



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, Senior Planner

Date: March 13, 2025

Subject: Rezoning: 1177 King Street, Windsor; File # 24-26

LEGISLATIVE AUTHORITY

Municipal Government Act Section 210

RECOMMENDATION

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 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.

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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An application was received from Peter Detmers on November 8, 2024. The application is 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.

DISCUSSION

The subject lot is designated Residential on the Generalized Future Land Use Map (GFLUM) of the Windsor Municipal Planning Strategy (WMPS) (Figure 1). The subject lot is zoned Single Unit Residential (R-1) on Schedule A of the Windsor Land Use By-law (WLUB) (Figure 2).

Surrounding Context

Surrounding properties are mostly designated Residential and zoned Single Unit Residential (R-1), apart from the cemetery across King Street being designated Community Use and zoned Open Space. Uses on surrounding properties consist of a variety almost entirely low-density residential uses, apart from the cemetery.

Municipal Planning Strategy Review

Policy 5.1.4 of the WMPS is the primary enabling policy to be considered for this application. This policy provides Council with the ability to consider rezoning land within the Residential designation to Two Unit Residential (R-2). The full list of criteria is included within this report in Attachment A. In summary, the proposal meets the criteria 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.

Policy 16.3.1 of the WMPS establishes the general criteria that must be considered for all rezoning applications. 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, Public Works Engineering Division, and Municipal Traffic Authority have no concerns which have not been addressed in this report.

Restrictive Covenant Applicability

Staff determined that a restrictive covenant was registered to the subject lot in 1954, permitting only single unit dwellings, restricting subdivision, in addition to other matters. As restrictive covenants are not especially common in the Municipality, staff reached out to the Municipal Solicitor for confirmation on how it would interact with the Municipal planning process. The Municipal Solicitor explained that staff cannot base their recommendation off of restrictive covenants, as they are based on private law and government authorities are based on public law (i.e., through the Municipal Government Act). Former cases brought to the Nova

Scotia Utility and Review Board (NSUARB) have shown that Restrictive Covenants are not enforceable through methods such as planning appeals.

Staff have been informed by the property owner that they are currently seeking to remove the restrictive covenant from the property.

MUNICIPAL CLIMATE CHANGE ACTION PLAN

The Municipal Climate Change Action Plan (MCCAP) for Windsor (2014) highlights two simulated flooding scenarios. The first scenario is based on a storm surge that occurred in 1997, which shows the expected damage is to occur along the coastline. The second scenario shows the simulated flooding extent for probable maximum flood due to climate change. Under this scenario most of the community of Windsor will experience extensive flooding, including the subject lot.

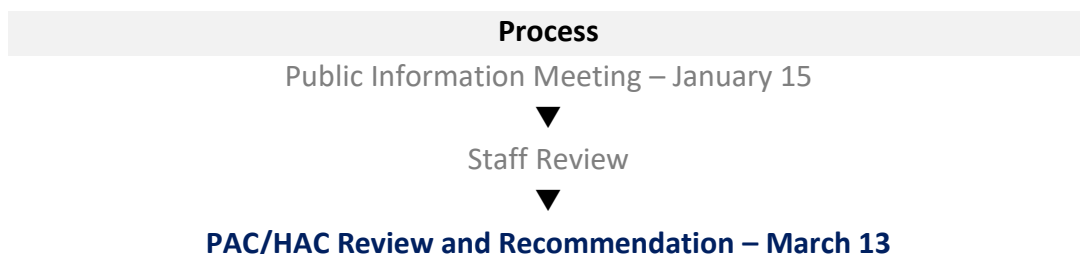
A portion of the subject lot's frontage on Tremain Crescent is within the Environmental Constraints Area and the Dykelands Overlay. This portion is not planned to be developed on as part of the proposal. Any development that may be proposed to take place within this portion will require an Environmental study, as well as permission from the Nova Scotia Department of Environment and Climate Change.

