

The logo consists of the letters 'WWH' in a bold, sans-serif font. The first 'W' is dark blue, the second 'W' is a lighter blue, and the 'H' is dark blue. The letter 'V' is integrated into the second 'W'.

WINDSOR / WEST HANTS

TOGETHER



**PID 45358314, 45366986, 45055167, 45276441,
45190493 and 45364775, Payzant Drive
Land Use By-law Text Amendment
Council First Reading
July 27, 2021**

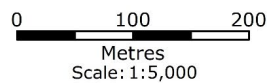
Application

- ▶ A completed application was received on May 6, 2021 from Mitch Brison to consider reduced minimum lot specification requirements in the Single Unit Residential (R-1) and Two Unit Residential (R-2) zones in Windsor for specific PID's on Payzant Drive
- ▶ The lots are owned by Brison Developments Limited and 3229190 Nova Scotia Limited; Mitch Brison is the Director of those companies



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Orthophoto



- Subject Parcels
- Communities
- Parcels
- Civics
- Roads

Application Cont.

- ▶ The applicant is proposing to develop single- and two-unit dwellings on the majority of subject lots which would be permitted as-of-right as per the current zoning
- ▶ The applicant is also proposing that this residential development in Windsor would connect to the Crossing via a new public street
- ▶ Therefore, the applicant is requesting Council to consider amending the Windsor Land Use By-law to permit the same minimum lot specifications for single- and two-unit dwellings as is permitted in the mixed residential area of the Crossing development agreement (2019)

Statement of Provincial Interest

Housing

- ▶ Specifies that the goal is to *“provide housing opportunities to meet the needs of all Nova Scotians”*
- ▶ The second provision states that *“depending upon the community and the housing supply and need, the measures that should be considered in planning documents include: enabling higher densities, smaller lot sizes and reduced yard requirements that encourage a range of housing types.”*
- ▶ This application would be consistent with the Statement of Provincial Interest regarding housing

Windsor Municipal Planning Strategy

- ▶ Part 3.0 of the WMPS outlines the concepts, principles, and initiatives for development within the community of Windsor
- ▶ One of the development principles is to *“encourage compact residential and commercial growth similar to existing development in the older sections of Town which makes best use of municipal infrastructure including roads, sidewalks and water and sewer services.”*
- ▶ Benefits of reduced minimum lot specifications include:
 - ▶ compact development patterns which reduce reliance on vehicles and create more walkable neighbourhoods, and
 - ▶ more efficient use of municipal services including sewer and water

Policy

- ▶ There is no specific policy to amend the minimum lot specification requirements in the Single Unit Residential (R-1) and Two Unit Residential (R-2) zones in Windsor; however, Council may consider amending its documents as it deems necessary
- ▶ **Policy 16.3.1** states general criteria for any Windsor Land Use By-law amendment

Single Unit Residential (R-1) Zone

Current Windsor Land Use By-law			Proposed Exception for PID 45358314, 45366986, 45055167, 45276441, 45190493 and 45364775
	with town services	with on-site services	
Minimum lot area	6,000 ft ² (557.40 m ²) 7,000 ft ² (650.30 m ²) for corner lots	30,000 ft ² (2,787.00 m ²)	4,000 ft ² (371.60 m ²) 5,000 ft ² (464.5 m ²) for corner lots
Minimum lot frontage	60 ft (18.29 m)	120 ft (36.58 m)	40 ft (12.19 m)
Minimum front yard	25 ft (7.62 m)		15 ft (4.57 m)
Minimum flankage yard	-		15 ft (4.57 m)
Minimum rear yard	25 ft (7.62 m)		25 ft (7.62 m)
Minimum side yard	one side	4 ft (1.22 m) for the first storey plus 2 ft (0.61 m) for each additional storey	4 ft (1.22 m)
	other side	10 ft (3.05 m)	4 ft (1.22 m)
Maximum height of main building	35 ft (10.67 m)		35 ft (10.67 m)
Maximum height of accessory building	15 ft (4.57 m)		15 ft (4.57 m)

Two Unit Residential (R-2) Zone

Current Windsor Land Use By-law		Proposed Exception for PID 45358314, 45366986, 45055167, 45276441, 45190493 and 45364775
Minimum lot area	3,500 ft ² /unit (325.15 m ² /unit)	2,000 ft ² (185.80 m ²) / unit 3,000 ft ² (278.7 m ²) / unit for corner lots
Minimum lot frontage	35 ft/unit (10.67 m/unit)	20 ft (6.1 m) / unit
Minimum front yard	25 ft (7.62 m)	15 ft (4.57 m)
Minimum flankage yard	-	15 ft (4.57 m)
Minimum rear yard	25 ft (7.62 m)	25 ft (7.62 m)
Minimum side yard	10 ft (3.05 m)	4 ft (1.22 m)
Maximum height of main building	35 ft (10.67 m)	35 ft (10.67 m)
Maximum height of accessory building	15 ft (4.57 m)	15 ft (4.57 m)

- ▶ If approved this amendment would only apply to the specific PIDs listed, not every property zoned Single Unit Residential (R-1) or Two Unit Residential (R-2) in Windsor
- ▶ These are **minimum** lot specification requirements
- ▶ The National Building Code takes precedence over the Land Use By-law, therefore if this amendment is approved and added to the Windsor Land Use By-law the developer will still have to follow the National Building Code requirements for those reduced lot specifications

General Criteria for Amendment

- ▶ **Policy 16.3.1** states the general criteria to be considered by Council
- ▶ In summary:
 - ✓ the proposal is not premature or inappropriate for the area;
 - ✓ no municipal costs related to the proposal are anticipated;
 - ✓ the Development Officer, Manager of Building and Fire Inspection Services, Director of Public Works, and Manager of Public Works Operations have no concerns.

