STATION LANE	LOT B FALMOUTH	BULK STORAGE	0.6
45201621		120 MORISON	DR	WENTWORTH CREEK	120 MORISON DR	LOT 11 WENTWORTH CREEK	WAREHOUSE	1.77
45062171		120 CENTENNIAL	DR	WINDSOR	120 CENTENNIAL DR	LOT F WINDSOR	BOWLING	1.09
45055621		125 CENTENNIAL	DR	WINDSOR	125 CENTENNIAL DR	WINDSOR	LAND INDUSTRIAL	0.79
45059698		133 CENTENNIAL	DR	WINDSOR	133 CENTENNIAL DR	WINDSOR	LAND	5.35
45198439		140 MORISON	DR	WENTWORTH CREEK	140 MORISON DR	LOT 10 WENTWORTH CREEK	POLICE	2.1
45168143		140 OLD WALTON	RD	UP BURLINGTON	140 OLD WALTON RD	LOT A UP BURLINGTON	DWELLING SERVICE	3.38
45191715		144 WILLIAMS	RD	ELLERSHOUSE	144 WILLIAMS RD	LOT 2-Z ELLERSHOUSE	DWELLING GARAGE	2.54
45015179		15 OLD HALIFAX	RD	NEWPORT STATION	15 OLD HALIFAX RDE	NEWPORT STATION	LAND GARAGE	1.82
45009990		15 MAPLE	AVE	ELLERSHOUSE	15 MAPLE AVE	LOT 2 ELLERSHOUSE	DWELLING GARAGE	0.5
45075389		155 TOWN	RD	FALMOUTH	155 TOWN RD	FALMOUTH	CEMETERY BUILDING	6.29
45193190		16 NELSON	ST	WENTWORTH CREEK	16 NELSON ST	LOT 45A1 WENTWORTH CREEK	WAREHOUSE	2.63
45048196		16 STATION	ST	HANTSPORT	16 STATION ST	LOT 1 HANTSPORT		3.35
45213691		173 AYLWARD	RD	FALMOUTH	173 AYLWARD RD	FALMOUTH	LAND DWELLING BUILDING GARAGE	0.93
45060027		1736 WENTWORTH	RD	NEWPORT STATION	1736 WENTWORTH RD	NEWPORT STATION	LAND INDUSTRIAL	12.65
45008687		1879 WENTWORTH	RD	NEWPORT STATION	1879 WENTWORTH RD	LOT 1&2 NEWPORT STATION	DWELLING BUILDINGS GARAGE	1.21
45169638		1888 BELMONT	RD	BELMONT	1888 BELMONT RD	BELMONT	LAND DWELLING BUILDING	2.03
45202215		19 SANFORD	DR	WENTWORTH CREEK	19 SANFORD DR	LOT 2 WENTWORTH CREEK	TELECOM	0.83
45246329		19 BONNIE	LANE	NEWPORT STATION	19 BONNIE LANE	LOT 94-2A NEWPORT STATION	DWELLING GARAGE	3.3
45181609		197 NUNN	RD	SUMMERVILLE	197 NUNN RD	SUMMERVILLE	LAND DWELLING GARAGE	0.92
45403946		1989 WENTWORTH	RD	NEWPORT STATION	1989 WENTWORTH RD	LOT A NEWPORT STATION	DINING	8.73
45282076		199 MUSGRAVE	RD	SUMMERVILLE	199 MUSGRAVE RD	LOT X SUMMERVILLE	FORESTRY	10.73
45044252		2 DAVISON	ST	HANTSPORT	2 DAVISON ST	HANTSPORT	LAND	0.22
45274198		20 PARK	DR	WINDSOR	20 PARK DR	LOT 1A WINDSOR	INDUSTRIAL	2.95
45341716		20 IVEY	LANE	WENTWORTH CREEK	20 IVEY LANE	LOT 27A-07 WENTWORTH CREEK	RESEARCH	5.92
45056561		212 COLONIAL	RD	WINDSOR	212 COLONIAL RD	WINDSOR	LAND	17.42
45347077		232 WENTWORTH	RD	WINDSOR	232 WENTWORTH RD	LOT 5 WINDSOR	GAS STATION	1.11
45333150		24 STATION	LANE	FALMOUTH	24 STATION LANE	LOT FW-1234 FALMOUTH	WAREHOUSE	1.04
45219797		244 WENTWORTH	RD	WINDSOR	244 WENTWORTH RD	PARCEL TOW-1 WINDSOR		0.09
45356011		255 WOODVILLE	RD	GREENHILL	255 WOODVILLE RD	LOT MD-1 GREENHILL	SMALL BUSINESS	3.27
45016672		257 OLD HALIFAX	RD	THREE MILE PLAINS	257 OLD HALIFAX RD W	THREE MILE PLAINS	LAND SERVICE	14.1
45213600		26 MORISON	DR	WINDSOR	26 MORISON DR	LOT 18 WINDSOR	RETAIL/OFFICE	0.72

45030285	273 TOWN	RD	FALMOUTH	273 TOWN RD	FALMOUTH	LAND INCORP FARM	34.98	
45062213	29 PARK	DR	WINDSOR	29 PARK DR	LOT B-2 WINDSOR	SELF STORAGE	1.58	
45405917	290 TOWN	RD	FALMOUTH	290 TOWN RD	FALMOUTH	LAND INCORP FARM	1.18	
45405933	290 TOWN	RD	FALMOUTH	290 TOWN RD	FALMOUTH	LAND INCORP FARM	0.44	
45030319	290 TOWN	RD	FALMOUTH	290 TOWN RD	FALMOUTH	LAND INCORP FARM	2.22	
45055464	295 WENTWORTH	RD	WINDSOR	295 WENTWORTH RD	LOT 2 WINDSOR	TELECOM	12.47	
45062197	3 LAGOON	DR	WINDSOR	3 LAGOON DR	WINDSOR	SEWAGE/WATER TREATMENT FACILITIES	14.29	
45000387	3 BOWMAN	RD	GARLANDS CROSSING	3 BOWMAN RD	GARLANDS CROSSING	LAND WAREHOUSE	0.19	
45056447	368 NESBITT	ST	WINDSOR	368 NESBITT ST	WINDSOR	LAND RES/COM MIX	4.87	
45025624	37 BEECH BROOK	RD	ARDOISE	37 BEECH BROOK RD	ARDOISE	LAND DWELLING GARAGE	2	
45294907	37 MORISON	DR	WINDSOR	37 MORISON DR	LOT 1A WINDSOR	RETAIL/OFFICE	0.87	
45030442	380 TOWN	RD	FALMOUTH	380 TOWN RD	LOT A1 FALMOUTH	DWELLING BUILDINGS	1.04	
45406063	3891 HIGHWAY 14		WINDSOR FORKS	3891 HIGHWAY 14	LOT B-4 WINDSOR FORKS	INDUSTRIAL	4.09	
45406055	3899 HIGHWAY 14		WINDSOR FORKS	3899 HIGHWAY 14	LOT B-3 WINDSOR FORKS	INDUSTRIAL	0.93	
45406048	3901 HIGHWAY 14		WINDSOR FORKS	3901 HIGHWAY 14	LOT B-2 WINDSOR FORKS	DWELLING BUILDING	1.13	
45067923	4 IVEY	LANE	WENTWORTH CREEK	4 IVEY LANE	LOT 9 WENTWORTH CREEK	OFFICE BUILDING	1.26	
45003019	40 THREE MILE PLAINS CROSS	RD	THREE MILE PLAINS	40 THREE MILE PLAINS CROSS RD	THREE MILE PLAINS	LAND DWELLING SMALL BUSINESS	1.28	
45293743	41 MORISON	DR	WINDSOR	41 MORISON DR	LOT B WINDSOR	SERVICE	1.07	
45033958	41 BEN JACKSON	RD	HANTS BORDER	41 BEN JACKSON RD	LOT MH-2 HANTS BORDER	DWELLINGS SMALL BUSINESS	41 BEN JACKSON RD	4.37
45055555	43 TRECOTHIC	DR	WINDSOR	43 TRECOTHIC DR	LOT A WINDSOR	WAREHOUSE	1.55	
45003126	4307 HIGHWAY 1		THREE MILE PLAINS	4307 HIGHWAY 1	THREE MILE PLAINS	LAND DWELLING	0.13	
45249307	4436 HIGHWAY 1		THREE MILE PLAINS	4436 HIGHWAY 1	LOT HL-2 POR THREE MILE PLAINS	DWELLING	0.45	
45272754	45 MORISON	DR	WENTWORTH CREEK	45 MORISON DR	LOT C-1 WENTWORTH CREEK	ANIMAL CLINIC	1.92	
45059706	46 PARK	DR	WINDSOR	46 PARK DR	WINDSOR	LAND WAREHOUSE	4.77	
45044237	46 WILLIAM	ST	HANTSPOORT	46 WILLIAM ST	HANTSPOORT	LAND DWELLING	0.73	
45043759	46 PRINCE	ST	HANTSPOORT	46 PRINCE ST	HANTSPOORT	LAND	0.62	
45173382	471 DRESSER MINERALS	RD	PEMBROKE	471 DRESSER MINERALS RD	PEMBROKE	LAND MINING	7.45	
45014461	48 MORISON	DR	WENTWORTH CREEK	48 MORISON DR	LOT 15 WENTWORTH CREEK	INDUSTRIAL	1.2	
45017365	49 DUNLOP	RD	BROOKLYN	49 DUNLOP RD	LOT H-1 BROOKLYN	SERVICE	0.63	
45059714	49 CENTENNIAL	DR	WINDSOR	49 CENTENNIAL DR	LOT K WINDSOR	WAREHOUSE	1.97	
45394913	49 COLE	DR	GARLANDS CROSSING	49 COLE DR	LOT 3 GARLANDS CROSSING	OFFICE BUILDING	2.36	
45044328	49 WILLIAM	ST	HANTSPOORT	49 WILLIAM ST	HANTSPOORT	LAND	0.29	
45200631	5 SANFORD	DR	WENTWORTH CREEK	5 SANFORD DR	LOT 1-A1 WENTWORTH CREEK	WAREHOUSE	1.88	
45333648	5 STATION	ST	HANTSPOORT	5 STATION ST	LOT 1-01 HANTSPOORT	WAREHOUSE	0.47	
45234929	5 DAVISON	ST	HANTSPOORT	5 DAVISON ST	LOT 1 HANTSPOORT	PULP & PAPER	0.21	
45234937	5 DAVISON	ST	HANTSPOORT	5 DAVISON ST	LOT 1 HANTSPOORT	PULP & PAPER	7.56	
45044286	5 DAVISON	ST	HANTSPOORT	5 DAVISON ST	LOT 1 HANTSPOORT	PULP & PAPER	0.22	
45044278	5 DAVISON	ST	HANTSPOORT	5 DAVISON ST	LOT 1 HANTSPOORT	PULP & PAPER	0.37	
45228467	51 WILLIAM	ST	HANTSPOORT	51 WILLIAM ST	HANTSPOORT	LAND MINING	2.57	
45044310	51 WILLIAM	ST	HANTSPOORT	51 WILLIAM ST	HANTSPOORT	LAND MINING	13.78	
45228467	51 WILLIAM	ST	HANTSPOORT	51 WILLIAM ST	HANTSPOORT	LAND MINING	3.51	
45228467	51 WILLIAM	ST	HANTSPOORT	51 WILLIAM ST	HANTSPOORT	LAND MINING	2.21	
45014057	5568 HIGHWAY 1		ST. CROIX	5568 HIGHWAY 1	LOT 89-1EB ST. CROIX	DWELLING GARAGE	1.24	
45228665	57 ELLERSHOUSE	RD	ELLERSHOUSE	57 ELLERSHOUSE RD	LOT KB-1 ELLERSHOUSE		2.18	
45044443	6 STATION	ST	HANTSPOORT	6 STATION ST	LOT 2 HANTSPOORT	COMMERCIAL/APT MIX UNITS	0.2	
45204120	60 MORISON	DR	WENTWORTH CREEK	60 MORISON DR	LOT 14A-1 WENTWORTH CREEK	WAREHOUSE	0.55	
45010857	60 PRIVILEGE	RD	ELLERSHOUSE	60 PRIVILEGE RD	ELLERSHOUSE	LAND	4.19	
45294782	6000 HIGHWAY 14		GARLANDS CROSSING	6000 HIGHWAY 14	LOT RAC-4 GARLANDS CROSSING	RETAIL/OFFICE	2.24	
45218690	61 MORISON	DR	WENTWORTH CREEK	61 MORISON DR	LOT 20 WENTWORTH CREEK	SERVICE	0.99	
45005782	6219 HIGHWAY 1		ELLERSHOUSE	6219 HIGHWAY 1	ELLERSHOUSE	LAND DWELLING	3.81	
45190097	6229 HIGHWAY 1		ELLERSHOUSE	6229 HIGHWAY 1	LOT F-1 ELLERSHOUSE	DWELLING SMALL BUSINESS	2.65	
45366390	63 COLE	DR	GARLANDS CROSSING	63 COLE DR	LOT 4 GARLANDS CROSSING	HOTEL	1.95	
45013364	6310 HIGHWAY 1		NEWPORT CORNER	6310 HIGHWAY 1	NEWPORT CORNER	LAND DWELLING BUILDINGS	2.45	
45013356	6398 HIGHWAY 1		NEWPORT CORNER	6398 NO 1 HWY	NEWPORT CORNER	LAND MOBILE	34.71	
45061199	671 COLLIER	RD	ARDOISE	671 COLLIER RD E	ARDOISE	LAND TELECOM	2.03	
45229895	6729 HIGHWAY 215		CHEVERIE	6729 HIGHWAY 215	LOT LC-1 CHEVERIE	DWELLING BUILDINGS	2.1	
45270865	7 COLE	DR	WINDSOR	7 COLE DR	LOT 18 WINDSOR	FAST FOOD	0.93	
45199965	711 COLLIER	RD	ARDOISE	711 COLLIER RD E	ARDOISE	LAND	1.71	
45193679	72 IVEY	LANE	WENTWORTH CREEK	72 IVEY LANE	PARCEL X WENTWORTH CREEK	TELECOM	0.33	
45218708	73 MORISON	DR	WENTWORTH CREEK	73 MORISON DR	LOT 19 WENTWORTH CREEK	SERVICE	1	
45025236	7493 HIGHWAY 1		ARDOISE	7493 HIGHWAY 1	ARDOISE	LAND TELECOM	2.45	
45055522	75 TRECOTHIC	DR	WINDSOR	75 TRECOTHIC DR	WINDSOR	LAND INDUSTRIAL	3.45	
45018595	76 IVEY	LANE	WENTWORTH CREEK	76 IVEY LANE	LOT 31 PORT WENTWORTH CREEK	GROW OPERATION	9.27	
45148731	76 MORISON	DR	WENTWORTH CREEK	76 MORISON DR	LOT 14A-23 WENTWORTH CREEK	MUNICIPAL BLDG	1.38	
45055597	79 CENTENNIAL	DR	WINDSOR	79 CENTENNIAL DR	WINDSOR	LAND WAREHOUSE	1.8	
45100724	79 OLD HALIFAX	RD	THREE MILE PLAINS	79 OLD HALIFAX RD W	LOT G-4 THREE MILE PLAINS	DWELLING GARAGE	2.05	
45001245	798 WINDSOR BACK	RD	THREE MILE PLAINS	798 WINDSOR BACK RD	THREE MILE PLAINS	LAND DWELLING BUILDING	0.18	
45062221	8 PARK	DR	WINDSOR	8 PARK DR	LOT B-1 WINDSOR	SELF STORAGE	1.7	
45044377	80 DUNLOP	RD	BROOKLYN	80 DUNLOP RD	BROOKLYN	LAND WAREHOUSE	3.27	
45060266	80 ROBERT	DR	ARDOISE	80 ROBERT DR	LOT 20-18 ARDOISE	DWELLING SMALL BUSINESS	1.15	
45206505	8061 HIGHWAY 1		ARDOISE	8061 HIGHWAY 1	LOT CA ARDOISE	DWELLING GARAGE	1.8	
45061132	8105 HIGHWAY 14		BROOKLYN	8105 HIGHWAY 14	BROOKLYN	LAND	4.06	
45055563	82 CENTENNIAL	DR	WINDSOR	82 CENTENNIAL DR	LOT J WINDSOR	WAREHOUSE	1.39	
45002938	83 THREE MILE PLAINS CR	RD	THREE MILE PLAINS	83 THREE MILE PLAINS CR	THREE MILE PLAN	LAND DWELLING BUILDINGS GARAGE	3.84	
45196698	834 WINDSOR BACK	RD	THREE MILE PLAINS	834 WINDSOR BACK RD	THREE MILE PLAINS	LAND INCORP FARM	15.72	
45019601	853 HIGHWAY 215		BROOKLYN	853 HIGHWAY 215	LOT B BROOKLYN	WAREHOUSE	4.98	
45227923	88 SANFORD	DR	WENTWORTH CREEK	88 SANFORD DR	LOT 30A-1 WENTWORTH CREEK	GROW OPERATION	2.24	
45173804	8879 HIGHWAY 215		PEMBROKE	8879 HIGHWAY 215	PEMBROKE	LAND DWELLING BUILDINGS	39.24	
45270840	9 COLE	DR	WINDSOR	9 COLE DR	LOT 2 WINDSOR	FAST FOOD	1.08	
45283603	90 SANFORD	DR	WENTWORTH CREEK	90 SANFORD DR	LOT 24AC-1 WENTWORTH CREEK	INDUSTRIAL	90 SANFORD DR	3.1
45173598	9048 HIGHWAY 215		PEMBROKE	9048 HIGHWAY 215	PEMBROKE	LAND DWELLING BUILDINGS GARAGE	4.22	
45262086	93 INDUSTRIAL	DR	WINDSOR	93 INDUSTRIAL DR	LOT JL-4 WINDSOR	AUTO SALES	2.02	
45059730	93 CENTENNIAL	DR	WINDSOR	93 CENTENNIAL DR	WINDSOR	LAND SERVICE	1.31	
45062114	98 CENTENNIAL	DR	WINDSOR	98 CENTENNIAL DR	LOT I WINDSOR	SERVICE	1.11	
45201613	98 MORISON	DR	WENTWORTH CREEK	98 MORISON DR	LOT 13A WENTWORTH CREEK	SERVICE	1.48	