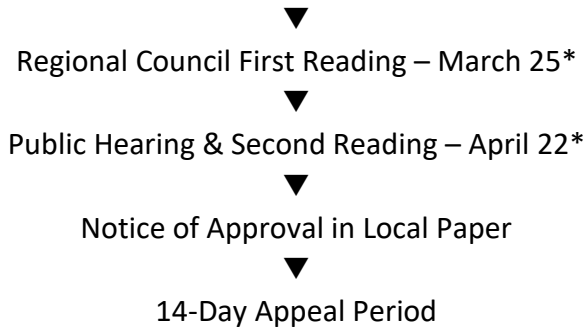
In accordance with the Municipal Services Specifications Manual, the Public Works Engineering Division will require the developer to provide a confirmation from an engineer that the pre- and post-development flows are neutral or better than before the development and a lot grading plan will also be required through the subdivision process.

Property owners are responsible for ensuring that their lot is suitable for the proposed uses.

NEXT STEPS

As noted above, the proposed rezoning has been considered within the context of both the specific and general policies of the WMPS, and is consistent with the intent, objectives, policies and criteria of the WMPS. As a result, it is reasonable to consider permitting rezoning 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, on PID 45053816 at 1177 King Street in Windsor.





FINANCIAL IMPLICATIONS

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

ALTERNATIVES

In response to this application, PAC may:

- recommend that Council hold First Reading and authorize a Public Hearing to approve the development agreement as drafted or as specifically revised by direction of PAC/HAC; or
- recommend to Council to provide alternative direction such as requesting further information on a specific topic.

ATTACHMENTS

Figure 1	Windsor GFLUM Extract
Figure 2	Windsor Zoning Map Extract
Figure 3	Windsor Proposed Zoning Map Extract
Attachment A	Policy Summary for Rezoning
Attachment B	Public Information Meeting Notes

Report Prepared by: _____
Alex Dunphy, Senior Planner

Report Approved by: _____
Kari Fougere, Acting Director of Planning and Development

