

**Development Agreement:  
1781 King Street, Windsor (PID 45162005) and  
PID 45408374, Edward Drive, Garlands Crossing**

Public Hearing and Second Reading

September 24, 2024

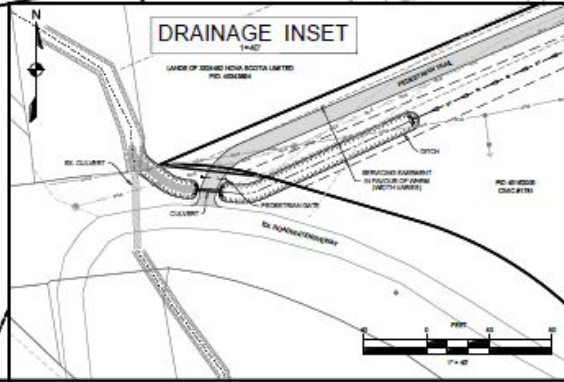
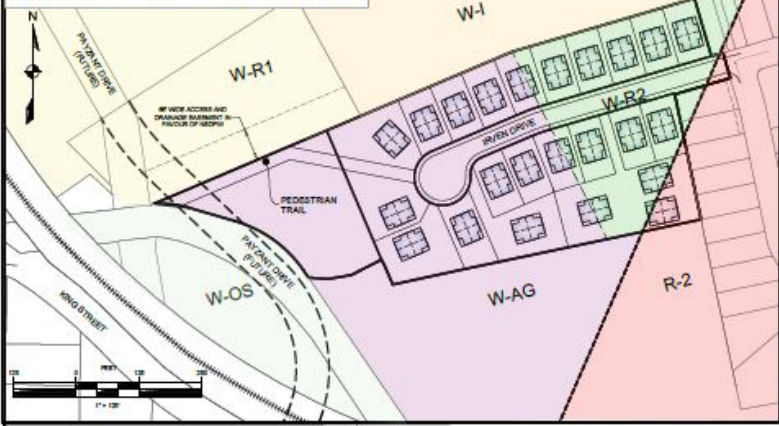


# Application

- A completed application was received from Chrystal Fuller on February 13, 2024, on behalf of Brison Developments.
- Seeking a development agreement to permit 92 dwelling units within 23 four-unit dwellings on an extension of Irvan Drive in Windsor.
- This application included multiple phases:
  1. Rezone from Agriculture to Two Unit Residential (approved May 28)
  2. MPS amendments to DA criteria (approved June 25)
  - 3. Development agreement for 92 units (today)**



