

1177 King Street, Windsor Rezoning

Planning and Heritage Advisory Committee (PAC/HAC)

March 13, 2025

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Application

- A completed application was received from Peter Detmers on November 8, 2024.
- The application was to rezone the subject lot from Single Unit Residential (R-1) to Two Unit Residential (R-2) to allow for conversion of the existing residence to a two unit dwelling and subdivision of the subject lot.

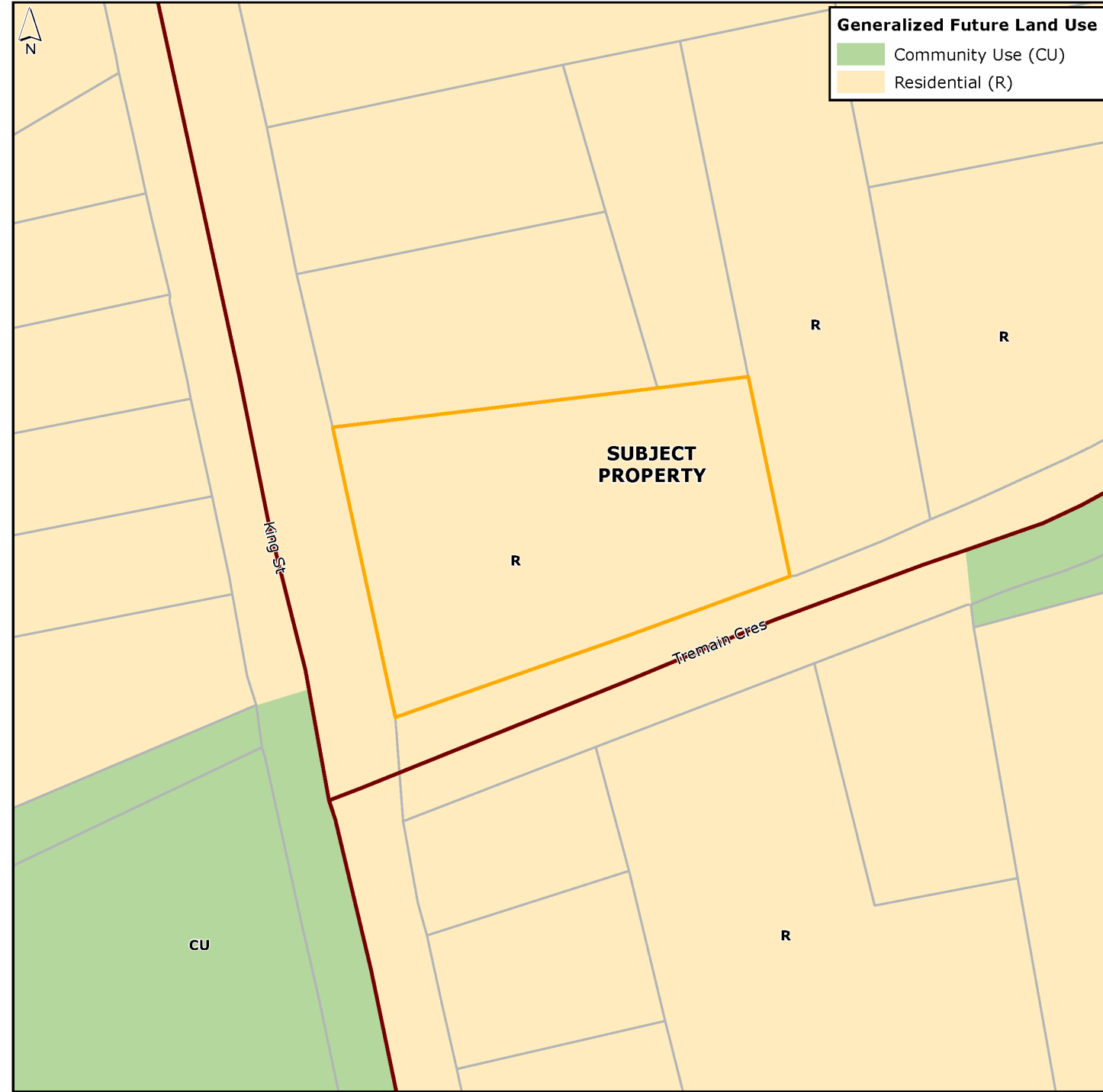




Orthophoto

- The property currently has a single unit dwelling located on it.
- Nearby properties consist of single unit residences and a graveyard to the southwest.
- Has frontage on both King Street and Tremain Crecent.