Figure 1 – Windsor GFLUM Extract

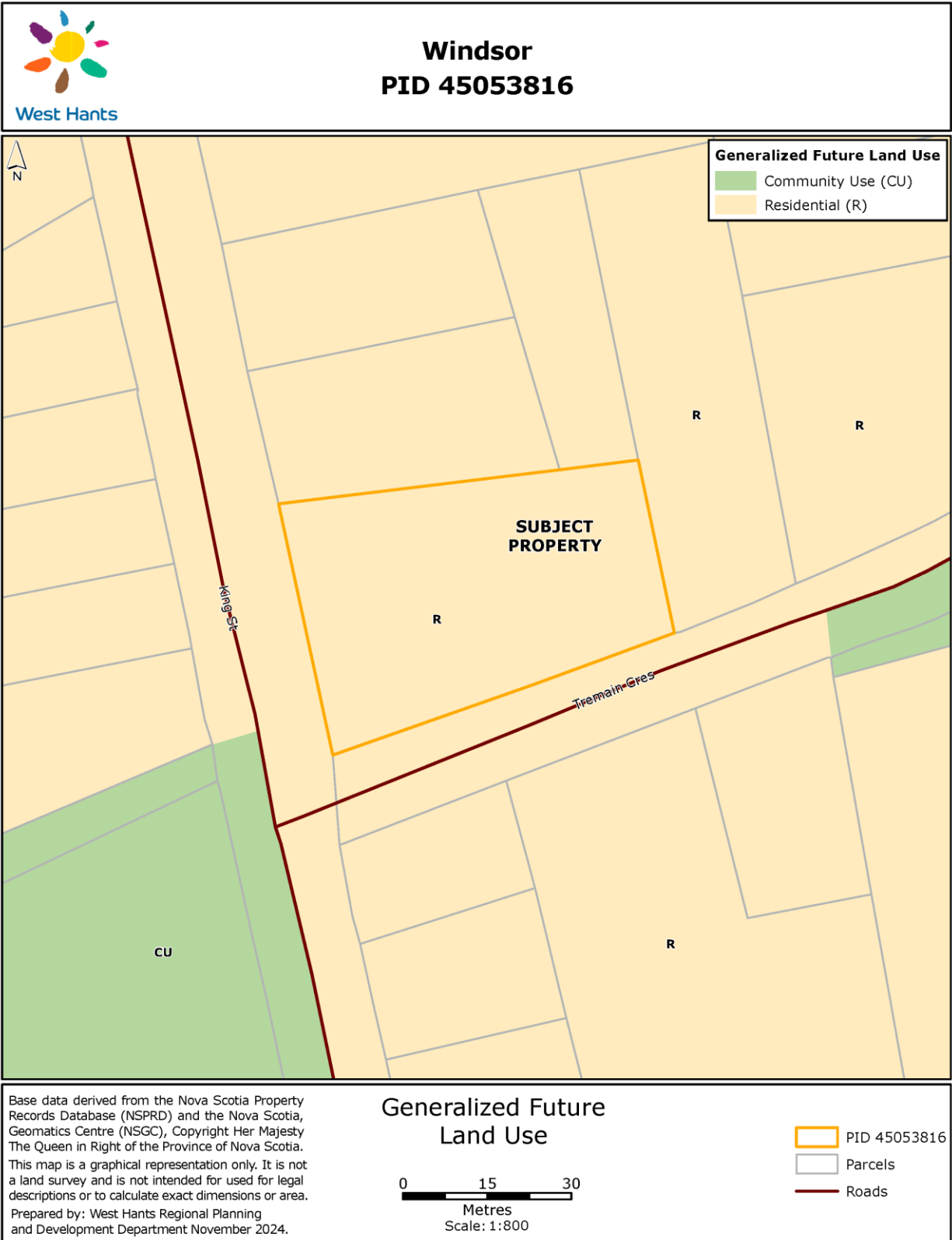


Figure 2 – Windsor Zoning