Public Information Meeting Notes

- ▶ A virtual Public Information Meeting was held on June 10. The meeting was broadcast live on the Municipal Facebook page.
- ▶ The deadline for comments was June 25
- ▶ No comments or questions were received

Additional Amendment

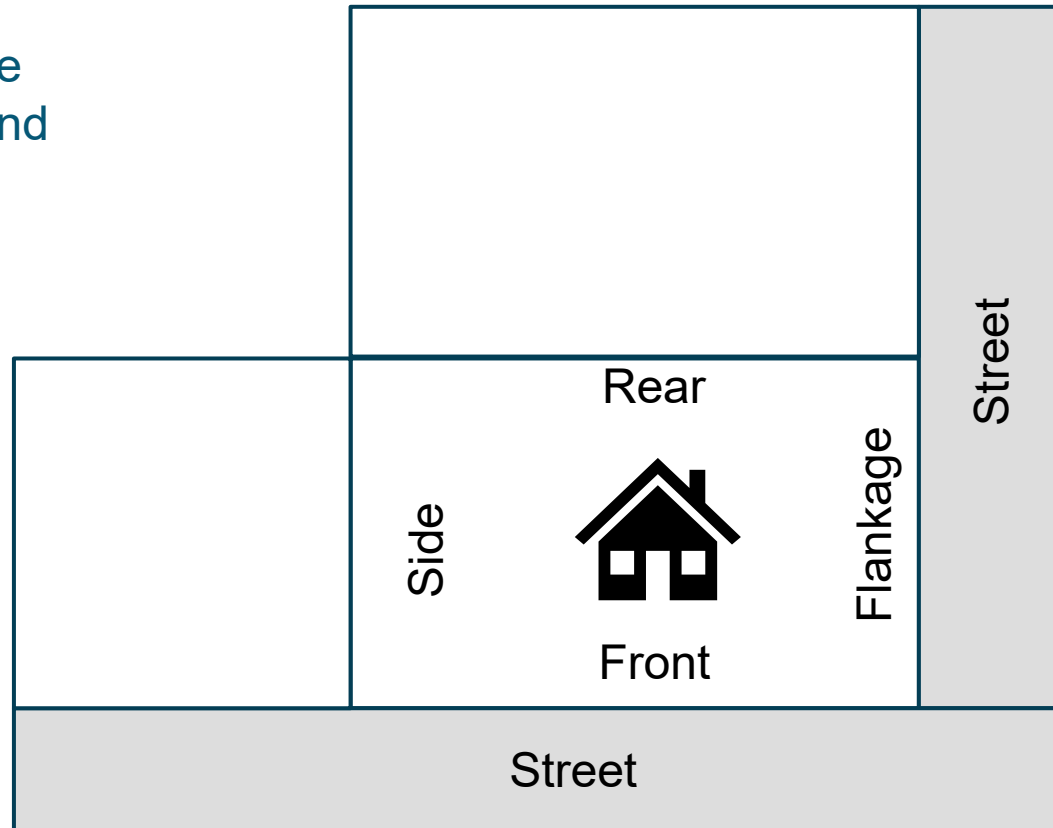
Flankage Yard Requirements

- ▶ Staff discussions at the PAC/HAC meeting determined that there was a conflict between Section 5.34 (a) of the WLUB and the proposed amendments
- ▶ This would need to be addressed to ensure the flankage yard requirements established in the proposed amendment would not be overridden by the general requirement
- ▶ Upon further review of the WLUB, it was determined that the intent of Section 5.34 (a) is to ensure the flankage yard requirements are the same as the front yard requirements in all zones unless otherwise specified within the zone requirements

Additional Amendment

Flankage Yard Requirements Cont.

Note: A flankage yard is only found on a corner lot



Additional Amendment

Flankage Yard Requirements Cont.

Setback for Flanking Yard

5.34 (a) ~~Notwithstanding anything else in this By-law, on a corner lot in any residential zone, the minimum yard requirement for the flanking yard shall be 25 ft (7.62 m).~~ The required flankage yard shall be the same as the required front yard in all zones, unless otherwise specified within the zone requirements.

(b) No accessory building or structure shall be permitted within the required flanking yard.

Process



Recommendation

- ▶ **...that Council give First Reading and hold a Public Hearing to consider amending the text of the Windsor Land Use By-law to reduce the minimum lot specification requirements for PID 45358314, 45366986, 45055167, 45276441, 45190493 and 45364775 owned by Brison Developments Limited and 3229190 Nova Scotia Limited on Payzant Drive in a manner substantively the same as the draft set out in Attachment A of the report to the Planning and Heritage Advisory Committee, report #21-09 B dated July 8, 2021, and to amend section 5.34 (a) of the Windsor Land Use By-law, Setback for Flanking Yard, to ensure that required flankage yards are the same as the required front yard in all zones, unless otherwise specified within the zone requirements.**



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