Figure 5 – Windsor Residential Zones (Without Civic Numbers Assigned)



Figure 6 – Windsor Residential Development Permitted Only by DA (Without Civic Numbers Assigned)

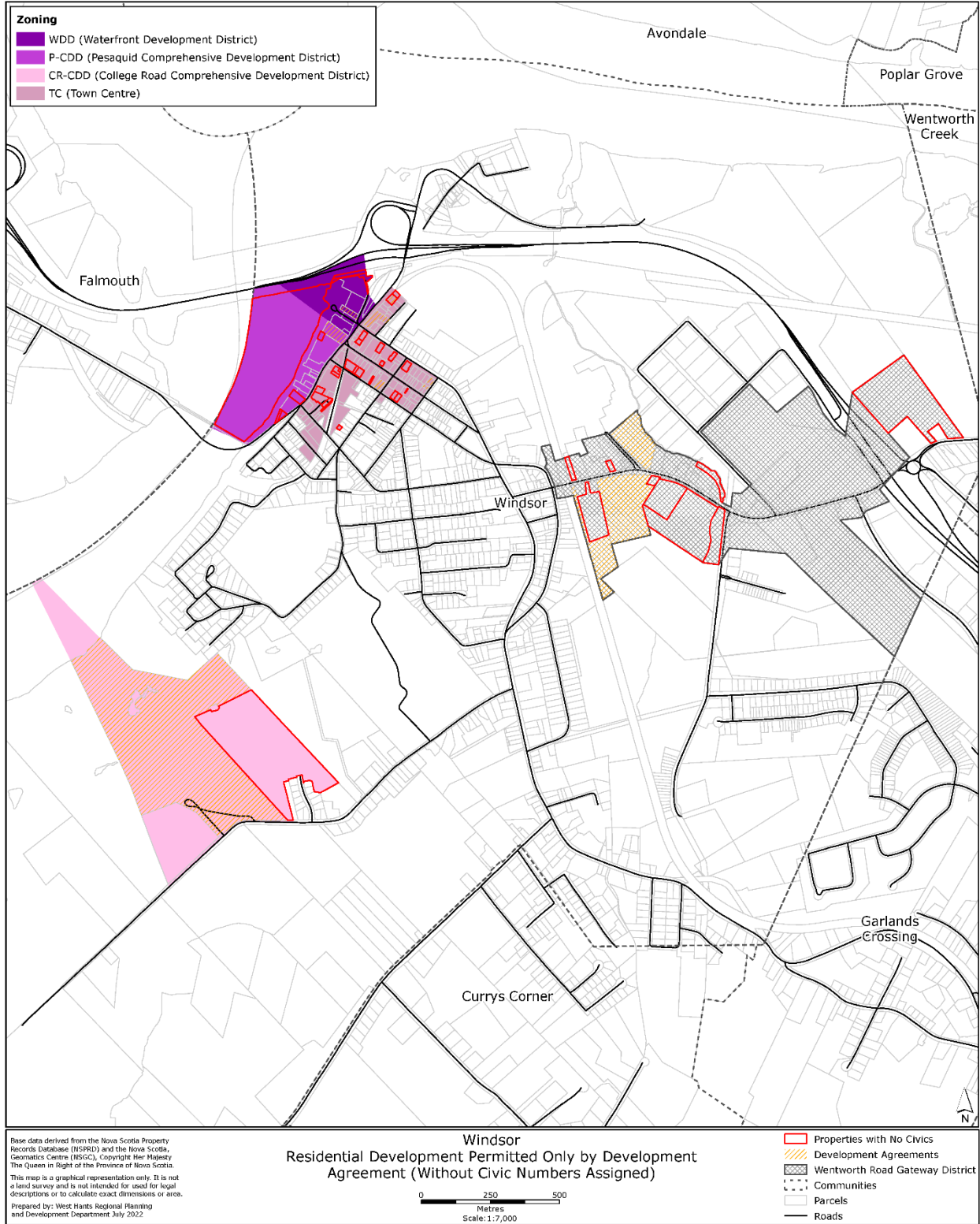
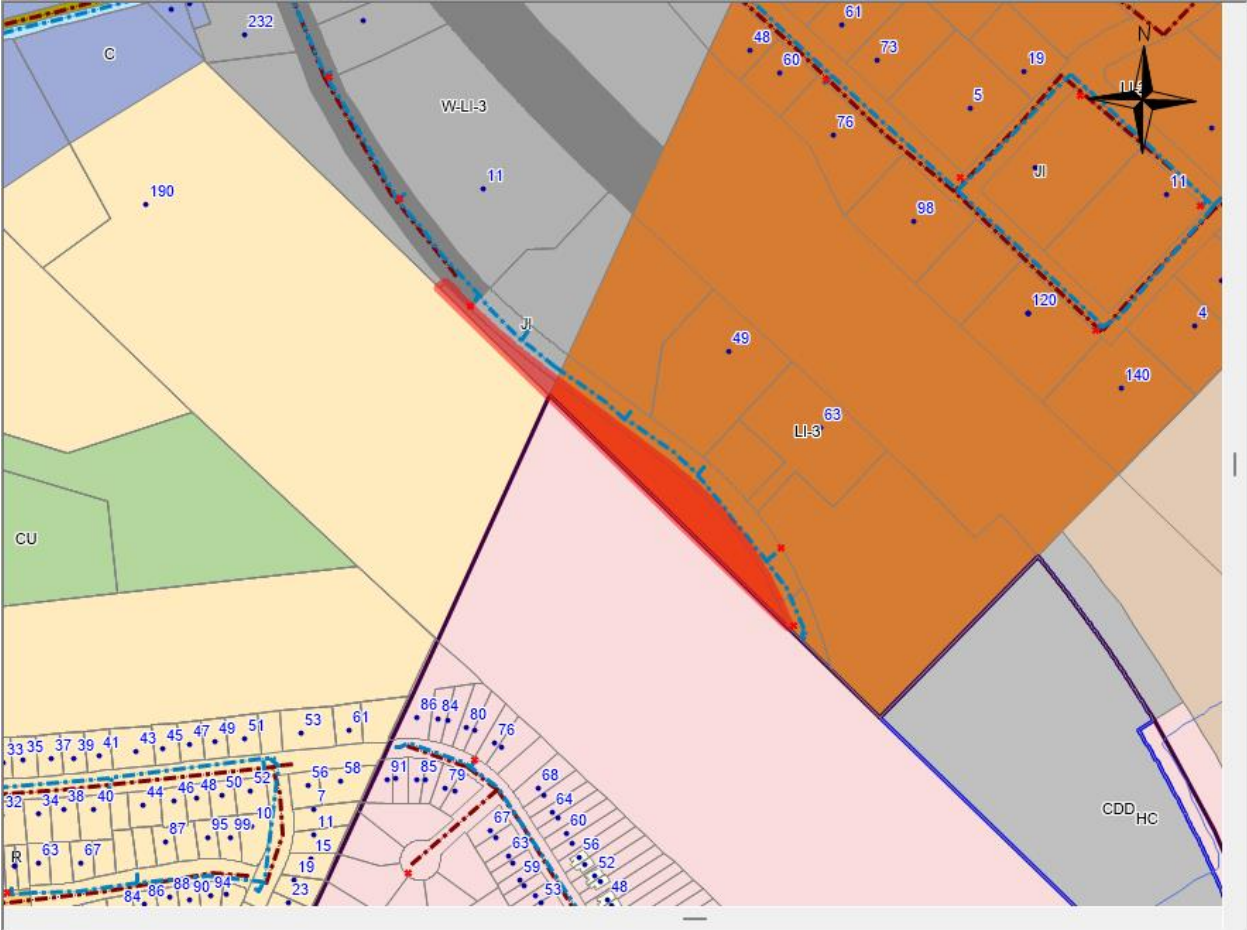


Figure 7 – Additional Property in Recommendation Context Map (PID 45366457)



Attachment C – Public Information Meeting Notes

October 13 - October 28, 2022

File 22-05: Cole Drive, Garlands Crossing/Windsor (PID 45366432) Windsor and West Hants Planning Document Amendments

Meeting date and time	A public information meeting was held on October 13, 2022 beginning at 6 p.m. The meeting was broadcast live on the Municipal Facebook page.
File Number	22-05
Attending	In attendance: One (1) Councillor: <ul style="list-style-type: none">• Councillor Jim Ivey Four (4) members of staff: <ul style="list-style-type: none">• Director LeMay• Planner Poirier• Planner Dunphy• Meeting Secretary Lake No members of the public were present for this meeting.
Applicant Darren Shupe, Brighter Community Planning on behalf of Mainland South Investments Property PID 45366432 Cole Drive, Windsor	Planner Dunphy outlined the application to allow a proposed development consisting of two 4-storey buildings in two parts by first amending both the Windsor and West Hants Municipal Planning Strategies and Land Use By-laws, then considering the proposal by development agreement.
Comments	Comments from the public could be submitted to Alex Dunphy by mail, e-mail and telephone between October 13 – October 28, 2022. No comments were received from the public.
Adjournment	The presentation portion of the PIM ended at approximately 6:10 p.m.



WEST HANTS REGIONAL MUNICIPALITY REPORT

Information <input type="checkbox"/>	Recommendation X	Decision Request <input type="checkbox"/>	Councillor Activity <input type="checkbox"/>
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To: Members of Planning and Heritage Advisory Committee (PAC/HAC)

Submitted by: _____
 Alex Dunphy, Planner

Date: November 10th, 2022

Subject: 394 Greenhill Road, Greenhill PID 45118502 – Development Agreement; File #22-21

LEGISLATIVE AUTHORITY

Municipal Government Act Section 230

RECOMMENDATION

To allow the requested development, staff recommends that the PAC/HAC forward a positive recommendation by passing the following motion:

...that PAC/HAC recommends that Council give First Reading and hold a Public Hearing to consider entering into a development agreement to allow a heavy truck and equipment repair shop at 394 Greenhill Road, Greenhill (PID 45118502) which is substantively the same as the draft set out in Attachment B of the report File #22-21 to the Planning and Heritage Advisory Committee dated November 10, 2022.

...that PAC/HAC recommends that Council require that the development agreement with Jeff Brown & Erika Rice for 394 Greenhill Road, Greenhill (PID 45118502) be signed within 120 days from the date of final approval by Council or the date that any appeals have been disposed of; otherwise this approval will be void and obligations arising hereunder shall be at an end.

BACKGROUND

Property X	Public Opinion <input type="checkbox"/>	Environment <input type="checkbox"/>	Social <input type="checkbox"/>	Economic <input type="checkbox"/>	Councillor Activity <input type="checkbox"/>
------------	--	--------------------------------------	---------------------------------	-----------------------------------	---

The completed application was submitted by Jeff Brown and Erika Rice on September 6th, 2022 to permit a heavy truck and equipment repair shop by development agreement at 394 Greenhill Road, Greenhill (PID 45118502).

Surrounding Context

All properties surrounding the subject lot are designated Agriculture and zoned Agricultural Priority Two (AR-2). Lands to the south, east, and west appear to be wooded lots with sparse residential uses. Lands to the north appear to be cleared field with a single residential use.

DISCUSSION

The subject lot is currently designated Agriculture on the Generalized Future Land Use Map (GFLUM) of the West Hants Municipal Planning Strategy (MPS) (Figure 1). The subject lot is zoned Agricultural Priority Two (AR-2) on Schedule A of the West Hants Land Use By-law (LUB) (Figure 2).

Municipal Planning Strategy Document Review

Policy 8.9.4 is the primary enabling policy to be considered for this application. This policy provides Council with the ability to consider new non-resource uses from the Resource Industrial (M-1) zone by development agreement. The Policy also includes criteria which must be met by the proposed development. The full list of criteria is included with this report in Attachment A. In summary, the proposal meets the criteria since:

- the agrologist report concludes that the subject lot has limitations for agricultural production and is not well suited for future agricultural development;
- the proposed use will not compromise the agricultural character of the area or the operation of existing agricultural operations;
- The Area Manager from the Nova Scotia Department of Public Works had no concerns regarding roadway access or traffic generation; and
- the design, hours of operation, and on-site parking are suitable for the proposed use.

Policy 8.6.1 provides the criteria which must be met by an agrologist report in order to permit the consideration of rezoning a lot for non-farm development. The full list of criteria is included with this report in Attachment A. In summary, the proposal meets the criteria since:

- the subject lot exhibits constraints with regard to agriculture including stoniness, steepness of slope, depth of soil, and plot size;
- the author of the report is a professional agrologist who performed a site visit;
- the report includes a site plan showing the study area; and
- the report identifies site features and reasons that the subject lot would not be productive agricultural land.

Policy 16.3.1 establishes the general criteria that all amendments to the Windsor Land Use By-law must meet. The full list of criteria is included with this report in Attachment A. In summary, the proposal meets the criteria as:

- the proposal is not considered premature or inappropriate for the area;
- no municipal costs related to the proposal are anticipated; and
- the Fire Chief, Development Officer, Manager of Building and Fire Inspection Services, Municipal Engineering Technologist, and Area Manager of the Nova Scotia Department of Public Works have no concerns which have not been addressed in this report.

NEXT STEPS

Discussion from PAC will be incorporated into the report and presentation to Council.

FINANCIAL IMPLICATIONS

There are no financial implications to the Municipality or residents with regard to the filing of this report.

ALTERNATIVES

The Planning and Heritage Advisory Committee (PAC/HAC) may:

- provide alternative direction, such as requesting further information on a specific topic.