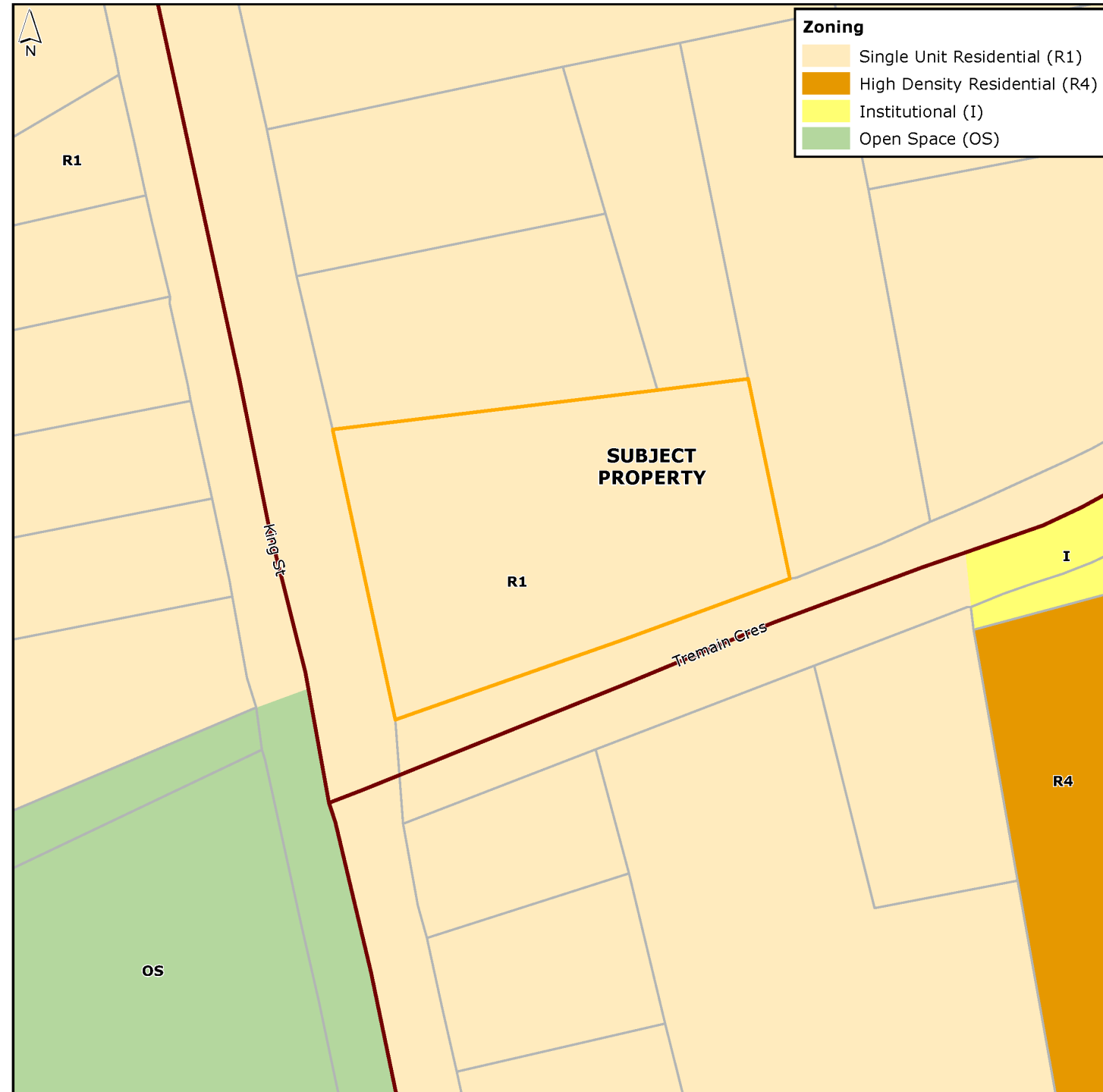




GFLUM

Residential Designation