Map Extract

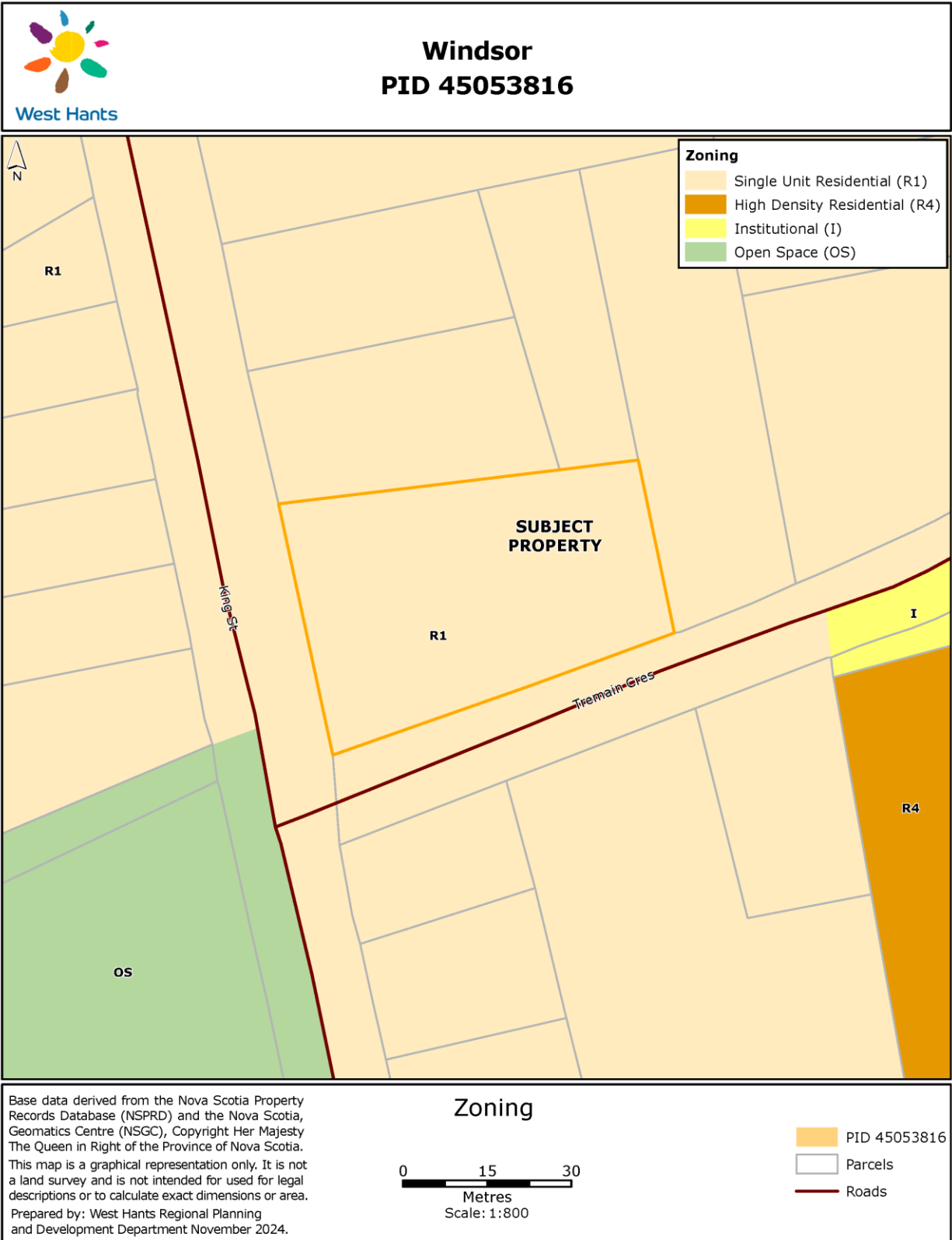
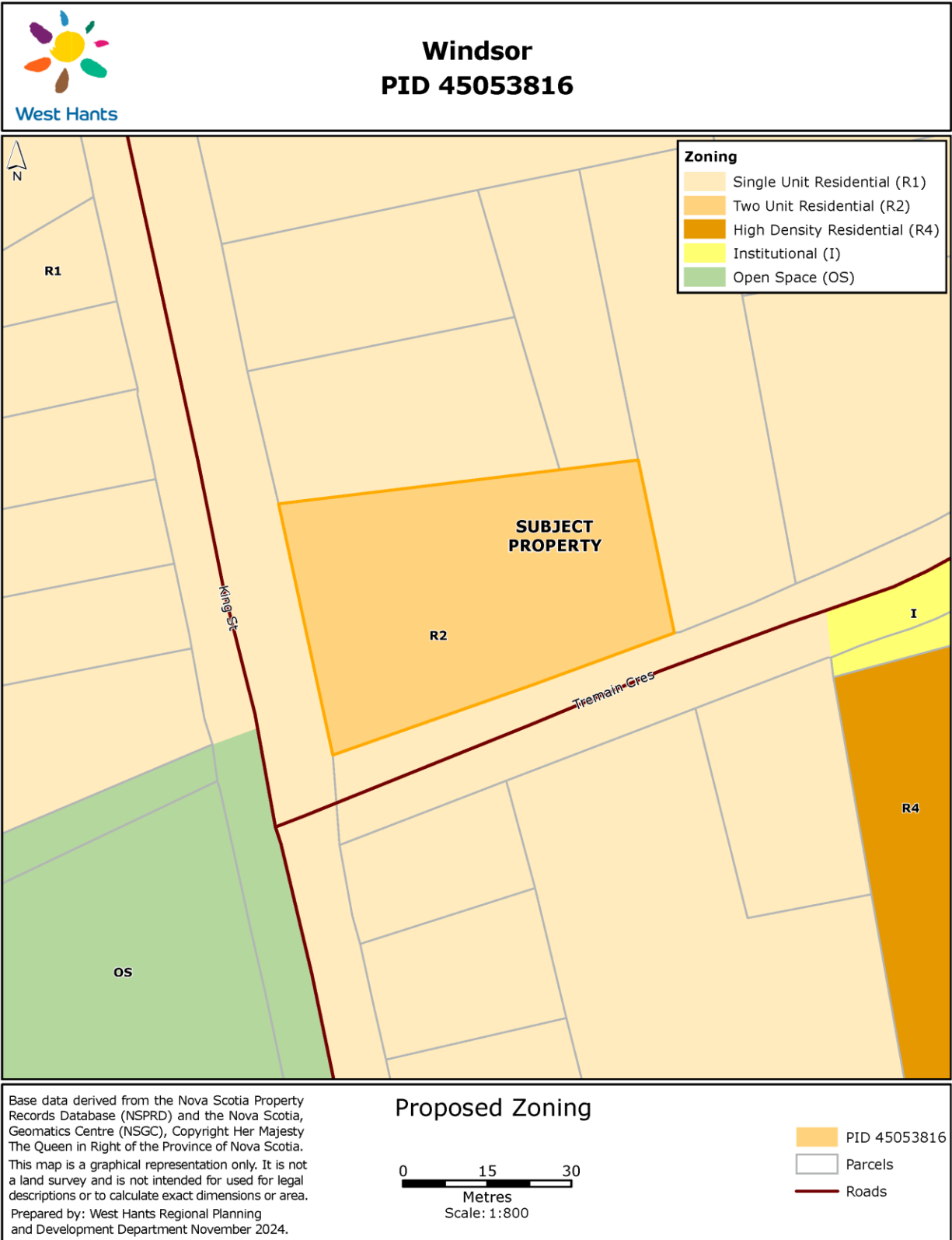