ATTACHMENTS

Figure 1	West Hants GFLUM Extract
Figure 2	West Hants Zoning Map Extract
Attachment A	Policy Summary for Development Agreement
Attachment B	Draft Development Agreement
Attachment C	Public Information Meeting Notes
Attachment D	Agrologist Report

Report Prepared by: _____

Alex Dunphy, Planner

Report Approved by: _____

Madelyn LeMay, Director of Planning and Development

Figure 1 – West Hants GFLUM Extract

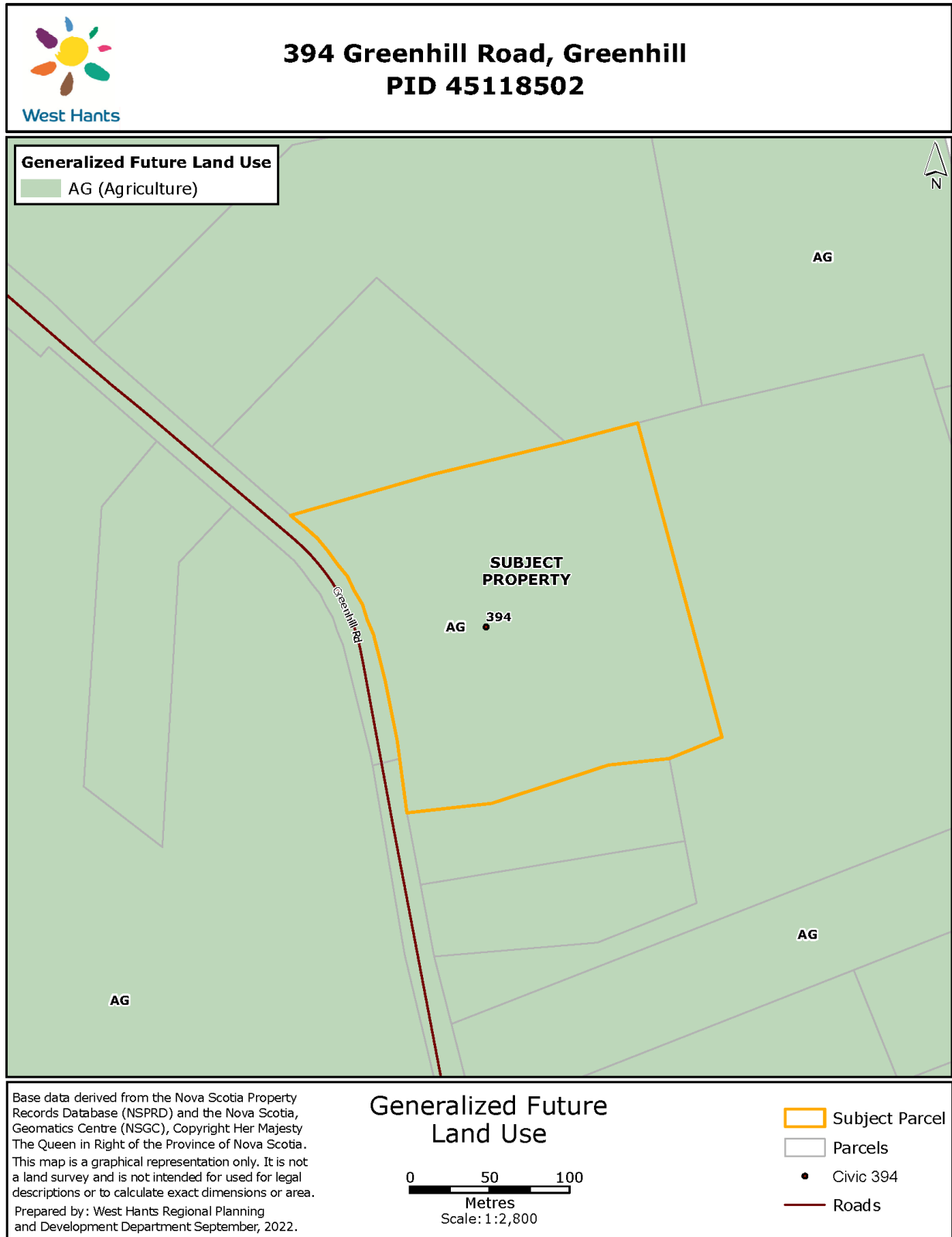
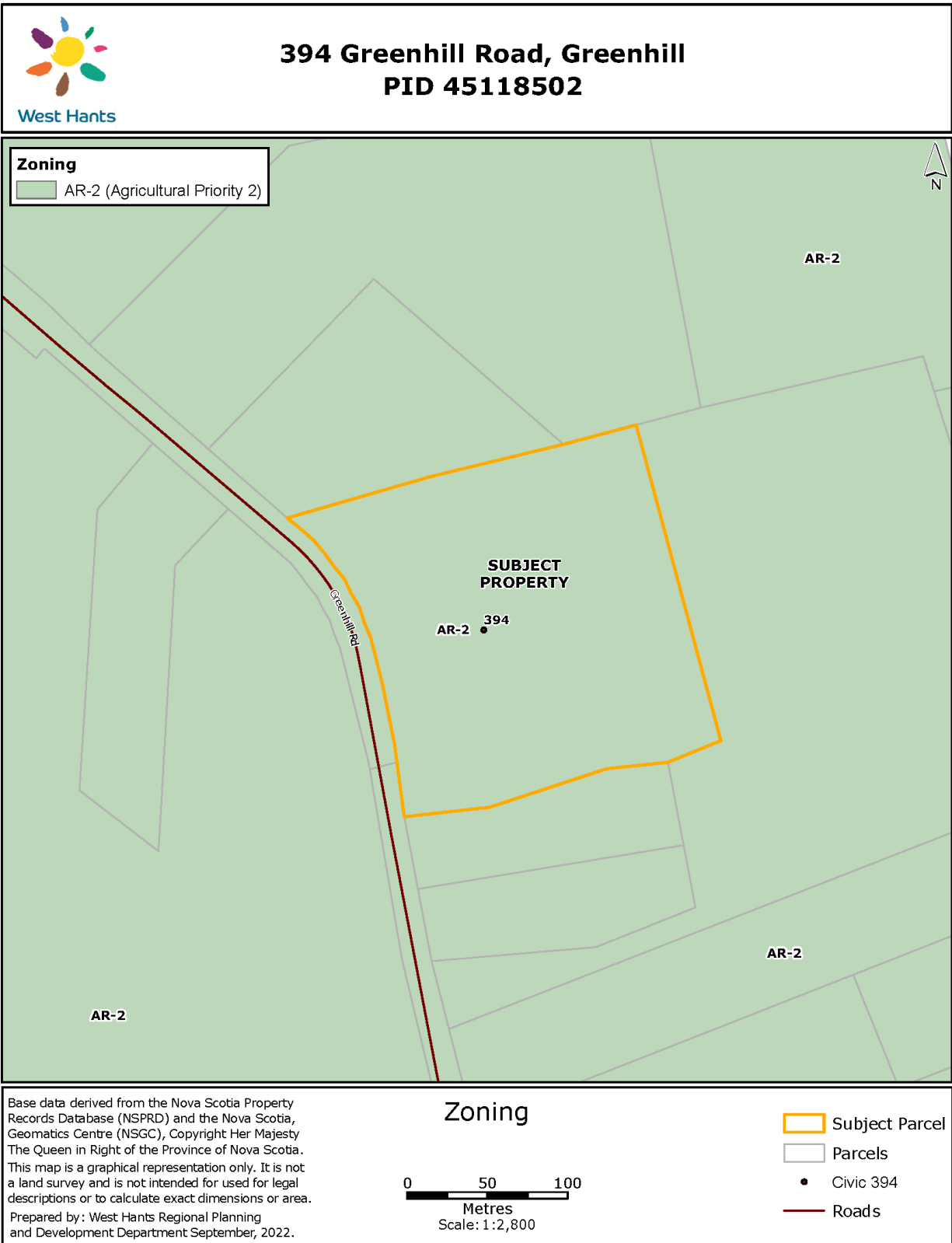


Figure 2 – West Hants Zoning Map Extract



Attachment A – Policy Summary for Development Agreement

<p>Policy 8.9.4 <i>It shall be the intention of Council to consider new non-resource Rural Commercial (RC), Recreation Commercial (RecC), Resource Industrial (M-1) or Open Space (OS) uses in the AR-2 zone by development agreement subject to the following:</i></p>	
<p><i>(a) the development site has been determined to have little or no agricultural capability in accordance with Policy 8.6.1;</i></p>	<p>The agrologist report listed as Attachment D concludes that the subject lot has limitations for agricultural production and is not well suited for future agricultural development.</p>
<p><i>(b) the proposed use will not compromise or adversely affect the operation or integrity of existing agricultural operations;</i></p>	<p>As part of the agrologist report, the agrologist consulted neighbouring farms and neither noted any concerns. The proposed use will not affect neighbouring farms.</p>
<p><i>(c) the predominant agricultural character of the area will not be adversely affected;</i></p>	<p>The proposed use will be developed on a previously infilled lot which has not affected any agricultural uses.</p>
<p><i>(d) adequate separation distances and buffering between agricultural and non-agricultural uses can be provided;</i></p>	<p>The subject lot has sufficient space to maintain setbacks from surrounding properties. The Development Officer noted that a minimum setback of 40 ft from all property lines is recommended and included in the development agreement.</p>
<p><i>(e) the use is not one which, because of its size or nature, would be more appropriately located in a Growth Centre, Village or Hamlet;</i></p>	<p>The proposed use is appropriate in terms of scale and usage for the location.</p>
<p><i>(f) safe and efficient roadway access is provided;</i></p>	<p>The Area Manager from the Nova Scotia Department of Public Works had no concerns regarding the roadway access for the subject lot.</p>
<p><i>(g) adequate on-site parking is provided;</i></p>	<p>The West Hants Land Use By-law specifies the minimum number of parking spaces required for a use. Using the calculation for parking requirements in Clause 5.31 (a) of the West Hants Land Use By-law, staff request that a minimum of five (5) parking spaces be included in the draft development agreement for the heavy truck and equipment repair shop to ensure the shop can provide adequate on-site parking.</p>

<i>(h) the development is compatible with adjacent land uses with respect to:</i>	
<i>(i) traffic generation and traffic safety;</i>	The Area Manager from the Nova Scotia Department of Public Works had no concerns regarding the generation of traffic or traffic safety.
<i>(ii) hours of operation;</i>	The applicant contacted neighbouring properties and informed the owners of the proposed development and hours of operation. No concerns were raised from those interactions, so standard operating hours will be outlined in the development agreement as 7:00 am to 7:00 pm Monday to Saturday.
<i>(iii) size and design of building(s);</i>	The proposed building footprint is 60 ft. by 80 ft. with two bay doors and wall height of 16 ft. The applicant would like to perform maintenance and repair on larger vehicles and equipment. This building would be appropriate in terms of size and design for the proposed use.
<i>(iv) signage; and</i>	Any signage will need to meet the requirements of the West Hants Land Use By-law.
<i>(v) pedestrian circulation and safety;</i>	There are no existing sidewalks on Greenhill Road. Based on the proposed use, it is unlikely that individuals will walk to or from the subject lot.
<i>(i) any other matter which may be addressed in a development agreement;</i>	All matters are addressed.
<i>(j) Policy 16.3.1.</i>	Refer to Policy 16.3.1 summary.
Policy 8.6.1 <i>It shall be the policy of Council to consider certain non-farm development, pursuant to the relevant specific policies of this Part, on land within the Agricultural designation that has been determined to have little or no agricultural capability. A determination of agricultural capability shall be based on the following:</i>	
<i>(a) 90 percent or more of the development site is an existing or abandoned resource extraction site such as a sand pit, gravel pit or quarry for which a permit for extraction has been issued by the Province of Nova Scotia. The resource extraction must have</i>	N/A

<i>been existing or abandoned prior to the effective date of this Strategy; or</i>	
<i>(b) if not a resource extraction site, a study has been prepared by a professional agrologist, at the expense of the applicant, which concludes that the proposed development will not adversely affect the viability of surrounding agricultural operations and:</i>	
<i>(i) 90 percent or more of the development site has soils defined as Class 4 or lower capability for agriculture; or</i>	N/A
<i>(ii) the soils have a capability for agriculture rating better than Class 4, but 90 percent or more of the development site exhibits severe limitations for agricultural use because of slope, stoniness, salinity, wetness, permeability, depth of soils, size of parcel or proximity to non-farm buildings;</i>	The land is rated as Canada Land Inventory (CLI) Class 3 or lower but has constraints which limit the use of the land for agriculture. There are limitations in the site which influence the viability for agricultural production including stoniness, steep slope, depth of soil, and plot size. The lot is not in agricultural production and would not result in a loss of production based on the proposed use.
<i>(c) the study shall:</i>	
<i>(i) be prepared by a registered full member of the Nova Scotia Institute of Agrologists;</i>	A report was received from Yvonne Thyssen-Post, who is a Professional Agrologist recognized by the Nova Scotia Institute of Agrologists.
<i>(ii) require a site inspection by the agrologist;</i>	A site visit was conducted on August 16 th , 2022 by Yvonne Thyssen-Post.
<i>(iii) specify the method used, consistent with the C.L.I. classification methodology, to determine soil capability for agriculture;</i>	The Canadian Land Classification system was designed for regional level classification. The agrologist's report did not reclassify the land, but instead identified key characteristics of agricultural production capability which determine whether the subject lot is suitable.
<i>(iv) identify any major site features or characteristics which influence or determine soil capability including, but not limited to, slope, soil texture, stoniness, wetness, salinity, permeability, and depth of soils;</i>	Refer to the Study Criteria section in Attachment D.
<i>(v) include a site plan illustrating the area studied and any relevant site features;</i>	Included within Attachment D.

<p><i>(vi) identify reasons why the use would be compatible with, or not adversely affect, area farms. Reference should be made to the following where applicable: site and locational constraints; infilling between existing non-farm development; logical extension of existing non-farm development; special use with special locational requirements; current pattern of development; parcel size and shape; surrounding land uses; context within which the parcel fits into the farming area; viability of the parcel and remnant for farming; and existing, past and future use of the parcel and remnant;</i></p>	<p>The proposed use is compatible with the surrounding agricultural uses as there is sufficient buffering from the neighbouring farms. The farm owners were also consulted as part of the agrologist report and both stated that the proposed use would have no impact on their existing operations.</p>
<p><i>(vii) indicate the implications of letting the parcel go out of agricultural production; and</i></p>	<p>The subject lot has not been in agricultural production prior to this request. The lot is insignificant and would not be useful to neighbouring farms for agricultural production.</p>
<p><i>(viii) indicate the implications of fragmenting the land.</i></p>	<p>Fragmentation of the subject will not affect the capability of agricultural production on the lot.</p>

<p>Policy 16.3.1 <i>In considering development agreements and amendments to the West Hants Land Use By-law, in addition to the criteria set out in various policies of this Strategy, Council shall consider:</i></p>	
<p><i>(a) whether the proposal is considered premature or inappropriate in terms of:</i></p>	
<p><i>(i) the adequacy of sewer and water services;</i></p>	<p>The Public Works Department confirmed that there are no municipal services on the subject lot. Any on-site services must meet the requirements of the Nova Scotia Department of Environment and Climate Change.</p>
<p><i>(ii) the adequacy of school facilities;</i></p>	<p>N/A</p>
<p><i>(iii) the adequacy of fire protection and other emergency services;</i></p>	<p>The local Fire Chief has stated that there is adequate fire protection for the proposed use. The Manager of Building and Fire Inspection Services had no issues with fire protection but recommended at least a 26 ft. setback for the side yard.</p>

<p><i>(iv) the adequacy of road networks adjacent to, or leading to the development; and</i></p>	<p>The Area Manager from the Nova Scotia Department of Public Works had no concerns regarding the road networks adjacent or leading to the development.</p>
<p><i>(v) the financial capacity of the Municipality to absorb any costs relating to the development.</i></p>	<p>There are no anticipated costs to the Municipality regarding this development.</p>
<p><i>(b) whether the development is serviced, or capable of being serviced, by a potable water supply and either central sewer or an approved on-site sewage disposal system;</i></p>	<p>Any on-site services must meet the requirements of the Nova Scotia Department of Environment and Climate Change.</p>
<p><i>(c) the suitability with any aspect relative to the movement of auto, rail and pedestrian traffic;</i></p>	<p>The Area Manager from the Nova Scotia Department of Public Works had no concerns regarding movement suitability on the subject lot.</p>
<p><i>(d) the adequacy of the dimensions and shape of the lot for the intended use;</i></p>	<p>The Development Officer commented that the proposed use should not be located closer than 40 ft from any property line. The subject lot is suitable for this recommendation.</p>
<p><i>(e) the pattern of development which the proposal might create;</i></p>	<p>The heavy truck and equipment repair shop is proposed to be located on a lot that is surrounded by forested area and the home of the applicant. Although the surrounding area is designated Agriculture and zoned Agricultural Priority Two (AR-2) it is not anticipated that this proposed use will interfere with the pattern of development.</p>
<p><i>(f) the suitability of the area in terms of steepness of grade, soil and geological conditions, location of water courses, wetlands, and susceptibility of flooding;</i></p>	<p>See Attachment D.</p>
<p><i>(g) whether the proposal meets the requirements of the appropriate provincial or federal agencies as well as whether it conforms to all other relevant municipal by-laws and regulations; and</i></p>	<p>All Municipal, Provincial, and Federal regulations will have to be met.</p>
<p><i>(h) any other matter required by relevant policies of this Strategy.</i></p>	<p>All relevant matters have been addressed in this report.</p>

Attachment B – Draft Development Agreement



DEVELOPMENT AGREEMENT

THIS AGREEMENT made this day of , 2022.