CURRENT ZONING CONDITIONS



# Concept Plan

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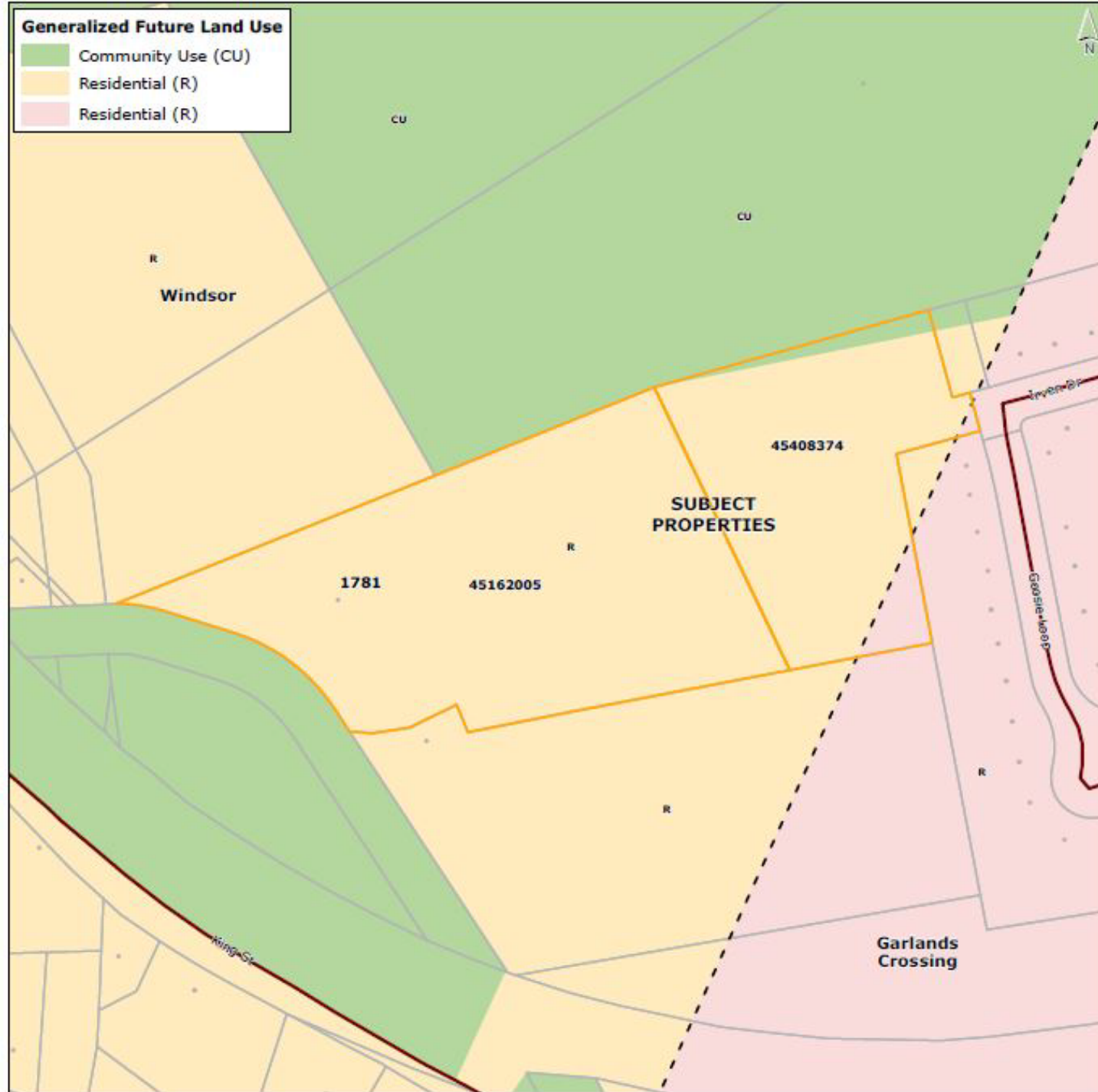




# Orthophoto

- PID 45162005 is approx. 5 acres
- PID 45408374 is approx. 2.6 acres
- Proposed development to utilize 6.3 acres of the subject lots