Figure 2 – Windsor Proposed Zoning Map Extract



Attachment A – Policy Summary for Development Agreement

Policy 5.1.4

It shall be the policy of Council that within the Residential designation, areas zoned Single Unit Residential (R-1) may be rezoned to Two Unit Residential (R-2). In considering such a rezoning, Council shall have regard to the following:

(a) the proposed use is compatible with the residential character of the area with respect to such things as traffic generation, population density and architectural design and scale;

It is clear that the original intent of the restrictive covenant registered to the subject lot and surrounding properties was to limit residential development to that of single unit dwellings, however, staff cannot base their recommendation off of it, as restrictive covenants are based on private law and government authorities are based on public law. This understanding is based on a legal opinion from the Municipal Solicitor. Staff is only required to review the rezoning application based on its compliance with the MPS and LUB.

The Development Officer commented that they had no concerns regarding the pattern of development. The Traffic Authority commented that the proposal was considered to be compatible with the residential character of the area regarding traffic generation. As-of-right development following a rezoning would be required to meet all architectural requirements of the Land Use By-law. Lastly, the dissemination area that this subject lot is within has a population of 516 (Stats Canada, 2021 Census), adding a maximum of three dwelling units to this population will not be a significant change to the density.

(b) adequate on-site parking can be provided;

The Development officer commented that they had no concerns regarding adequacy of on-site parking.

<i>(c) access to the site will not be hazardous with respect to traffic flow;</i>	The Public Works Engineering Division commented that a driveway installed on Tremain Crescent to accommodate the provisional second dwelling would meet the sight-stopping distance requirements and is more than 50ft from the King Street intersection. The Traffic Authority also commented that the site was considered to have safe roadway access to both King Street and Tremain Crescent.
<i>(d) adequate landscaping and recreational or open space can be provided;</i>	The Development Officer commented that there are no applicable landscaping or recreational/open space requirements within the Two Unit Residential (R-2) zone.
<i>(e) 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>(f) the provisions of Policy 16.3.1 of the Municipal Planning Strategy.</i>	See below.

<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>	
<i>(a) whether the proposal is considered premature or inappropriate in terms of:</i>	
<i>(i) the adequacy of sewer and water services;</i>	The Public Works Engineering Division commented that the subject lot has access to Municipal services and there are no concerns regarding capacity for the proposal.
<i>(ii) the adequacy of school facilities;</i>	The Director of Operations for the Annapolis Valley Regional Centre for Education has stated that they will accommodate all students.
<i>(iii) the adequacy of fire protection;</i>	The Manager of Building and Fire Inspection Services commented that they did not have any concerns

	<p>regarding fire separation for two-unit structures. The local Fire Chief commented that they had no concerns regarding the proposal.</p>
<p><i>(iv) the adequacy of road networks adjacent to, or leading to the development; and</i></p>	<p>The Traffic Authority has no concerns regarding the road networks adjacent or leading to the proposed development.</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 the proposed 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 has no concerns regarding movement suitability on the subject lot.</p> <p>There is an existing sidewalk on King Street, directly abutting the subject lot. There is no active rail line in the vicinity.</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 the subject lot is suitable in terms of dimension and shape for this proposal. Any development will need to meet the requirements of the Land Use By-law following rezoning.</p>
<p><i>(d) the pattern of development which the proposal might create;</i></p>	<p>The Development Officer has no concerns regarding the pattern of development that the proposal may create. The proposal will add more density than what currently exists in the surrounding area. However, Council's policies (5.1.4, above) enable the consideration for rezonings within the Residential designation, such as the proposal.</p>
<p><i>(e) 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>There is a small portion of the lot within the Environmental Constraints Overlay and the Dykeland Overlay. The proposal does not coincide with this portion of land. Any development</p>

