

Wagners Court Non-substantive Development Agreement Amendment

Planning and Heritage Advisory Committee (PAC/HAC)

May 9, 2024

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Application Background

- An application was received from Edward Edelstein of Geome Properties Limited on March 26, 2024.
- The application is for a non-substantive amendment to the existing development agreement on Wagners Court to allow for reconfiguration of the unit style of the grouped dwellings.
- This amendment was requested following a discussion with Canada Mortgage and Housing Corporation where the applicant was informed that only housing projects with a minimum of 5 units would be eligible for funding.



Development Agreement Amendment

- **Section 3.3** of the existing development agreement outlines the substantive matters as:
 - a) the uses permitted on the Property as listed in Section 2.1, *Use*;
 - b) a reduction of the minimum setbacks as listed in Section 2.2, *Development Location and Design*; and
 - c) the fire safety requirements listed in Section 2.10, *Fire Safety*.
- The permitted use listed in Section 2.1, *Use*, is written as follows:
grouped dwellings, consisting of 11 total dwelling units.
- As the original development agreement was for grouped dwellings consisting of 11 total dwelling units, the amendment to the development agreement is considered non-substantive due to the requested land use not changing.



Proposed Written Changes

- There are only two changes proposed as per the Amending Development Agreement:
 1. The site plan will be replaced with the updated copy shown previously; and
 2. Section 2.10, *Architectural Design*, of the Development Agreement has been reworded in order to require the Development Officer to determine if the development meets the Architectural Design Manual.



Staff Review



**PAC/HAC Review and Recommendation –
May 9**



Council Decision – May 28*



Notice of Approval



14 Day Appeal Period

Process

* Anticipated Date



Recommendations (1 of 2)

...that PAC/HAC recommends that Council approve the non-substantive development agreement amendment for the lots located on Wagners Court in Windsor, now identified as PIDs 45058310 and 45058344 and after consolidation of the lots by their joint successor PID, in a manner substantively the same as the draft set out in Attachment B of the report File #24-13 to the Planning and Heritage Advisory Committee dated May 9, 2023.

Recommendations (2 of 2)

...that PAC/HAC recommends that Council require that the development agreement amendment with Edward Edelstein 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.





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