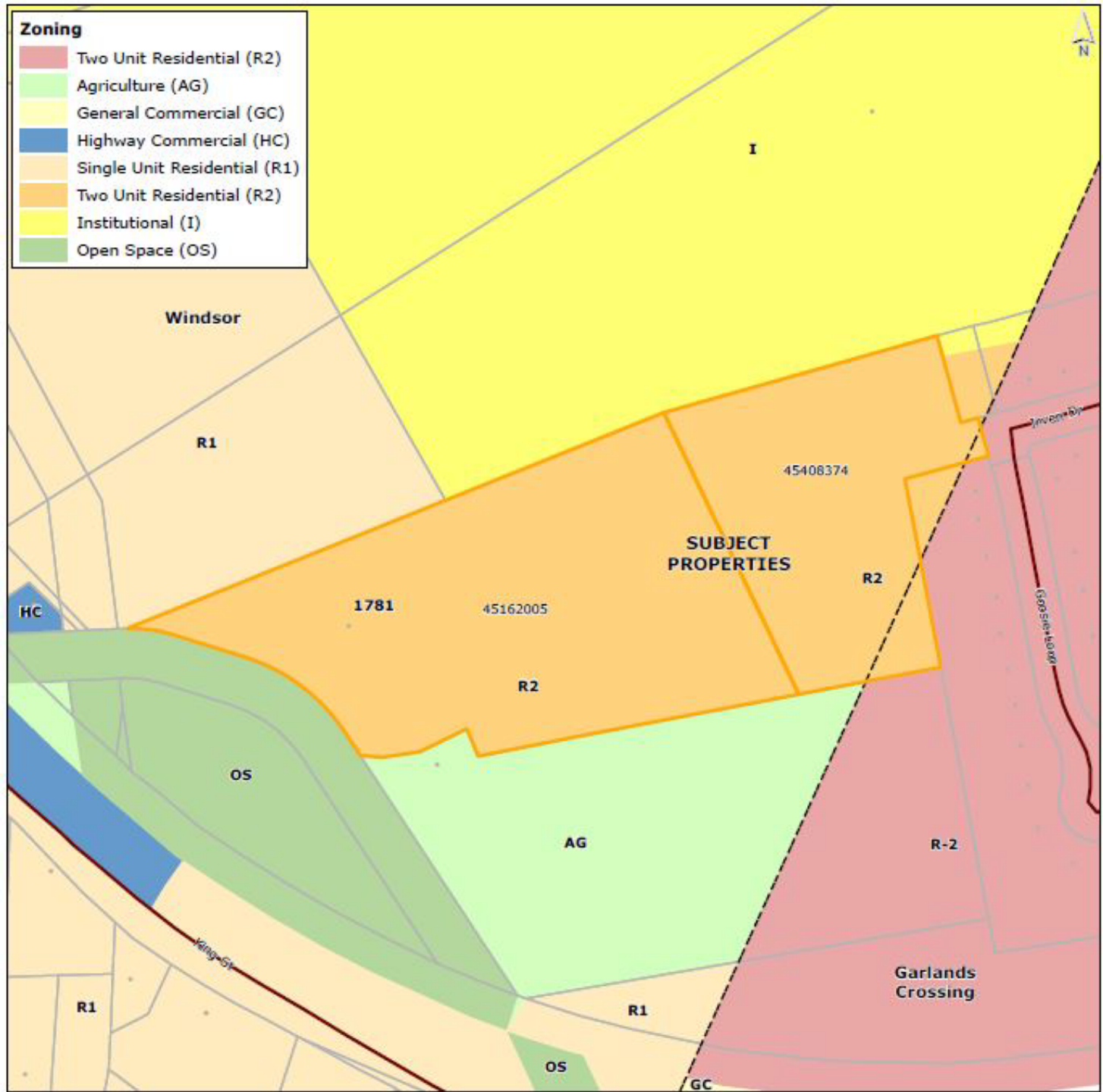


# GFLUM

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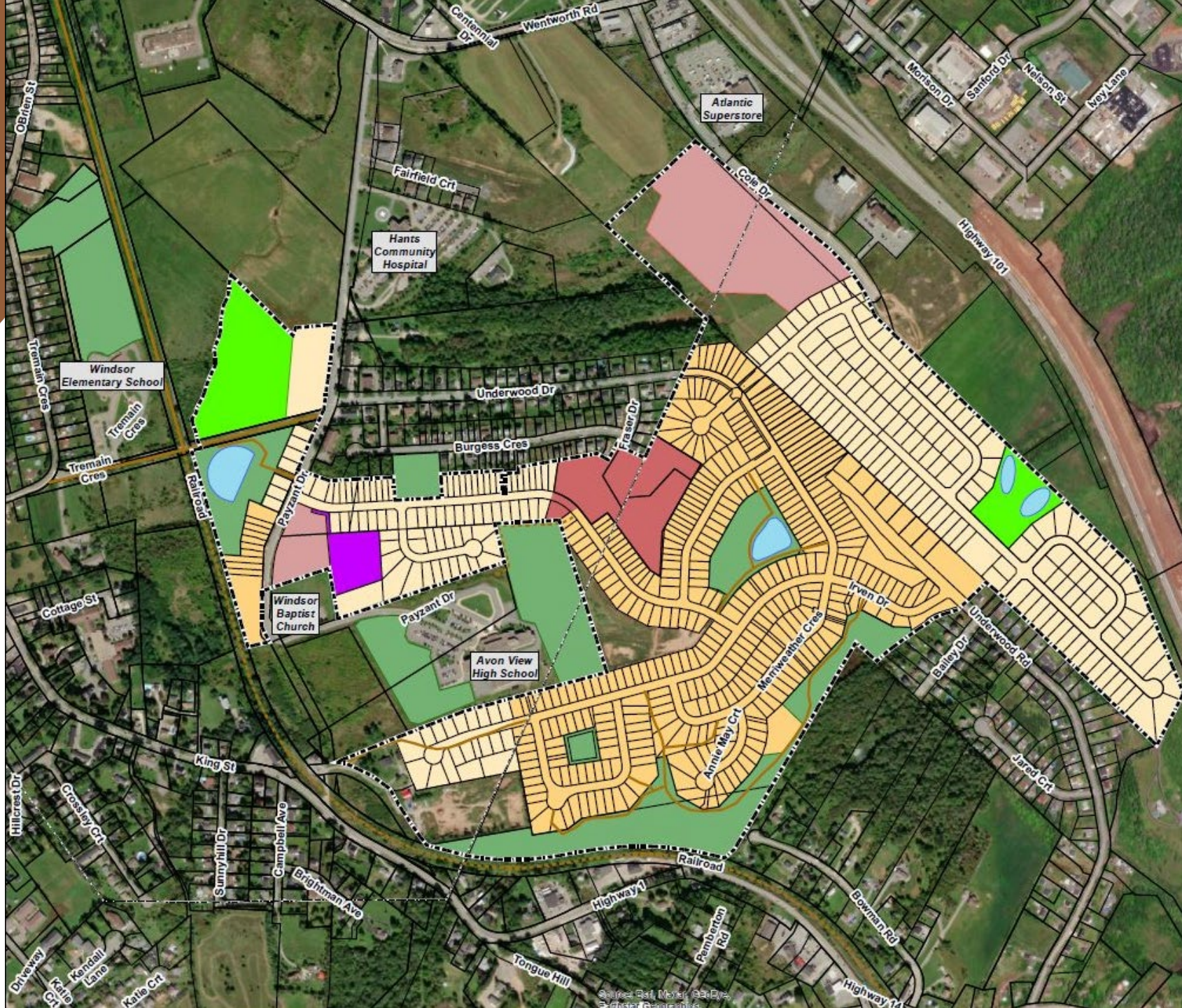