BETWEEN:

WEST HANTS REGIONAL MUNICIPALITY, a body corporate pursuant to the *Municipal Government Act*, having its chief place of business at 76 Morison Drive, Wentworth Creek, in the County of Hants, Province of Nova Scotia,

(Hereinafter referred to as the “Municipality”)

OF THE FIRST PART

- and -

Jeff Brown and Erika Rice, of 394 Greenhill Road, Greenhill, in the County of Hants, Province of Nova Scotia,

(Hereinafter referred to as the “Owners”)

OF THE SECOND PART

WHEREAS the Owners are the registered owners of a parcel of land located at 394 Greenhill Road (PID 45118502) hereinafter referred to as the “Property”, which lands are more particularly described in Schedule A attached hereto; and

WHEREAS the Property is designated Agriculture on the Generalized Future Land Use Map of the West Hants Municipal Planning Strategy (June 26, 2008) (the “Municipal Planning Strategy”) and

zoned Agricultural Priority Two (AR-2) on the Zoning Map of the West Hants Land Use By-law (June 26, 2008) (the “Land Use By-law”); and

WHEREAS the Owners have requested that the Municipality enter into a development agreement to permit a Heavy Truck and Equipment Repair Shop on the Property (the “Development”) and Section 6.1 (s) of the Land Use By-law enables Council to consider a development agreement for heavy equipment sales and service as it is a listed permitted use in the Resource Industrial (M-1) zone; and

WHEREAS the Council of the Municipality, at a meeting held on **Month Day, 2022**, approved this request;

NOW THEREFORE THIS AGREEMENT WITNESSETH that in consideration of the mutual covenants and agreements herein contained, the parties agree as follows:

PART 1 AGREEMENT CONTEXT

1.1 Definitions

In this Agreement, all words or phrases used shall carry their customary meaning unless otherwise set out in the Land Use By-law, except those defined as follows:

- (a) “Heavy Truck and Equipment Repair Shop” means a commercial establishment for the repair or replacement of parts in automotive, farm or forestry vehicles, machinery or equipment.

1.2 Schedules

The following attached schedules shall form part of this agreement:

Schedule A - Legal Description

Schedule B - Site Layout

1.3 Municipal Planning Strategy, Land Use By-law and Subdivision By-law

- (a) *Municipal Planning Strategy* means the West Hants Municipal Planning Strategy, effective on June 26, 2008, as amended, or successor By-laws;
- (b) *Land Use By-law* means the West Hants Land Use By-law, effective on June 26, 2008, as amended, or successor By-laws;
- (c) *Subdivision By-law* means the West Hants Subdivision By-law, effective on June 26, 2008, as amended, or successor By-laws.

PART 2 DEVELOPMENT REQUIREMENTS

2.1 Use

The Parties agree that uses on the Property shall be limited to the following:

- (a) those uses permitted by the underlying zoning in the Land Use By-law;
- (b) a Heavy Truck and Equipment Repair Shop; and
- (c) uses and structures accessory to the uses specified in clause 2.1 (a) and (b), including, but not limited to, storage sheds.

Except as otherwise provided in this Agreement, the provisions of the Land Use By-law and the Subdivision By-law apply to any development undertaken pursuant to this agreement.

2.2 Development Location and Design

The Heavy Truck and Equipment Repair Shop shall be located entirely within a new 60 ft. by 80 ft. building located at 394 Greenhill identified as “Shop” on the Site Layout, Schedule B. The new building for the Heavy Truck and Equipment Repair Shop shall meet the following requirements:

Minimum front yard	40 ft (12.19 m)
Minimum rear yard	40 ft (12.19 m)
Minimum side yard	40 ft (12.19 m)
Maximum height of main building	35 ft (10.67 m)

2.3 Access and Egress

The main access/egress to the lot shall be directly from Greenhill Road. The vehicular entrance and exit shall be clearly demarcated and maintained to a level adequate to allow for access by emergency service vehicles.

2.4 Parking

A minimum of five (5) parking spaces may be used as part of the Heavy Truck and Equipment Repair Shop. The parking shall be located approximately as shown on Schedule B.

2.5 Storage

No open storage or display areas shall be permitted in the front yard along Greenhill Road or the side yards. Open storage shall be limited to the space behind the Heavy Truck and Equipment Repair Shop and shall be screened from adjacent residential properties by a continuous row of trees, a hedge, a fence, or a combination of the foregoing arranged to form a dense or opaque screen. Accessory buildings for the Heavy

Truck and Equipment Repair Shop shall be permitted in accordance with Section 5.1 of the Land Use By-law.

2.6 Signs and Lighting

Signage and illumination shall be regulated under Sections 5.18 and 7.0 of the Land Use By-law, *Illumination* and *Signs*, which controls lighting, size, location, and number of signs. Exterior lighting for driveways, parking areas, signs or structures shall be shielded and directed downward to ensure there is no light spilling, glare or light cast over neighbouring properties or the street.

2.7 Water and Sewer Services

The property is not serviced by municipal water and sewer. The Owners shall be responsible for ensuring adequate water and sewer services are available for the uses permitted.

2.8 Hours of Operation

The hours of operation for the Heavy Truck and Equipment Repair Shop shall be limited to between 7:00 a.m. and 7:00 p.m. daily, Monday to Saturday, inclusive.

2.9 Maintenance

- (a) The Owners shall keep the Property and buildings and any portion thereof clean and in good repair. Any driveways, fences, lawns, trees, shrubs, walkways and other landscaping elements shall be regularly maintained and kept in a tidy state and free from unkempt materials or matter of any kind.
- (b) The Owners shall maintain the driveway to a level adequate to allow for access by emergency service vehicles.

PART 3 CHANGES and DISCHARGE

3.1 The Owners shall not vary or change the use of the Property from that provided for in Section 2.1 of this Agreement, *Use*, unless a new agreement is entered into with the Municipality or this agreement is amended.

3.2 Any matters in this agreement which are not specified in Subsection 3.3 below are not substantive matters and may be changed with the written consent of Council without a public hearing provided that Council determines that the changes do not significantly alter the intended effect of these aspects of this agreement.

3.3 The following matters are substantive matters:

- (a) the uses permitted on the Property as listed in Section 2.1 *Use* of this Agreement; and

(b) the location of the shop shown on Schedule B of this agreement.

3.4 Notwithstanding the foregoing, discharge of this agreement is not a substantive matter and this agreement may be discharged by Council without a public hearing.

3.5 Notice of Intent to Discharge this Agreement may be given by the Municipality to the Owners following a resolution of Council to give such Notice:

(a) as provided for in Section 4.1, *Commencement of Development*, of this Agreement; or

(b) at the discretion of the Municipality, with or without the concurrence of the Owners, where the Development has, in the reasonable opinion of Council on advice from the Development Officer, ceased operation for a period of at least twenty-four (24) months; or

(c) at any time upon the written request of the Owners, provided the use of the Property is in accordance with the Land Use By-law or a new Agreement has been entered into.

3.6 Council may discharge this Agreement 30 days after a Notice of Intent to Discharge has been given.

PART 4 IMPLEMENTATION

4.1 Commencement of Development

(a) The Owners may not commence any construction or use on the Property until the Municipality has issued any development permit, building permit and/or occupancy permit that may be required.

(b) Development as provided in Part 2 of this Agreement shall commence not later than twenty four (24) months from the date this Agreement is signed. If, in the opinion of the Development Officer, this time limit has not been met, this Agreement may be discharged at the option of the Municipality by resolution of Council in accordance with Section 229 of the Municipal Government Act, 30 days after giving Notice of Intent to Discharge to the Owners. Upon the written request of the Owners, the Municipality, by resolution of Council, may grant an extension to the date of commencement of development without such an extension being deemed to be an amendment to this Agreement.

(c) If the Owners are bona fide delayed from commencing the development for reasons which are beyond the Owners' control, the determination of which shall be at the sole discretion of the Development Officer, then performance by the Owners is excused for the period of the delay and the time period for the

Owners to perform their obligations shall be extended by the Development Officer in writing for an equivalent period, without such an extension being deemed to be an amendment to this Agreement.

4.2 Material to be Provided

- (a) The Owners shall provide record drawings to the Development Officer for any portion of the development for which an engineered design is required, within ten days of completion of any work which requires the engineered design.
- (b) The Owners shall, upon written request, provide the Municipality with copies of any documentation, permits or approvals required by Provincial or Federal governments or agencies.

PART 5 ADMINISTRATION and COMPLIANCE

5.1 Compliance with Other Bylaws and Regulations

- (a) Nothing in this Agreement shall exempt the Owners from complying with Federal, Provincial and Municipal laws, by-laws and regulations in force or from obtaining any Federal, Provincial, or Municipal license, permission, permit, authority, or approval required thereunder.
- (b) Where the provisions of this Agreement conflict with those of any by-law of the Municipality applicable to the Property (other than the Land Use By-law to the extent varied by this Agreement) or any statute or regulation, the higher or more stringent requirements shall prevail.

5.2 Severability of Provisions

The provisions of this Agreement are severable from one another and the invalidity or unenforceability of one provision shall not affect the validity or enforceability of any other provision.

5.3 Interpretation

- (a) Where the context requires, the singular shall include the plural and the neutral gender shall include the masculine and feminine.
- (b) Where the written text of this Agreement conflicts with information provided in the Schedules attached to this Agreement, the written text of this Agreement shall prevail.

5.4 Municipal Responsibility

- (a) The Municipality does not make any representations to the Owners about the suitability of the Property for the development proposed by this agreement. The

Owners assume all risks and must ensure that any proposed development complies with this Agreement and all other laws pertaining to the Development.

- (b) Any failure of the Municipality to insist upon a strict performance of any requirements or conditions contained in this Agreement shall not be deemed a waiver of any rights or remedies that the Municipality may have and shall not be deemed a waiver of any subsequent breach or default in the conditions or requirements contained in this Agreement.

5.5 Breach of Terms or Conditions

Upon breach of any term or condition of this Agreement, the Municipality may notify the Owners in writing. In the event that the Owners have not cured any such breach or entered into arrangements with the Municipality related to such breach to the Municipality's satisfaction, acting reasonably, within six (6) months of such notice then the Municipality may rely upon the remedies contained in Section 264 of the *Municipal Government Act* and may enter the land and perform any of the terms contained in the Development Agreement, or take such remedial action as is considered necessary to correct a breach of the Agreement, including the removal or destruction of anything that contravenes the terms of the Agreement and including decommissioning the site. It is agreed that all reasonable expenses, whether arising out of the entry on the land or from the performance of the terms, are a first lien on the land that is the subject of the Development Agreement.

5.6 Costs

The Owners shall pay all costs associated with registering this Agreement and all costs associated with any amendment thereof.

5.7 Development Agreement Bound to Land

This Agreement shall be binding upon the parties hereto and their heirs, executors, administrators, successors and assigns, and shall run with the land which is the subject of this Agreement until such time as it is discharged by the Municipality in accordance with Section 229 of the *Municipal Government Act*.

5.8 Assignment of Agreement

The Owners may, at any time and from time to time, transfer or assign this Agreement and its rights hereunder and may delegate its obligations hereunder to an assign, successor, heir, or purchaser of the land bound by this Agreement.

5.9 Written Notice

- (a) The Municipality may serve notice on the Owners personally or by ordinary mail which shall be deemed to have been received within three (3) business days of mailing, addressed to Jeff Brown and Erika Rice, PO Box 18, Mount Uniacke, NS B0N 1Z0 or at any other address provided by the Owners.
- (b) The Owner may serve notice on the Municipality by registered mail addressed to the Chief Administrative Officer, West Hants Regional Municipality, 76 Morison Drive, P.O. Box 3000, Windsor, NS, B0N 2T0, or at any successor address provided by the Municipality to the Owner.

5.10 Full Agreement

This agreement constitutes the entire agreement and contract entered into by the Municipality and the Owners. No other agreement or representation, oral or written, shall be binding.

IN WITNESS WHEREOF this Agreement was properly executed by the respective parties hereto on the day and year first above written.

SIGNED, SEALED AND DELIVERED

In the presence of:

Witness

Witness

Witness

Witness

) **WEST HANTS REGIONAL**

) **MUNICIPALITY**

)

)

)

Per: _____

) Abraham Zebian, Mayor

)

)

) Per: _____

) Deanna Snair, Municipal Clerk

)

)

Per: _____

) Jeff Brown

)

)

Per: _____

) Erika Rice

**PROVINCE OF NOVA SCOTIA
COUNTY OF HANTS**

ON THIS day of , A.D. **2022**, before me, the subscriber, personally came and appeared , a subscribing witness to the foregoing Indenture, who, having been by me duly sworn, made oath and said that **THE WEST HANTS REGIONAL MUNICIPALITY**, one of the parties thereto, caused the same to be executed in its name and on its behalf and its corporate seal to be thereunto affixed in presence.

A Commissioner of the Supreme Court of Nova Scotia

ON THIS day of , A.D. **2022**, before me, the subscriber, personally came and appeared , a subscribing witness to the foregoing Indenture, who, having been by me duly sworn, made oath and said that **THE WEST HANTS REGIONAL MUNICIPALITY**, one of the parties thereto, caused the same to be executed in its name and on its behalf and its corporate seal to be thereunto affixed in presence.

A Commissioner of the Supreme Court of Nova Scotia

**PROVINCE OF NOVA SCOTIA
COUNTY OF HANTS**

ON THIS day of , A.D. **2022**, before me, the subscriber, personally came and appeared , a subscribing witness to the foregoing Indenture, who, having been by me duly sworn, made oath and said that, **Jeff Brown**, one of the parties thereto, signed, sealed and delivered the same in presence.

A Commissioner of the Supreme Court of Nova Scotia

**PROVINCE OF NOVA SCOTIA
COUNTY OF HANTS**

ON THIS day of , A.D. **2022**, before me, the subscriber, personally came and appeared , a subscribing witness to the foregoing Indenture, who, having been by me duly sworn, made oath and said that, **Erika Rice**, one of the parties thereto, signed, sealed and delivered the same in presence.

A Commissioner of the Supreme Court of Nova Scotia

AFFIDAVIT OF CLERK

WEST HANTS REGIONAL MUNICIPALITY

I, Deanna Snair of _____, Hants County, Nova Scotia make oath and swear that:

1. I am the Clerk of the West Hants Regional Municipality (the “Municipality”) and I have personal knowledge of the matters to which I have sworn in this Affidavit.
2. The Municipality is a body corporate pursuant to the *Municipal Government Act*, S.N.S. 1988, c.18, as amended.
3. I acknowledge that the Municipality executed the attached Instrument by its proper designates duly authorized in that regard under seal on the date of this Affidavit pursuant to subsection 13(3) of the *Municipal Government Act*, S.N.S. 1988, c.18, as amended. This acknowledgement is made pursuant to subsection 31(a) of the Registry Act, R.S.N.S. 1989, c.392 and/or clause 79(1)(a) of the Land Registry Act, S.N.S. 2001, c.6, as amended, for the purpose of registering or recording the Instrument.
4. The Municipality is resident in Canada for the purposes of the Income Tax Act (Canada).