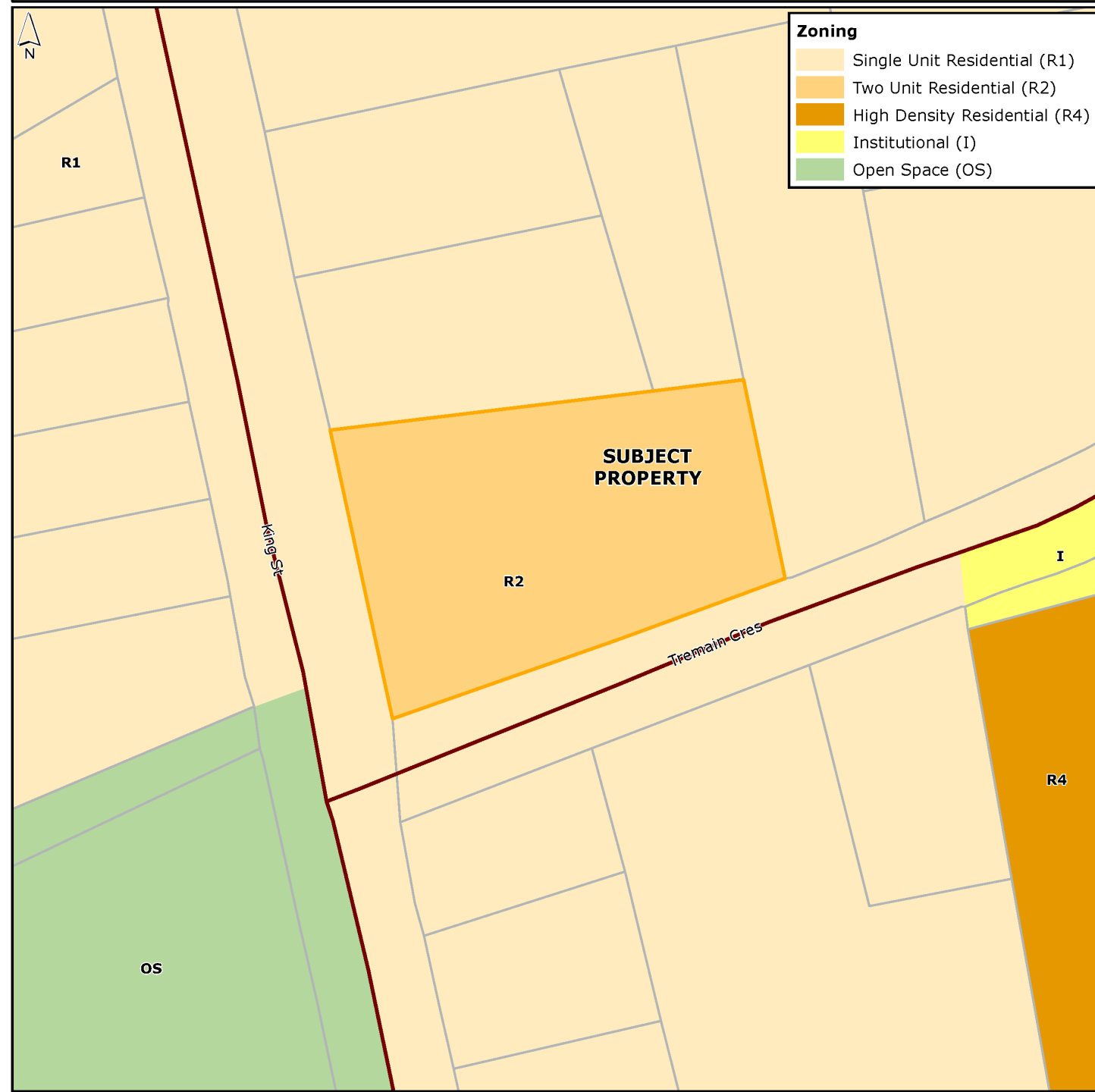


Current Zoning

Single Unit Residential (R-1)