# Zoning



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# Overall Concept

# Updates

- July 23, 2024 - First Reading *“including all of the changes proposed by the applicant pending legal review.”* Staff incorporated all the requested changes by the applicant into the draft development agreement and requested additional legal review.
- August 2, 2024 – Received comments from the Windsor Fire Chief
- September 18, 2024 - Public Works Engineering Division provided a memo entitled *“Additional information for Irvén Drive Extension DA”* to Planning staff.



# Windsor Fire Chief Comments

- *“The 25' proposed emergency access easement looks satisfactory. The developer would need to ensure the ground can handle the weight of our fire apparatus.”*
- Section 2.3 of the revised draft development agreement requires a minimum of 30 ft. (9.14 m.) wide emergency access / active transportation trail to be built by the Owner to a standard to allow emergency vehicle access as approved by the Municipal Engineer.



# Windsor Fire Chief Comments Cont.

- *“I would like to see the two dead-end driveways (southern part of the development) connected to allow access from one to the other. This could be gravel, paved, etc. With the close proximity of the structures on the north side of the proposed development, a similar access road would be beneficial behind these units.”*
- This has not been included in the revised draft development agreement however the applicant should keep this in mind when developing those units with shared driveways.

# Public Works Engineering Division Memo

- Entitled *“Additional information for Irven Drive Extension DA”*
- Highlights the complexity of this application and the further consideration the Public Works Engineering Division has given to the proposed Irven Drive Extension cul-de-sac with a 30 ft. (9.14 m.) wide emergency access / active transportation connection
- Preferred option is still for the applicant to provide a 52.5 ft. (16 m.) wide land parcel to allow a future connection from Irven Drive to the Payzant Drive Connector



# Public Works Engineering Division Memo Cont.

- However, the Municipal Engineer has now commented that due to the applicants' design engineer being able to provide an alternative approach they are *“able to accept the position of the applicant and the construction of a minimum 30ft (9.14m) wide emergency access / active transportation trail to be built at the western end of Irvan Drive Extension.”*
- This connection will be required to be built to local road standards at the reduced width to ensure heavy equipment such as fire apparatus could be accommodated year-round.