I certify that on this _____, 2022
the Municipal Clerk, Deanna Snair came before me, made oath,
and swore the foregoing affidavit at
_____, Nova Scotia.

A BARRISTER/COMMISSIONER OF THE
SUPREME COURT OF NOVA SCOTIA
Print name/affix seal

Deanna Snair, Clerk

CANADA
PROVINCE OF NOVA SCOTIA
HANTS COUNTY

AFFIDAVIT & PROOF OF EXECUTION (INDIVIDUAL)

We, Jeff Brown and Erika Rice, the “Deponents”, make oath and swear that:

1. We acknowledge that we executed the foregoing instrument on the date of this affidavit; this acknowledgement is made for the purpose of registering such instrument pursuant to s.31(a) of the *Registry Act*, R.S.N.S. 1989, c.392 or s.79(1)(a) of the *Land Registration Act* as the case may be.
2. We are nineteen years of age or older and are residents of Canada under the *Income Tax Act* (Canada).
3. For the purpose of this affidavit “spouse” means an individual who is married to another individual; is married to another individual by a marriage that is voidable and has not been voided by a declaration of nullity; has gone through a form of marriage with an individual, in good faith, that is void and they are cohabiting or have cohabited within the preceding year; or is a party to a registered domestic-partner declaration made in accordance with Section 53 of the *Vital Statistics Act* as amended, but does not include an individual who becomes a former domestic partner pursuant to section 55(1) of the Act.
4. We are the spouses of each other. Neither of us has any other spouse nor, with respect to the within property, any former domestic partner with the rights contemplated by Section 55 of the *Vital Statistics Act*, or any former spouse with rights under the *Matrimonial Property Act*. We consent to this disposition.

I certify that on this _____, 2022
the Deponents came before me, made oath,
and swore the foregoing affidavit at
_____, Nova Scotia.

A BARRISTER/COMMISSIONER OF THE
SUPREME COURT OF NOVA SCOTIA

Jeff Brown

Erika Rice

Schedule A
Legal Description – PID 45118502

ALL those lots, pieces or parcels of land and premises, situate, lying and being in the Township of Newport and being bounded and described as follows; viz:

FIRST - That lot bounded on the South by lands formerly owned by Frederick Canavan;

On the West by the Main Road leading from Hillsvale to Ashdale;

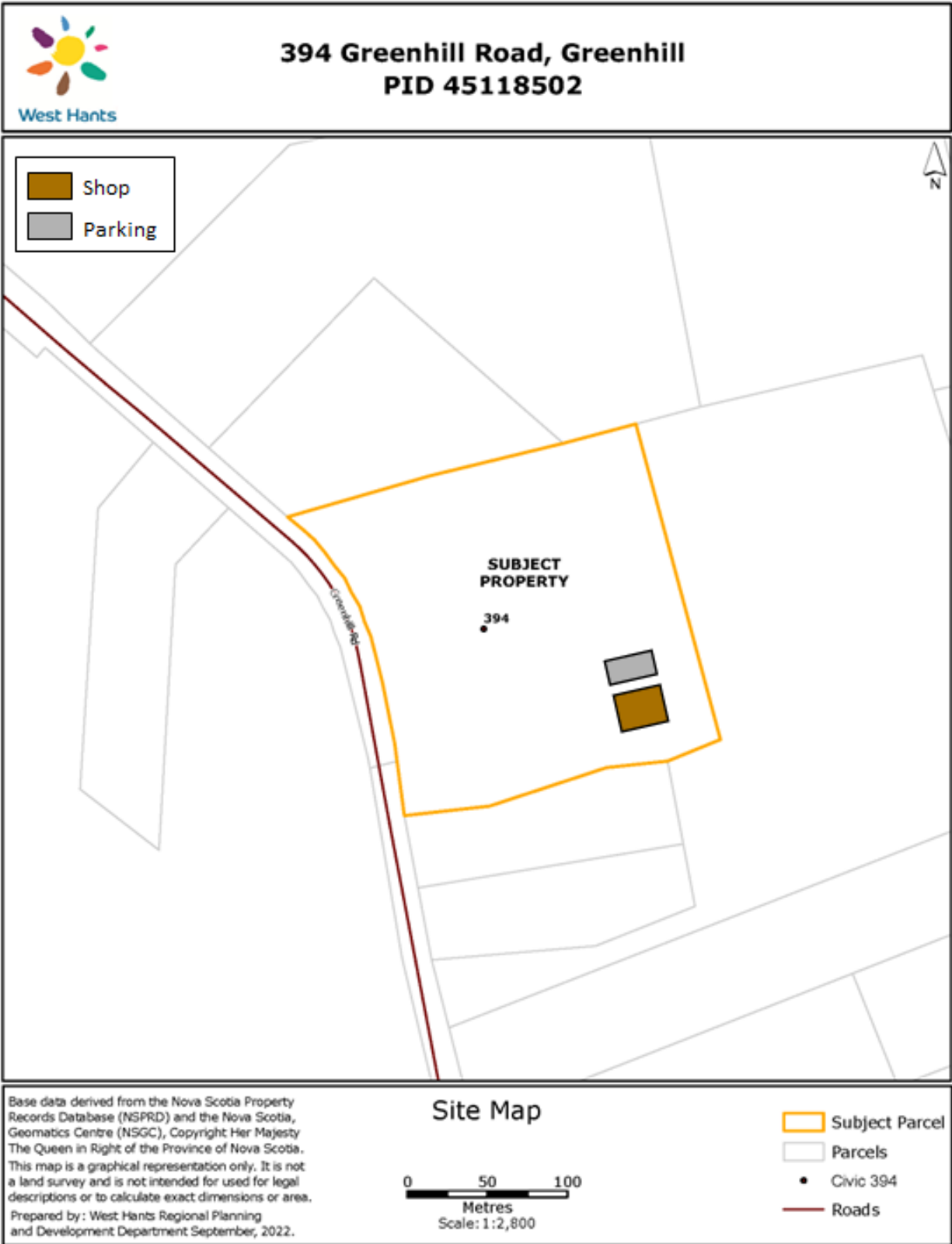
On the North by lands of Charles Canavan;

And on the East by lands owned by Frederick Canavan.

And containing in the whole TEN ACRES, more or less.

The parcel was created by a subdivision that predates subdivision control or planning legislation or by-laws in the municipality and therefore no subdivision approval was required for creation of this parcel.

Schedule B
Site Layout



Attachment C – Public Information Meeting Notes

October 13 - October 28, 2022

File 22-21: Development Agreement: 394 Greenhill Road, Greenhill (PID 45118502)

Meeting date and time	A public information meeting was held on October 13, 2022 beginning at 6:10 p.m. The meeting was broadcast live on the Municipal Facebook page.
File Number	22-21
Attending	In attendance: One (1) Councillor: <ul style="list-style-type: none">• Councillor Jim Ivey Four (4) members of staff: <ul style="list-style-type: none">• Director LeMay• Planner Poirier• Planner Dunphy• Meeting Secretary Lake No members of the public were present for this meeting.
Applicant Jeff Brown and Erika Rice Property 394 Greenhill Road, Greenhill (PID 45118502)	Planner Dunphy outlined the application to allow a proposed heavy truck and equipment repair shop by development agreement.
Comments	Comments from the public could be submitted to Alex Dunphy by mail, e-mail and telephone between October 13 – October 28, 2022. No comments were received from the public.
Adjournment	The presentation portion of the PIM ended at approximately 6:15 p.m.

Attachment D – Agrologist Report

**PROFESSIONAL AGROLOGST REPORT
DETERMINATION OF AGRICULTURAL CAPABILITY**

LAND REZONING REQUEST OF PID 45118502

for

J. Brown Excavating Limited

August 2022



Managing Today for Tomorrow

Tel: 902-895-1414 Cell: 902-899-5929

Email: yvonne@thyagrissenconsulting.ca

Website: www.thyagrissenconsulting.ca

I. Scope of Work

The West Hants Municipal Planning Strategy and Land Use By-Law outlines a process that land owners are required to undertake when requesting a development agreement from Council to rezone land that is agricultural. This report complies with Policy 8.6.1 providing a Professional Agrologist study addressing the criteria outlined to determine agricultural capability of the land. This section of the strategy acknowledges that the scale of the C.L.I. (Canada Land Inventory) mapping, upon which the agricultural designation is based, is generalized. As such there may be pockets of land with a higher or lower capability rating. A land-use by-law amendment or development agreement process provides an opportunity for owners of land with minimal or no agricultural capability to use the property for certain non-farm development, provided the development will not interfere with adjacent farm activities or negatively affect the viability of the farming area.

Policy 8.6.1 outlines the parameters for determining agricultural capability of a land parcel. Section 8.6.1.(a) excludes sites which are existing or abandoned resource extraction sites. The site being assessed in this study is not a resource extraction site, and as such this section is not applicable. Section 8.6.1(b) applies to the site, requiring a site study prepared by a Professional Agrologist to assess the agricultural capability of the land, and to consider whether or not the proposed development adversely affects the viability of surrounding agricultural operations. This document presents the Professional Agrologist study of PID 45118502 which is co-owned by Jeff Brown & Ericka Rice. The PID is currently zoned Agricultural Priority Two (AR-2) and the current owners are requesting a rezoning to commercial to construct a heavy machinery servicing and repair shop.

II. Professional Agrologist – Yvonne Thyssen-Post

Yvonne Thyssen-Post of Thyagrissen Consulting Limited is a Professional Agrologist with 40 years experience. She is a registered full member of the Nova Scotia Institute of Agrologists (NSIA), member ID #19311; confirmation of current membership provided in Appendix A. She holds a Bachelor of Science in Agriculture from McGill University as well as a Masters of Adult Education from St. Francis Xavier University. Her experience includes 14 years as an agricultural extension worker with the NS government, followed by 26 years as a private consultant serving the agricultural industry. She established her own company in 1998 – Thyagrissen Consulting Limited - and continues to provide various professional business planning services, primarily to the agricultural industry of Atlantic Canada.

III. PID Profile

PID #45118502 is located at 394 Greenhill Road, Greenhill, Hants County, NS, and is co-owned by husband/wife, Jeff Brown and Ericka Rice. The lot is approximately 10.4 acres in size, zoned Agricultural Priority Two (AR-2) by the West Hants Regional Municipality and is designated Agriculture. Mr. Brown and Ms. Rice built their personal residence on the lot in 2015. Jeff Brown owns and operates an excavation company – J. Brown Excavating Limited. He provides excavation services for residential and commercial property owners in the local area as well as HRM. He established his company in 2008 and today employs 11 people including himself and his wife. His business continues to grow and he wants to build a shop where he can service and repair the heavy equipment his business requires. He wants to sub-divide PID 45118502, separating out approximately a 2-acre parcel from personal ownership to the corporate name and build the heavy machinery servicing and repair shop on this site. The parcel referenced is identified in the map, Appendix C. The land was originally forested, and Mr. Brown removed the trees from the front portion of the 2-acre lot in the past year. He brought in fill to level the area and gravel to provide a solid base. The land had a significant slope from the road frontage to the back, inclining towards a river at the back of the property. He is currently using the site to store unwanted debris from excavation jobs, such as fill, lumber, gravel, top soil, etc. He also installed a portable saw mill on site where he mills discarded wood from job sites.

Land zoned AR-2 is defined in Section 8.7 of the West Hants Municipal Planning Strategy (WHMPS) as “Improved and unimproved land with high capability (Class 2 and 3) for production of a variety of crops. This land will be reserved for agricultural production with limited non-agricultural development.” (Page 73, WHMPS)

The strategy further clarifies the intent behind zoning land as AR-2:

“The Agricultural Priority Two (AR-2) zone is intended to apply to areas with high capability for agriculture, but where land owners do not want the strict development controls of the Prime Agriculture (P/Ag) zone. The AR-2 zone allows for more flexibility than the P/Ag zone including a wider scope of on-farm businesses by development agreement. Unlike the P/Ag zone, new dwellings are permitted as a main use, although subdivision is limited to two lots per area of land in a calendar year.” (Page 76, WHMPS)

IV. Study Criteria

The Professional Agrologist study considers the land parcel according to Policy 8.6.1(b)(ii) of the WHMPS, as this policy applies to this site. The study evaluates soils that have capability for agriculture rating better than Class 4 but 90% or more of the development site exhibits severe limitations for agricultural use.

The next section addresses each aspect of Policy 8.6.1.(c) fulfilling the requirements of the Professional Agrologist study.

- Author of study - Yvonne Thyssen-Post, P.Ag., is a registered full-member of NSIA.
- A site inspection was conducted on Tuesday, August 16 accompanied by Mr. Brown.

The Canada Land Inventory (CLI) Capability for Agriculture classification system shows the varying potential of a specific area for agricultural production. It indicates the classes and subclasses according to the Soil Capability Classification of Agriculture, which is based on characteristics of the soil as determined by soil surveys. These agricultural capability maps can be used at the regional level for making decisions on land improvements and farm consolidation, for developing land-use plans and for preparing equitable land assessments (Government of Canada website). The classes indicate the degree of limitation imposed by the soil in its use for mechanized agriculture. The subclasses indicate the kinds of limitations that individually or in combination with others, are affecting agricultural land use. Although the information is old, and better information is available for some areas as part of more recent soil surveys, the interpretations are still largely valid and many jurisdictions still use them for land use planning purposes.

- Soil capability for agriculture was determined using the Soil Map of Hants County, NS, (Report #5, NS Soil Survey) sourced from Government of Canada website, Agriculture & Agri-Food Canada, Canada Land Inventory (CLI) soil surveys. Soil surveys have been published for most of the agricultural areas, and many surrounding areas across Canada. Data from these surveys comprise the most detailed soil inventory information in the National Soil Database (NSDB). The PID was located using commercially available mapping software and the location transposed to the soil survey map. See slides in Appendix C. The site is identified as EI-P/2.B5. CLI describes the soil type as follows:
 - a. The soil characteristics are consistent with those represented by the Elmsdale classification. The surface and subsoil are described as light brown sandy loam over yellowish red sandy loam. The parent material is reddish brown clay loam till derived from shales and sandstones; contains hard slate and quartzite cobbles as confirmed during the visual viewing of the site on August 16.
 - b. Topography and drainage: on the road front of the property this was difficult to determine as the site had been in-filled; back of the site where the topography was undisturbed, it was rolling-to-hilly, imperfectly drained. Transcribing the CLI labeling P indicates well drained; 2 indicates moderately stony, enough stone to interfere with cultivation unless removed; B complex slopes, irregular or rough surface; 5 steeply sloping. Visual inspection of the site verified these parameters.
 - c. The present land use – prior to the clearing and in-filling, the land was forested. Currently it is being used for the placement of excavation equipment and storing/sorting of debris from excavation sites.
 - d. Land capability use of Elmsdale soil as defined in the CLI as fair crop land.

There are approximately 91,000 acres in West Hants is rated CL 1, 2, and 3 (less than 50% of this land is cleared, there is considerable potential for future expansion). The soil in PID 45118502 is primarily Class 3, possibly a small amount of Class 7 according to the Atlantic Provinces Soil Class Maps, compiled by the Soil Research Institute, Research Branch, Agriculture Canada based on maps supplied by NS Soil Survey.