Permits:

- Single unit dwellings



Proposed Zoning

Two Unit Residential (R-2)

Permitted uses include:

- Uses permitted in the R-1 zone subject to the R-1 zone requirements
- Converted dwellings to a maximum of two dwelling units
- **Two unit dwellings**





View of Subject Lot from Tremain Crescent

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View of Surrounding Area on King Street



Windsor MPS Policies

Policy 5.1.4 enables Council to consider rezoning land within the Residential designation to Two Unit Residential (R-2).

In summary, the criteria are considered met since:

- the proposal is compatible with the traffic generation, population density and architectural design and scale of the area;
- the proposal provides adequate on-site parking and access to the subject lot;
- the Development Officer and the Municipal Traffic Authority have no concerns which have not otherwise been addressed in this report.



Windsor MPS Policies

Policy 16.3.1 states general criteria for amendments to the Land Use By-law.

In summary, the criteria are considered met since:

- the proposal is not considered premature or inappropriate for the area based on the policy criteria;
- no municipal costs related to the proposal are anticipated; and
- the Fire Chief, Development Officer, Manager of Building and Fire Inspection Services, Public Works Engineering Division, and Municipal Traffic Authority have no concerns which have not been addressed in this report.



Restrictive Covenants

A restrictive covenant was registered to the subject lot in 1954, permitting only single unit dwellings, restricting subdivision, etc.

The Municipal Solicitor explained that restrictive covenants are based on private law and government authorities are based on public law (Municipal Government Act). Therefore, that staff cannot base their recommendation on the contents of a restrictive covenant.

Additionally, the property owner is currently seeking to remove the restrictive covenant from the subject lot.



Public Information Meeting Notes

- The Public Information Meeting were held on January 15. The meeting was broadcast live on the Municipal Youtube page.
- 8 members of the public attended the meeting, with one individual speaking.
- The deadline for comments was January 29.
- Staff received 3 phone calls and 9 pieces of written correspondence during the comment period.
- The concerns generally included increased traffic, municipal service strain, increased density, privacy, environmental impact, property values, and community character.



PIM Comments – Staff Response

Traffic

- The Traffic Authority commented that the site is considered to have safe driveway access to both King Street and Tremain Crescent.

Municipal Services/Environmental Impact

- The Public Works Engineering Division commented that they had no concerns regarding the increased capacity request. They also commented that through subdivision, a lot grading plan would be required alongside confirmation of no increase in stormwater flow from the property.



PIM Comments – Staff Response

Density/Community Character

- Within the current planning documents, Council's policy (5.1.4) permits applications such as this one to be considered in all areas designated Residential. The addition of three dwelling units is not considered to be major change to the population density of Windsor.

Property Values/Privacy

- Property values and privacy are not included as criteria within the policy of the current planning documents, as such, staff cannot consider those items when making recommendations.



Public Information Meeting – January 15

Staff Review

**PAC/HAC Review and Recommendation –
February 13**

Council First Reading – March 25*

Public Hearing & Second Reading –
April 22*

Notice Placed in Paper

14 Day Appeal period

Process

* Anticipated dates



Recommendation

...that PAC/HAC recommends that Council give First Reading and hold a Public Hearing to consider amending Schedule A of the Windsor Land Use By-law to rezone PID 45053816 at 1177 King Street in Windsor from the Single Unit Residential (R-1) to Two Unit Residential (R-2) as shown in the report File #24-26 to the Planning and Heritage Advisory Committee dated March 13, 2025.



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