# Public Works Engineering Division Memo Cont.

- The emergency access / active transportation trail will not provide a street connection for all vehicular traffic but will meet the minimum requirements for emergency purposes.
- The memo states *“This proposal is seen to be an acceptable compromise between the position of the WHRM Engineer and Traffic Authority and the applicant assuring the minimal transportation needs are met for emergency purposes.”*



# Public Works Engineering Division Memo Cont.

- The memo also discusses the previous concerns regarding the impact that parking may have on the sidewalk, snow removal, street maintenance and solid waste collection.
- They identified that these concerns will be mitigated by removing the ability for on-street parking once Irven Drive Extension is accepted as Municipal infrastructure, allowing the developer to provide separate off-street guest parking within the revised draft development agreement, and continued education and enforcement of current parking by-laws with the new residents of the proposed development.



# Public Works Engineering Division Memo Cont.

- Due to this memo being provided by the Public Works Engineering Division, the application as presented in the revised draft development agreement now meets criteria 5.4.6 (c), (e) and (g), 5.3.7 (c) and (d), and 16.3.1 (a) (iv) and (b).

# Development Agreement Details

## *Requirements*

- Permits: a maximum of 92 dwelling units within 23 four-unit dwellings
  - Phase 1: 44 dwelling units within 11 four-unit dwellings
  - Phase 2: 48 dwelling units within 12 four-unit dwellings
- Emergency access / active transportation trail to be completed by 2030
- 1 parking space per dwelling unit
- Stormwater management plan prior to development permit
- Fencing along the southern lot line abutting PID 45294980



# Development Agreement Details

## *Substantive Matters*

- the uses permitted on the Property;
- the requirement of an emergency access / active transportation trail to be provided;
- the fire safety requirements; and
- the requirements for a stormwater management plan to be submitted prior to a development permit being issued.



# Windsor MPS Specific Criteria

- Policy 5.4.6 establishes the intent of Council to consider entering into a development agreement to allow new multiple unit residential development consisting of three or more units and grouped dwellings in the Residential designation.
- In summary the proposal now meets the criteria as:
  - the Municipal Public Works Engineering Division has provided a memo stating they are able to accept the minimum 30 ft. (9.14 m) emergency access / active transportation trail and that the proposal will meet the minimal transportation needs for emergency purposes;
  - ...

# Windsor MPS Specific Criteria Cont.

- ...
- the Municipal Public Works Engineering Division memo identified that the previous concerns regarding impacts of the proposed parking to the sidewalk, snow removal, street maintenance and solid waste collection will be mitigated; and
- the Windsor Fire Chief has commented that the proposed emergency access looks satisfactory.



# West Hants MPS Specific Criteria

- Policy 5.3.10 establishes the intent of Council to consider entering into a development agreement to allow grouped dwellings consisting of six or more dwelling units in the Three Mile Plains Growth Centre.
- In summary the proposal now meets the criteria as:
  - the Municipal Public Works Engineering Division has provided a memo stating they are able to accept the minimum 30 ft. (9.14 m) emergency access / active transportation trail and that the proposal will meet the minimal transportation needs for emergency purposes.

# Windsor and West Hants MPS General Criteria

- Policy 16.3.1 outlines the general criteria for development agreements.
- In summary, the proposal now meets the criteria as:
  - the Municipal Public Works Engineering Division has provided a memo stating they are able to accept the minimum 30 ft. (9.14 m) emergency access / active transportation trail and that the proposal will meet the minimal transportation needs for emergency purposes.

Public Information Meeting – March 5

Staff Review

PAC/HAC Review and Recommendation – July  
11, 2024

Regional Council First Reading –  
July 23, 2024

**Public Hearing & Second Reading –  
September 24, 2024**

Notice Placed in Paper

14-day Appeal Period

# Process

All statutory requirements have  
been met



# Recommendation (1 of 2)

...that Council gives Second Reading to and approves entering into a development agreement to allow a total of 92 dwelling units within 23 four-unit dwellings grouped on a portion of PID 45162005 and PID 45408374 in Windsor and Garlands Crossing which is substantively the same as the draft set out in Appendix B of the report File #24-15 B to Council dated September 24, 2024.



# Recommendation (2 of 2)

...that Council require that the development agreement with Mitch Brison for PID 45162005 and PID 45408374 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.





**West Hants**  
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