- Major site features or characteristics which influence or determine soil capability include severe slope from the road front of the property to the river as reported by Mr. Brown, a 40-ft drop to the river; stoniness with slate evident in property line ditch and depth of soil, as evidenced by Mr. Brown in reaching bedrock within 12 inches when digging the ditch (Photos in Appendix B). The size of the land parcel being considered is also a factor influencing the capability as it is a 2-acre parcel next to a private residence belonging to Mr. Brown and on the other side is one PID that is being subdivided for 2 house lots. The size of a field (~2 acres) is a nuisance to operate efficiently for crop production. It is inefficient to crop with no other cleared cropland in the immediate vicinity.
- Appendix C locates the site via commercially available mapping software, soils maps and aerial photography. Mr Brown has yet to have a site survey plan completed including the topography as he wanted to ensure he would be approved for rezoning before spending additional money.
- Rezoning the land to commercial does not appear to have any adverse affect on neighboring farms. There are two farms in the immediate area that were consulted to assess the impact and determine compatibility. Mr. Brown provided contact information for two neighboring farmers, and notified them that the consultant would be contacting them to discuss his project.
 - Misty & Martin Croney live next to the site in question and operate a small farm part-time. They have two horses for pleasure purposes plus operate a small cow-calf beef farm consisting of 2 cows, 2 calves, 2 yearlings and 1 bull at the time of consultations on August 18, 2022. They sell freezer beef to individual customers. Ms. Thyssen-Post spoke with Martin Croney and he indicated that the construction of a shop by Mr. Brown would have “absolutely no impact on their farming activities whatsoever.”
 - Carl Miller owns a property about one kilometer away from the study site. Ms. Thyssen-Post spoke with him on August 23, 2022. Mr. Miller purchased the vacated hog farm in 2020 for his roofing company – Bluenose Roofing - to store equipment and supplies. He also is working to develop a beef and sheep farm. His current livestock inventory consists of 6 beef cows, 2 bulls, 100 ewes and 10 rams. His intent is to sell finished lambs to Northumberland Co-op or Oulton’s Meats. He is uncertain yet as to where he will market the feeders, once they are ready for market. “From his perspective, the machine shop will not impact his farm in any shape or form. He has no concerns.”

- Removing the parcel out of agriculture will not result in any loss of agriculture production as the land was not farmed prior to this rezoning request. The 2-acre parcel is insignificant and there are no neighboring farms that would utilize it, especially since the parcel is part of the PID where Mr. Brown built his personal residence.
- Fragmenting the land will mostly impact Mr. Brown as he will have a commercially zoned land parcel at the road entrance to his personal residence. This may impact the future value of his personal residence.

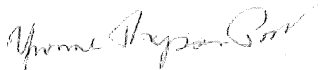
V. Rezoning Assessment Summary

The soil found in PID 45118502 is considered fair to good quality in terms of agricultural capability, as recorded in the CLI, and from the site inspection conducted by Ms. Thyssen-Post. The parcel could potentially produce a fair to good quality hay crop as it contains Class 3 soil similar to many areas of the province that are in agricultural production. There are limitations in the site that influence its' economic viability for agricultural production including the stoniness, steep slope, depth of soil and plot size as noted from the site inspection. The parcel is not currently in agricultural production, therefore there is no loss of production resulting from rezoning of the land.

The land parcel in question is already part of Mr. Brown's personal property and is of a size that is of little value for agricultural cropping purposes. Two neighboring farms were consulted as part of this study as to the impact of rezoning on their farm, and both noted no adverse effects. The construction of a machinery servicing and repair shop will not have any noise and smell affect on neighboring farms. Infilling that has already been completed on the site does not adversely affect existing non-farm development. Mr. Brown's residence is to the left of the site; another neighbor is developing 2 house lots on the right. This site is lower in elevation to the neighboring property. A drainage ditch dug by Mr. Brown along the property line directs run-off from the neighboring property away from the site.

Rezoning the land from AR-2 to commercial to build a heavy machinery servicing and repair shop will not adversely affect neighboring properties as confirmed in this study. The closest neighbor is the residence of Mr. Brown and so if anything, he may be impacted the most by it's affect on future property value.

Sincerely,



Yvonne Thyssen-Post, P.Ag.

Thyagrissen Consulting Limited



References

Canada Land Inventory (CLI) 1:1,000,000. (1954). Atlantic Provinces Soil Capability for Agriculture Map. Retrieved from

<https://sis.agr.gc.ca/cansis/publications/maps/cli/1m/agr/index.html>

Cann, D.B., Hilchey, J.D., & Smith, G.R. (1954). Soil Survey of Hants County Nova Scotia. Report No. 5 Nova Scotia Soil Survey. Agriculture Canada.

Devanney, M. (June 2010). Profile of Agricultural Land Resources in Nova Scotia. NS Department of Agriculture.

Municipality of the District of West Hants Municipal Planning Strategy. (Approved May 13, 2008; Amended to September 14, 2021).

Overview of Classification Methodology for Determining Land Capability for Agriculture. Canada Land Inventory (CLI), Agriculture & Agri-Food Canada. (2022) Retrieved from

<https://sis.agr.gc.ca/cansis/nsdb/cli/index.html>

APPENDIX A

NS Institute of Agrologist Membership

Receipt Number: 1882

2022



Nova Scotia Institute of Agrologists
7 Atlantic Central Dr
East Mountain, NS B6L 2Z2

Yvonne Thyssen-Post
35 Talon Court Bible Hill, NS B2N 7B4

Member ID: 19311

This is your receipt for income tax purposes.


NSIA Membership Fee for 2022 (HST Included at 15%)

\$178.25

Status: Professional Agrologist

****THIS IS YOUR OFFICIAL RECEIPT --- DO NOT PAY****

BN 888 257 599 RT0001



Nova Scotia Institute of Agrologists
7 Atlantic Central Dr.,
East Mountain, NS B6L 2Z2
902-893-7455
Web: <http://www.nsagrologists.ca>

**This is to certify that Yvonne Thyssen-Post
is a(n) Professional Agrologist**

Membership valid from Jan. 1 to Dec. 31, 2022

Yvonne Thyssen-Post
Member Signature

APPENDIX B

Site Photos (as of August 16, 2022)

Road front view of PID depicting the area that has been leveled with in-filling, the proposed location of the shop. The land slopes steeply at the back of the property where there is no in-filling. Mr. Brown's personal residence uses the same driveway, and is to the left of the photo.



Drainage ditch along property line of PID 45118502 depicting depth to bedrock. Topsoil to the left was brought in from construction sites and screened.



APPENDIX C

PID Identification; Agricultural Capability Determination



Soil Classification

Brown's Excavating Limited

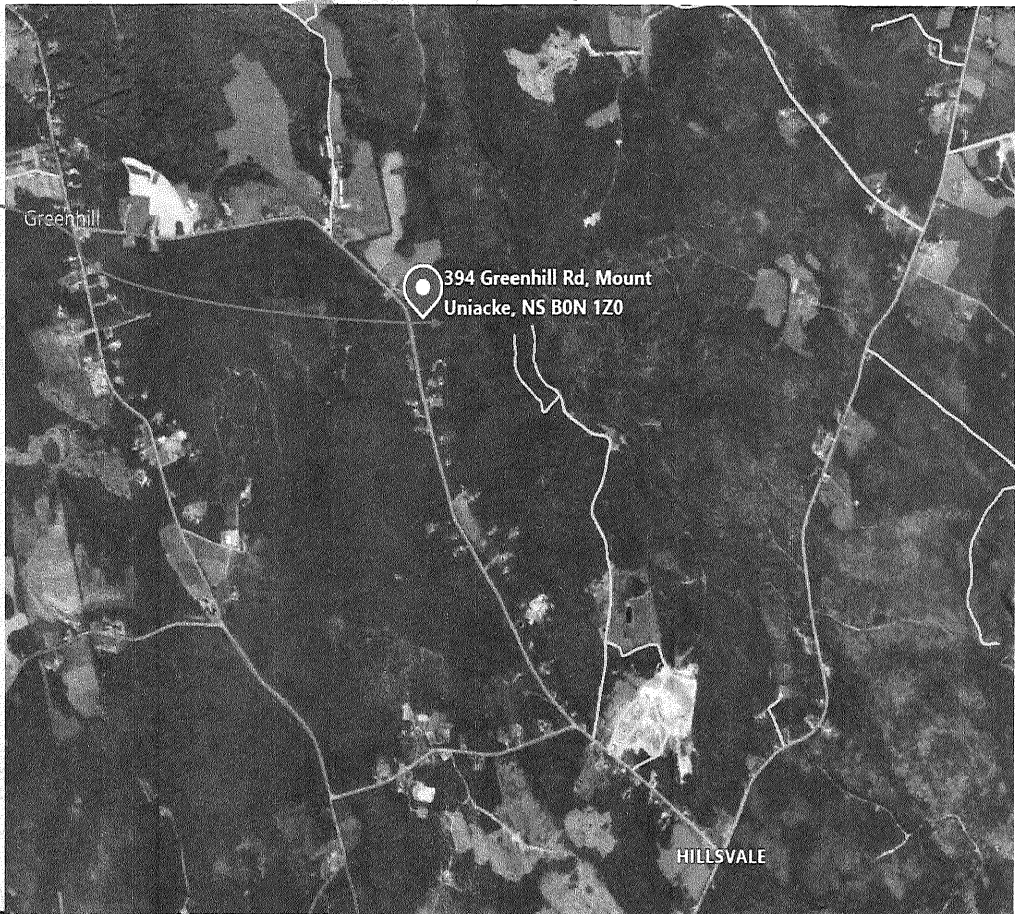
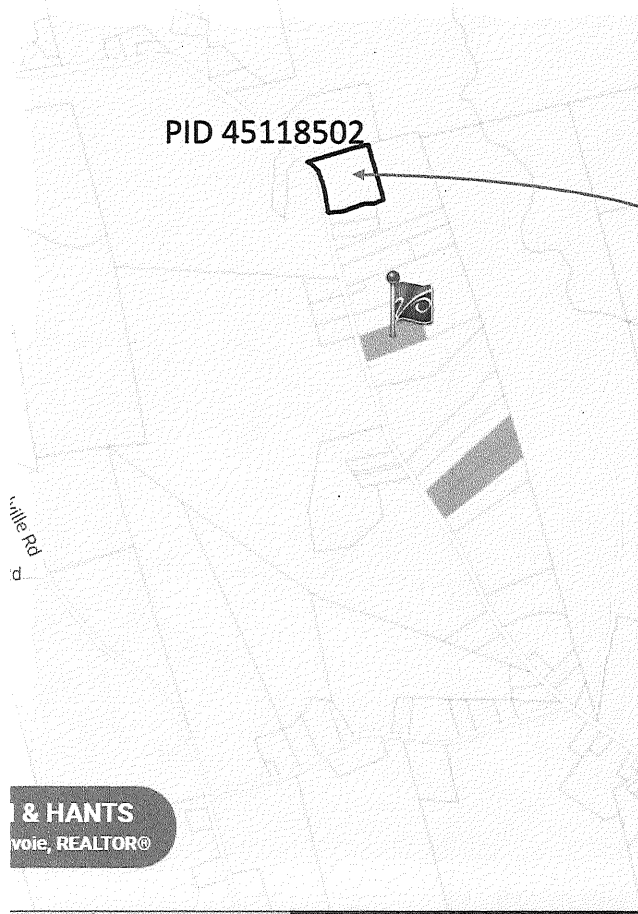
394 Greenhill Rd

Hants County, NS

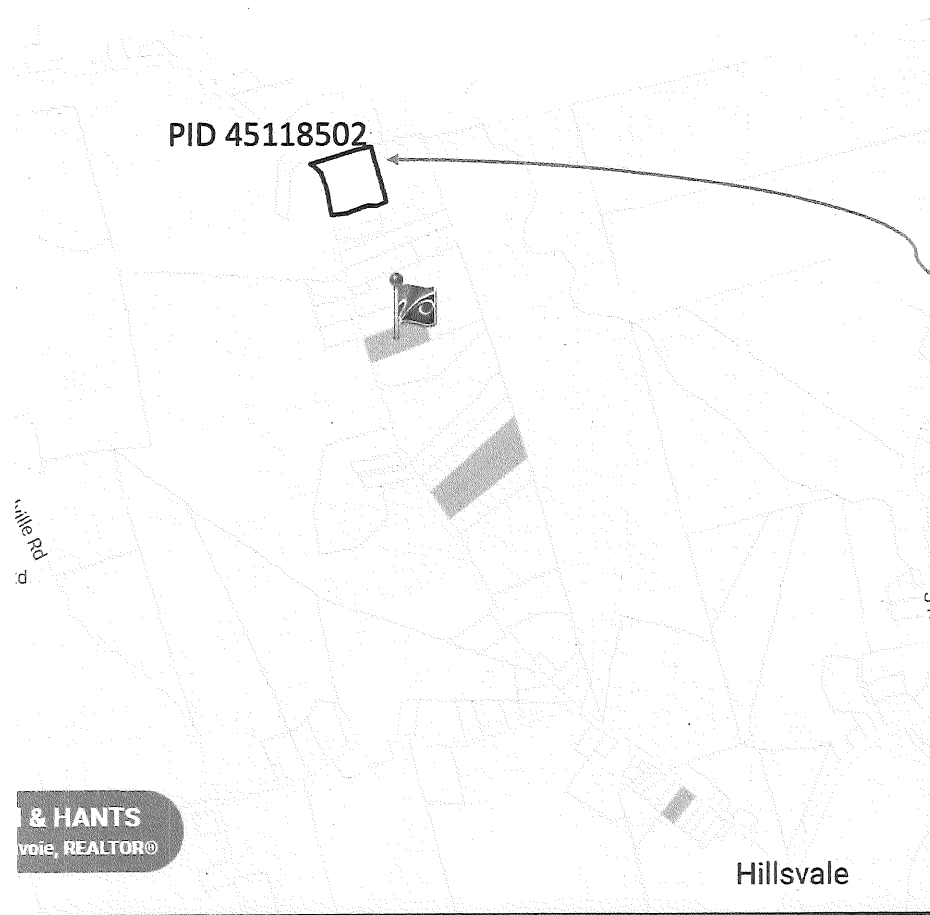
PID 45118502

Yvonne Thyssen-Post, P.Ag.

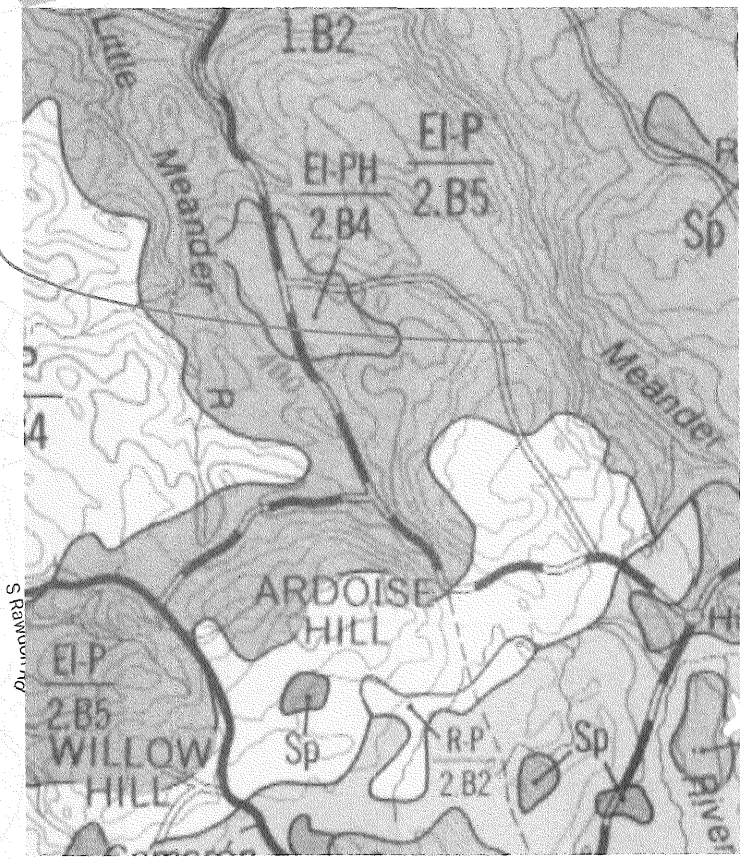
Thyagrissen Consulting Limited



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voie, REALTOR®



PID 45118502



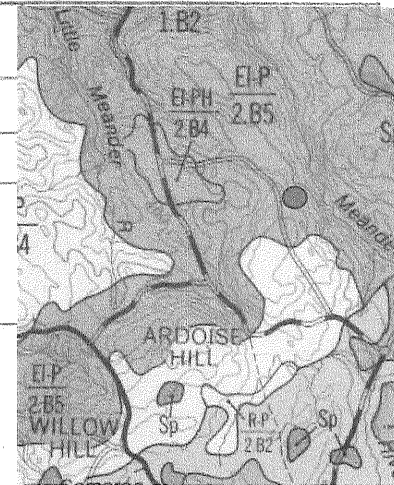
I & HANTS
by RE/MAX REALTOR®

Hillsvale

Keyboard shortcuts Me

LEGEND

SYMBOL	Q PH	E1-P E1-PH		
SOIL CATENA	QUEENS	ELMSDALE		
ACREAGE	107769.6	72160.0		
DESCRIPTION OF SURFACE AND SUBSOIL	Light reddish brown clay loam over reddish brown clay loam; slightly mottled; moderately stony.	Light brown sandy loam over yellowish red sandy loam.		
PARENT MATERIAL	Dusky red clay loam till from red shales and mud stone; contains numerous red and brown sandstone fragments.	Reddish brown clay loam till derived from shales and sandstones; contains hard slate and quartzite cobbles.		
TOPOGRAPHY AND DRAINAGE	Undulating to gently rolling; fair surface drainage; internal drainage moderately slow to slow.	Rolling to hilly; well drained; internal drainage moderately rapid.	Rolling to hilly; imperfectly drained.	Undulating to rolling; well drained, but contains numerous depressional areas.
PRESENT LAND USE	Mixed farming, hay and grain crops; only small areas of Hansford and Elmsdale soils are cleared. Both the Elmsdale and Hansford soils contain considerable stone.			
LAND USE CAPABILITY	FAIR CROP LAND			

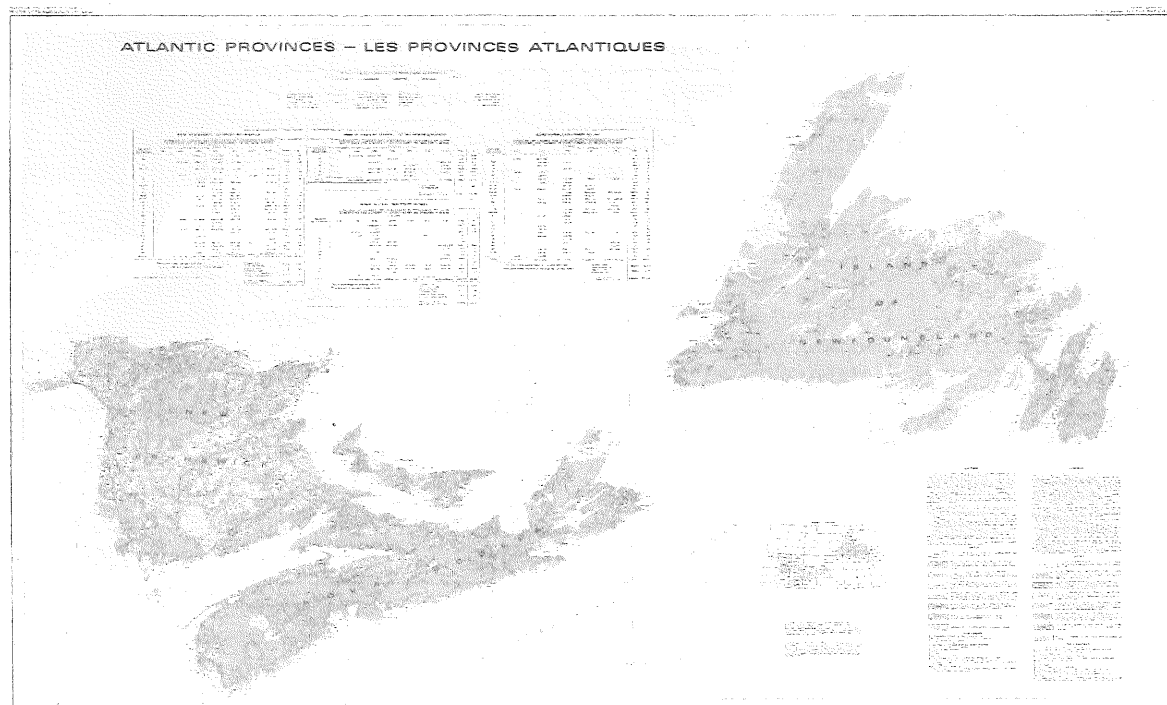


Source: Soil Survey of Hants County - Area Soils map-ns5b
<https://sis.agr.gc.ca/cansis/publications/surveys/ns/index.html>

Canada Land Inventory

Soil Class

Scale 1:1,000,000



Source: Government of Canada -Canada Land Inventory - cli-1m_agr_Atlantic
https://sis.agr.gc.ca/cansis/publications/maps/cli/1m/agr/cli_1m_agr_atlantic.jpg



WEST HANTS REGIONAL MUNICIPALITY REPORT

Information <input checked="" type="checkbox"/>	Recommendation <input type="checkbox"/>	Decision Request <input type="checkbox"/>	Councillor Activity <input type="checkbox"/>
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To: Members of the Planning and Heritage Advisory Committee

Submitted by: _____

Sara Poirier, Senior Planner

Alex Dunphy, Planner

Chris Burns, Development Officer

Date: 2022-11-10

Subject: “What We Heard” Continuation Report: Windsor Public Engagement

LEGISLATIVE AUTHORITY

Part 8 of the Municipal Government Act.

RECOMMENDATION

Staff recommend the Planning and Heritage Advisory Committee (PAC/HAC) place the “What We Heard” Report Continuation on file by passing the following motion:

...that PAC/HAC accept and place on file the “What We Heard” Continuation Report: Windsor Public Engagement attached to the report dated November 10, 2022 as Attachment A.

BACKGROUND

Property <input type="checkbox"/>	Public Opinion <input type="checkbox"/>	Environment <input checked="" type="checkbox"/>	Social <input type="checkbox"/>	Economic <input type="checkbox"/>	Councillor Activity <input type="checkbox"/>
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Staff held a Plan Review public engagement session in Windsor on September 22, 2022. This session allowed staff to discuss the current environmental, social, and economic climate, and the current needs of the residents of the Windsor. The “What We Heard” Continuation report documents this engagement session for future reference.

DISCUSSION

In 2016, the Municipality of the District of West Hants Council and the Planning and Development Department initiated the process of reviewing the Municipal Planning Strategy (MPS), Land Use By-law (LUB) and Subdivision By-law (referred to as “planning documents”) for the Municipality of West Hants and the community of Hantsport. Planning and Development Department staff made public consultation a priority during the Plan Review. A “What We Heard” report was created to document the 14 public engagement sessions and 2 youth engagement sessions that took place across West Hants between 2018-2019.

In April 2020, the Municipality of the District of West Hants and Town of Windsor consolidated to form West Hants Regional Municipality. Planning and Development Department staff included the Windsor planning documents in the review at that time, however, could not hold any public engagement sessions due to the COVID-19 pandemic and public health restrictions. The purpose of this Continuation report is to document the comments that were received at the Windsor Plan Review meeting on September 22, 2022. This “What We Heard” document was created to ensure accountability that the public comments have been heard.

NEXT STEPS

The Windsor public engagement session was the final community engagement session to be held prior to staff preparing the draft planning documents for the Region. Staff will now prepare those documents, as time permits, and provide additional public engagement sessions and PAC/HAC discussion opportunities prior to presenting the final documents to Council.

FINANCIAL IMPLICATIONS

There are no financial implications associated with the filing of this report.

ALTERNATIVES

In response to the report, the Committee may:

- request staff revise the “What We Heard” continuation report based on direction from the PAC/HAC;

- provide alternative direction such as requesting further information on a specific topic.

ATTACHMENTS

Attachment A “What We Heard” Continuation Report: Windsor Public Engagement

Report Prepared by: _____
Sara Poirier, Senior Planner

Report Reviewed by: _____
Madelyn LeMay, Director of Planning and Development



“What We Heard” Continuation Report:

Windsor Public Engagement

1.0 Introduction

In 2016, the Municipality of the District of West Hants Council and the Planning and Development Department initiated the process of reviewing the Municipal Planning Strategy (MPS), Land Use By-law (LUB) and Subdivision By-law (referred to as “planning documents”) for the Municipality of West Hants and the community of Hantsport. The review ensures the planning documents evolve and respond to the current environmental, social, and economic climate, and meet the current needs of the residents of the Municipality. The *Public Participation Program Policy* seeks to include public consultation at different stages throughout the process.

In April 2020, the Municipality of the District of West Hants and Town of Windsor consolidated to form West Hants Regional Municipality. Planning and Development Department staff included the Windsor planning documents in the review at that time, however, could not hold any public engagement sessions due to the COVID-19 pandemic and public health restrictions.

Planning and Development Department staff made public consultation a priority during the Plan Review. A “What We Heard” report was created to document the 14 public engagement sessions and 2 youth engagement sessions that took place across West Hants between 2018-2019. The purpose of this continuation report is to document the comments that were received at the Windsor Plan Review meeting on September 22, 2022. This “What We Heard” document was created to ensure that the public comments have been heard and recorded. This report and findings will be presented to the Planning and Heritage Advisory Committee (PAC/HAC) during the Plan Review process before the revised planning documents are drafted for consideration by the public, PAC/HAC and Council.

2.0 Background

All the areas of the Municipality are planned. The Town of Hantsport dissolved into the Municipality of West Hants in 2015, but the community of Hantsport still has its own planning documents. The Town of Windsor consolidated with the Municipality of West Hants in 2020, but the community of Windsor and the former Municipality of West Hants still have their own planning documents. This Plan Review includes the Hantsport, Windsor and West Hants planning documents.

Policy 16.1.2 of the Windsor MPS states that the planning documents should be reviewed every eight (8) years. The last review of the Windsor planning documents was conducted in 2005.

A plan review is a chance to review the current planning documents and make changes where necessary. The review is not intended to create completely new documents; it is an opportunity to review what currently works and what needs to be improved. Even if the MPS or LUB is amended or updated it does not mean that if land is being used for a purpose no longer permitted that purpose would become illegal, however it would restrict anyone wanting to develop that use as a new use in the area. For example: if someone has operated a farm on their property for the last 50+ years which is permitted under the current planning documents, and then the planning documents are amended to prohibit new farms in that area, the current farm is still permitted to operate as a non-conforming use – often referred to as “grandfathered”. However, any new farms would not be permitted.

3.0 Methods

The *Public Participation Program Policy* states that “Council resolves to seek the views of the public and encourage public participation regarding any comprehensive review by developing and implementing a public engagement plan to inform the public and receive comments from the public. The contents are at the discretion of Council but may involve committees, meetings, open houses, surveys, questionnaires, and publications.” Public participation is important because the planning documents guide how the Municipality will make decisions on new development, land use, and infrastructure over the next 20 years. The feedback helps the Planning and Development Department learn what works and what could be done better to achieve the goals of our communities.

The Windsor public meeting was held on September 22, 2022, from 6-8 p.m. at the Windsor Community Centre. The meeting was advertised through posters at local businesses and facilities (Table 1), on the West Hants website and social media pages on September 6, and through invitations to both Councillors and PAC/HAC members.

Table 1: List of Locations with Plan Review Posters

Atlantic Superstore	Windsor Legion	Atlantic Tavern
Petro Canada (Wentworth Rd.)	Windsor Community Centre	Lisa’s Family Restaurant
West Hants Sports Complex	Vapers Attic	Walkers Restaurant
Lawtons Drugs	Gerrish and Gray Café	Dollarama
Kent Building Supplies	Mermaid Theatre	CIBC (Windsor Mall & Gerrish St. locations)
Sobeys	Spitfire Alehouse	Carnival Candy
Canada Post Office	King Street & Morison Drive Municipal Offices	Tim Hortons (downtown)
Schoolhouse Brewery	Windsor Mall	Scotiabank

The meeting was organized to include a short introductory presentation, followed by two group activities which included describing the community of Windsor and outlining what residents wanted Windsor to be known for in 20+ years. The larger group then split up into topic area discussions on residential and mixed-use developments, commercial and industrial use, and agriculture and community use policies. The group discussions were led by questions that staff had created prior to the meeting based on policies in the Windsor Municipal Planning Strategy. Meetings concluded with residents providing their final thoughts through exit surveys.

4.0 “What We Heard”

A total of 38 residents attended the meeting to discuss Windsor planning documents. When asked to describe Windsor the respondents used words such as: friendly and warm, rich in history and culture, quiet, traditional, growing, construction, agriculture, and the lack of a lake. When asked what they would like this area to be known for in 20+ years the respondents used descriptions such as: a small-

town feel with a sense of community, welcoming with increased diversity, opportunities for affordable housing and local businesses, a tourist destination, a strong walkable downtown, with a functioning health care system.

In the discussions on residential developments, the participants noted that there was not enough housing (rental or ownership) in Windsor. They also stated that most of the housing is in car dependent areas which makes it difficult for residents to access services since there is no transit system. Some in the group thought there should be smaller scale housing for seniors, other were comfortable with more variety including medium density (4 units) housing. When asked their opinion on mixed-use developments (i.e., commercial uses on the ground floor of an apartment building) there was consensus that mixed-use developments may be more appropriate downtown and not within established neighbourhoods (i.e., areas that have been almost entirely zoned for low density residential uses). The discussion group also suggested that walkability and connectivity, sustainability, accessibility and streetscaping should be a requirement to be able to consider mixed-use development by development agreement.

In the commercial and industry discussions it was noted that the commercial areas of Windsor are vibrant and inviting, but there is still work to do with certain areas including Gerrish Street, the Windsor Mall and the NSPI property on Water Street. Participants also noted that they would not like to see historic buildings demolished for new commercial expansion, and that commercial businesses should be thinking about the audience they are catering for, especially with the expansion of the Crossing development. Advertising for businesses in Windsor was seen as of vital importance to bring people into the area and showcase what Windsor has to offer. Transportation to the shopping areas was seen as a barrier for some residents unable to get groceries and access services including employment. Participants also discussed the need for an anchor industry (50-100 employees) that would bring a new audience of people to Windsor, others commented that there needs to be more housing here first.

The agriculture discussion groups identified important agricultural land in the community and the importance of those areas including local food security, greenspaces, and flood control. The participants discussed the importance of protecting agriculture for future generations. The majority of participants were also in favour of household livestock including the keeping of chickens, except roosters.

The group discussing community uses identified where there is significant green space in the community and where there could be future connections. It was noted that there should be more community space provided as the community grows and that new developments should provide sufficient space for public art and useable parkland.

Only 14 surveys were completed by the 38 people that attended the meeting. The responses are provided in the appendices.

5.0 Appendix

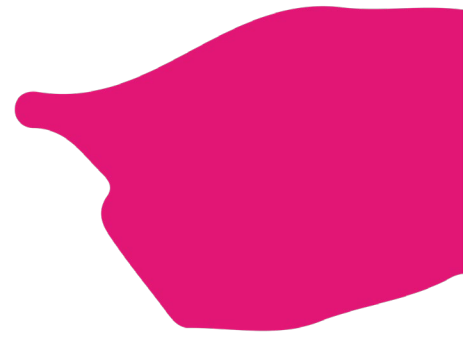
Windsor
September 22, 2022
6:00 – 8:00 p.m.



Describe Windsor

- Agriculture
- Affordable
- Annapolis Valley
- At risk of wasting its potential
- Big enough
- Central
- Changing (2)
- Cliquey
- Complex rules and regulations
- Construction
- Cute
- Derelict facades downtown
- Derelict homes
- Dusty
- Dynamic
- Dill farm
- Economic divergence
- Economically depressed
- Exhibition
- Flood risk
- Friendly / Warm (6)
- Garlic
- Good location
- Good snow management
- Growing (2)
- Heart of West Hants
- Historically significant
- Irrelevant boundary
- Lack of affordable housing
- Lack of community events
- Lack of nature
- Needs more communication and promoting (2)

- Needs traffic lights
- No Lake (4)
- Noisy
- Opportunity and revitalization
- Outdated
- Overdeveloped infrastructure
- Overregulated
- Peaceful
- Pollution
- Potential
- Pumpkins
- Quiet (3)
- Rich in history and culture (3)
- River
- Segregated
- Site of nationally important political and cultural events
- Small town feel (2)
- Social
- Traditional (2)
- Unaccountable landlords
- Vitality



In 20+ years from now what do you hope this area is known for?

- Accessible walking trails (2)
- Affordable housing (3)
- Better than Wolfville
- Bike lanes
- Birthplace of Hockey Museum
- Connection of trails (2)
- Downtown as a destination
- Environmental sustainability
- Friendly
- Food producing
- Functioning healthcare (3)
- Gyms
- Increased diversity (4)
- Increased homeownership
- Joining of cultures

- Lake frontage development (2)
- Less conflict
- Local entrepreneurship (2)
- Managed flower beds
- Marshland and flooding protection
- Medium density
- Modern businesses
- More amenities
- More business variety (2)
- Multicultural support
- No monopolies on business
- Opportunities to thrive in community
- Opportunity for local jobs
- Optimistic
- Parks
- Peaceful
- Positive
- Promote larger business community
- Protected nature
- Recognition for Truth and Reconciliation
- Reduced poverty
- Revitalized
- Senior care
- Sense of community (3)
- Simple municipal bureaucracy
- Small town feel (6)
- Splash pad
- Strong downtown
- Tidal bore or marshland attraction
- Tourist destination (6)
- Urban agriculture
- Vibrant (2)
- Vibrant downtown (2)
- Walkability (3)
- Welcoming new families (2)

Residential

Q: When you compare Windsor to other areas in the Municipality, Annapolis Valley and the Province, what forms of housing are unique to Windsor?

- Historic Victorian Homes
- Fringe Farmhouses
- Not a variety of unique housing styles

Q: Is the current housing stock meeting the needs of residents? If not, what is missing?

- Not enough rental or purchasable (although lots of new development, i.e., The Crossing)
- Car dependent
- Need for landlord accountability (Unsightly premises)
- No transit system between housing and amenities/services (except dial-a-ride)
- Want smaller scaled single-unit housing for seniors (bungalow style, small lot)
- More focus on eco-friendly
- More accessible
- Need more medium density (4ish units)
- Need more variety
- Need more affordable housing units
 - “Affordable” could be based on census income breakdowns

Q: How many residential units do you consider to be a 'multi-unit'? Do you think more multi-unit buildings should be allowed in Windsor?

- Wide range of perception for multi-units: 2+, 3+, 2-4, 4-6, 8+, 8-10 units
- General view that there is a lack of medium density units (4ish units)
- Preference for not allowing medium density as-of-right in established neighbourhoods
- How a multi-unit is constructed is important (what it looks like i.e., architecture)
 - A medium density building (4ish units) could be constructed to look like a single unit dwelling

Mixed-Use

Q: How do you feel about mixed-use development (i.e., allowing residential and commercial uses in the same building)?

- Generally, in favour
- Preferred in downtown, not established neighbourhoods
- Opportunity to enhance small town feel

Q: What commercial uses should be permitted in a mixed-use building?

- Restaurants are important
- Should depend on location (downtown allow for more commercial uses vs. in residential areas allowing less intensive uses)

Q: Is there particular criteria that should be used when considering multi-unit/mixed-use development by development agreement?

- Requirements for walkability and connectivity (AT Plan)
- Sustainability
- Universal design and accessibility
- Streetscaping

Q: How many stories of residential uses should be permitted in a mixed-use building?

- Should be depended on location (downtown allow for more commercial uses vs. in residential areas allowing less commercial)

Commercial & Industry

Q: What do you think of the downtown Commercial areas? What do you go downtown for?

- Food and drink
- Post office
- Bank
- Convenient
- For a date night
- Coffee shop and bakery
- But not for overall shopping
- Only go downtown occasionally
- Shopping patterns have changed; there's now more big box stores; since COVID people are also online shopping a lot more and looking for an experience if they do go into a store
- Don't know if it sustainable having a variety or multiple of the same type of store; would love more specialty types of restaurants (i.e., a sushi place, an Indian restaurant, etc.)
- People coming from elsewhere for our dining, etc. (Tatums has a niche market for brides)
- Some people in the group go downtown to eat out and get services (i.e., chiropractor) and support local as there is a good variety in Windsor
- One person stated they choose to go into Windsor instead of Sackville (as they are about equal distance to each place) just to support local for shops and services
- Variety would be nice but there's only so much space in Windsor
- Signage in downtown isn't big enough to direct new people to where everything is; need community signage
- Parking – not enough – need one large parking area (not on Ft. Edward)
- Not enough people know what Windsor has to offer – needs advertising (Ardoise Community Hall has a newsletter that they send by mail to people in their area)

Q: What about the rest of the Commercial areas in Windsor (i.e., along Wentworth Road)? What do you travel there for?

- Go for grocery, liquor store, hardware store, Tim Hortons,
- People like the variety in those areas
- They drive to the shops and do not have any issue finding parking
- People need transportation in Windsor to get to those stores – the Taxi service is terrible, dial-a-ride is a door-to-door service but is expensive; we used to have Kings Transit; Community Health Board discussions re: new smaller service provided by Kings Transit
- Hiring can be an issue due to lack of transportation to businesses; someone knows of one business that rents a van to get their employees there

Q: Do we have enough, too much or too little land for Commercial uses in Windsor?

- Not much space to expand downtown
- Wentworth Road / Cole Drive area for box stores but people need transportation there
- Existing commercial does not seem excessively busy so expansion may not be necessary
- Room for growth
- Commercial diversity in downtown core however concerned about removing heritage buildings to do so; don't want them taken away; not at the cost of what we like about Windsor for commercial; we could spread the downtown core outward instead
- In the past bigger businesses tried to come to Windsor but were not permitted
- What do we want? Not a Walmart; more variety promotion and support; more parking downtown; look to other small towns for their experience (i.e., Tatamagouche train track accommodations)
- Move NSPI from downtown to the Industrial park – they are taking up prime land downtown; could do a land exchange
- Need aesthetic requirements of businesses (i.e., some of the exterior appearance of businesses look like they are falling down) – it doesn't attract people
- Township board has a grant program for exterior repairs however their money pot is small
- Some think regulations are needed through the Municipality to enforce aesthetic standards
- Mural project to attract new people and enhance heritage topics in Windsor
- Need database for businesses to understand what grants are available in the community
- Most commercial buildings rented by locals from people who never come to Windsor and don't see how run down the building actually looks – how do we upgrade those?
- Windsor seems to be changing – new life, inspirational however still a lot in opposition – we need to find a balance
- Residential or commercial is pretty cheap in Windsor at the moment – need to respect current businesses and don't necessarily want big money coming in to gentrify the neighbourhood
- Don't rely on social media to advertise the businesses, still need paper to go out
- Huge expansion of the Crossing coming – need to support that development and have commercial appeal to seniors as they are the largest population

General Discussion on Commercial & Industry

- Industrial – focus on creative small businesses / need to attract a medium size industry – need an anchor business (100-150 employees) – we have Biovectra however there is nowhere for their employees to live in Windsor
- Commercial boundary needs to be changed – don't want all businesses to move outside of downtown
- Commercial starting to change downtown
- Need to fix buildings – so difficult and resources – risk to Gerrish St businesses due to high turnover and landlords not fixing buildings; no one wants to invest there and the Accessibility Act regs will come in soon
- Promotion of businesses needed – Garlic Fest was a huge hit
- WH as a whole easy to work with in permitting process, business friendly, and less expensive process for rezoning or development agreement applications than other municipalities
- Population drives control (not similar to the UK)
- Growth downtown; need a destination for people to stop into places (furniture store); outsiders don't know enough about Windsor
- Core – become a knowledge hub; or life sciences and healthy living community (hospital, BioVectra, specialty stores, cedar wellness centre, ski hill) – hub for economic development
- Need to create our niche using what we already have
- Outdoor recreation facility – need walking, biking, etc. area
- Need: Trails and open space; destination of downtown; housing (affordable); existing community uses (school, hospitals, etc.)
- Bring in bigger businesses to attract residents however they can't find housing here
- Need diversity here; how do we encourage people to come here and how do we support them? (housing, etc.)
- Maintenance of older homes not the best for all ages and some people don't want the hassle of moving into old homes
- New housing all geared towards older people
- We don't want to become the commuter shed or retirement community of HRM; we need younger people and families too
- Need attractions and things to do
- Although positive things are happening downtown (most liquor based businesses though) there is a lot of turnover downtown and some businesses moving further out (Spoke and Note moved to Falmouth)
- Need more offices and shops as it's hard to find an office space to rent
- Even though people working from home more still need to bring office space to the core
- New commercial space expensive to build – nowhere in Windsor for 4-5 employees; most businesses have to settle for a space that doesn't suit them
- Windsor mall needs to go – it is uninviting and people seeing that from the highway are not attracted to come into Windsor; so much potential there – “crown jewel property”; built in the

60s as the “commercial destination” of Windsor but never took off; it is now a barrier to downtown and it’s no longer much of a mall; there used to be a two storey bank of NS there which was much more grand, it was ripped down for the mall; the mall was never built to expand

- Enough demand for commercial and financial commercial services which more are needed

Agriculture

Q: What agricultural operations are you aware of in Windsor?

- Windsor boundary does not make sense and should be removed
- Identified important agricultural lands: around/behind Subway on Wentworth Road, Irving lands, cattle fields across Wentworth/Payzant Drive
- Windsor has direct access to agricultural lands and should be known for agriculture, not exactly in the former town but on the periphery
- Along Wentworth Gateway not pleasant, bleak; should be more walkable and shoppable

Q: What benefits are there to having agricultural uses in Windsor?

- Windsor is home to the longest-running, oldest/continuously used farmlands in North America—identity to the community
- Protecting existing agricultural uses is important—local food security, greenspaces, flood control etc.
- Soils are extremely fertile and often do not require further fertilization
- Brings benefits from tourism opportunities and associated commercial enterprises such as wineries, breweries and distilleries
- High level of benefits from food security and help bridge the high costs of food and food imports

Q: What do you think about urban agriculture uses in Windsor (i.e., household livestock)?

- All in favour for household livestock
- Urban agriculture uses acceptable—such as chickens or animals, smaller than a goat. No roosters or goats
- Questions raised from an individual regarding possible soil contamination from urban farms/vegetables—should the # of vegetable plants be limited?

Q: Is agricultural land in Windsor adequately protected?

- Serviced areas should have most density to preserve growth/sprawl
- More agricultural land in Windsor is favoured
- Farmland not adequately protected and should be protected even more

- Lots of agricultural land has been removed and continues to be removed—Garlands Crossing, Irving lands

Q: How can the Municipality support agricultural uses?

- Consensus for more greenspaces; losing/diminishing a lot of existing agricultural land in Garlands Crossing
- Concern over erosion coming down the hill from Irving lands behind the Super 8
- Need to contain growth/sprawl and density
- Victory garden concepts
- Protection of existing trees and greenspaces should be incorporated into new developments

Q: Should existing agricultural operations be allowed to expand in the future? (On the same lot, more lots?)

- Irving lands should be agricultural and residential
- Growth will require additional parks in agriculture/dykeland areas and should be protected to existing agriculture

Community Use

Q: Is there adequate space for community uses?

- Town boundary does not make sense
- Consensus of no, there is not enough community spaces (*group #1*)
- Industrial Park should have a park space for its expansive views of the river and surrounding scenery
- Adequate amount of community spaces yes, but should be more, and especially as the community grows (*group #2*)

Q: What are your favourite community use spaces or parks? What makes them great? What can be improved?

- Waterfront walk—excellent for walking, views, beautiful, well-kept, some vandalism prone to area
- Need playground spaces and more recreation infrastructure along waterfront
- Fort Edward—great loop for walking, significant for its views and history
- Connections to/from Fort Edward needs a real strategy to improve connectivity
- Haliburton House—excellent, fantastic opportunities; also favoured for its disk golf and old apple orchard
- Tregothic Trail—beautiful escape to nature, makes urban surroundings look “crummy”; snow shoveling an issue for winter accessibility
- Connectivity of trails to downtown and other communities an issue

Q: Are there any parks, open spaces, or landscapes that you find significant in Windsor?

- Victoria Park—especially when the farmers market is on-site
- View planes of surroundings from Fort Edward and Industrial Park are significant

Q: Are you aware of the programs and facilities provided by WHRM? Do you regularly participate? Why or why not?

- Some no and some yes, and not enough connections for biking within Windsor

Q: Do you think there are enough green spaces in Windsor? If not, where would you like to see more? Are there any types of recreation uses missing in Windsor?

- Former tourist bureau area along Colonial Road needs much more (large potential) and former tourist bureau on Upper Water Street
- Need connectivity of greenspaces along the waterfront/downtown, to greenspace at former tourist bureau area along Colonial Road/Nesbitt Street, and to greenspace area at Wentworth Road behind Subway/PetroCan (Shell Environmental Park area)
- Need another dog park—brings people together and does not have to be big/take up a lot of space
- Need more public/community garden spaces
- Open spaces provide massive health benefits
- Healthy community is extremely important, open spaces for mental/physical health benefits
- Open spaces draw more people to the community
- Can be branded as a “healthy town”—also promoted by businesses such as BioMedica and BioVectra

Q: For new developments, do you think sufficient parkland is provided?

- Increasing pressure on density and need for urban open spaces
- 1% of buildings with large footprints (apartments, multi-units, municipal buildings etc.) should be dedicated to providing public art
- Should be more parkland dedication with new developments—“once land is gone, it’s gone”
- Parkland dedication should be more and access to parkland important
- Parkland dedication for subdivisions and for developments of multi-units (development agreements?) from Toronto and Vancouver are positive examples and should be incorporated as well

Exit Survey

Please select the statement(s) that best describe you:

I live in Windsor	I work in Windsor	I live outside of Windsor but within West Hants Regional Municipality	Other
8	6	5	1

How did you hear about this event?	What did you enjoy most about this event?	What would make this event better?	Any additional comments?
Family	Talking to actual professionals, making the town work and interested	Noise control, task lighting, better time management	More focus on environment, ecology, energy efficient solutions
Online	Lively discussion, novel ideas	Larger attendance (but this was very good)	
PAC / Housing Coalition / Facebook	Meeting other residents	Reigning in single issue folks	
Friend	Opportunity to give input and opinions	Better advertised	
PAC / HAC	Discussion on agriculture		
Jim Ivey	Interaction	More sessions	
Social Media	Discussion with differing viewpoints	More time, maybe better crowd control (through pointed specific questions and yes/no topics maybe)	Thanks!
Posters	Interaction	More communication re: purpose	More opportunity to discuss specific developments and their impact on existing properties "NIMBY" opportunities
	The discussions, very fulfilling	Good question - more time	
Word of mouth	Hearing different opinions and perspectives	More attendees	
Facebook	Prompting questions to guide conversation	More information ahead of time so we can arrive informed	I think the Town could do a better job of communicating (e.g., newsletter) so people can both hear about things like this event and

			easily read the notes after. More surveys to get a pulse would also help (once newsletter audience grows) so that meetings can be more productive vs. simply informational
Sara emailed me	Talking as a resident	Mics	
Stefan from Geldert House	Hearing other people's opinions and diversity of thought	More people of all ages	
Online	Broad ideas, subjects	Separate 3 tables, hearing terrible	Integration within West Hants; move to one overall planning document ASAP

Email Received following Meeting

To: Sara Poirier

cc: Alex Dunphy and Chris Burns

From: Resident

Date: September 26, 2022

Four things came up in the discussion that need to be highlighted.

1. Public washrooms are needed throughout the Windsor area for visitors, parents and kids to access.
2. Retail development on Gerrish and Water streets needs to be expanded to encourage tourist visits and resident convenience. An art gallery, ice cream shop, tourism oriented sales of clothing and souvenirs, specialty food items, hiking/camping/excursion gear, small specialty stores (Christmas, candles, fudge, craft and art supplies) and take out sandwich shop.
3. Move the municipal employees back downtown. The mall or that prov building at King and Water would work. The daily spending and traffic through downtown would add life and excitement and wealth to the area rather than automobile oriented access in an industrial area.
4. There needs to be concerted effort to address all types of affordable/accessible rental and owned housing. I have 20 years of experience in community development in this subject area and would love to serve Windsor if possible.