	<p>proposed to take place within this portion will require an Environmental study, as well as permission from the Nova Scotia Department of Environment and Climate Change. The Public Works Engineering Division confirmed that as a part of the subdivision process, a lot grading plan would be required alongside a memo, stamped by a Professional Engineer, indicating that there will be no increase in stormwater flow off of the property.</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 – Public Information Meeting Notes

January 15 - 29, 2025

Rezoning: 1177 King Street, Windsor; File # 24-26

Meeting date and time	A Public Information Meeting was held on January 15, 2025 beginning at 6:11 p.m. The meeting was broadcast live on the Municipal Facebook page.
Attending	In attendance for the meeting: One (1) Chair: <ul style="list-style-type: none">• Mayor Zebian Four (4) members of staff: <ul style="list-style-type: none">• Planner Dunphy• Planner Hong• Planning Assistant Lake• Acting Director Fougere The applicant and 8 members of the public attending the meeting.
Applicant Peter Detmers	Planner Dunphy outlined the application to rezone the subject property.
Property 1177 King Street, Windsor (PID 45053816)	Peter Detmers spoke to the proposal.
Comments	Comments from the public could be submitted by mail, e-mail and telephone between January 15 –29, 2025. Staff received 9 emails and 3 phone calls during the public comment period. The phone calls were not in favour of the proposal and one individual was concerned with the restrictive covenant. Email correspondence is included below. One member of the public spoke during the Public Information Meeting. Staff responses are purple. Ron Phillips asked where the second driveway would be located. Alex explained it will not be finalized at this stage and will be done during the subdivision process. The rezoning must meet safe roadway access requirements and Public Works will provide comments on the matter.
Adjournment	The Public Information Meeting ended at 6:20 p.m.

Public Email Responses Submitted for the Application PIM

January 20, 2025

From Jill Martin

To Mayor Zebian and Alex Dunphy

Dear Mr. Dunphy and Mr. Zebian,

I hope this letter finds you both well. I am writing to express my concerns regarding the proposed residential rezoning at 1177 King Street in Windsor. As a property-owning resident in this area since 2010, I have been recently made aware of the rezoning application and would like to formally submit my opposition and raise several points for consideration.

My primary concerns are as follows:

Increased Traffic and Congestion

The potential increase in traffic resulting from higher density of residents in one small area, in a school zone, would significantly affect the flow of traffic, making our roads less safe and more congested. Our neighborhood is home to many families, school-aged children and seniors that use the sidewalks and roads surrounding that property. The increase in traffic would potentially limit their recreational activities, active transport, and the safety of children going to and from school and the two bus stops at that corner of King and Tremaine.

Strain on Public Services

Increased population density will place undue pressure on public services such as water, waste management, and emergency services. This could lead to a decline in service quality or even delays in response times, which would affect the overall quality of life for residents. Our area already experiences issues with waste water during storms and water line issues that are repaired promptly each time. Extra residents will only increase the wear and tear on these aging infrastructure.

Impact on Community Character

Our neighborhood is characterized by its quiet, family-oriented nature, and I believe that rezoning could alter the sense of community and diminish the quality of life for current tax paying residents. We chose this area for the sense of safety and community to raise our children and help encourage community with interacting with neighbors, both young and those who have been living in this neighborhood for decades. The proposed changes may also be at odds with the recreational and spiritual use of the Maplewood Cemetery across the street from 1177 King Street. It is currently accessed numerous times, by vehicles, dog-walkers and those exercising, by crosswalk between 1177 and 1184 King Street. The increase of noise pollution in construction, living, and traffic will impact all users' experience with Maplewood.

Lack of Public Consultation

I feel that there has been insufficient consultation with residents and stakeholders about the

potential impacts of the rezoning. It is crucial that the municipality consider the views of those who live in and experience the area daily. Even more information about the proposed buildings would help in informing our decisions and opinions about the growth. We know that change is inevitable and often beneficial, but not all growth is completed in the best way and we would like to make sure that this has been considered for our area, not just because one person wants it.

In light of these concerns, I kindly request that the municipality reconsider the proposed residential rezoning or at the very least conduct a more thorough review, with giving more details to the neighbouring property owners and users. I also urge that the municipality explore alternatives that would meet residential growth needs without compromising the character of our neighborhood or the quality of life for its residents.

Thank you for your time and attention to this matter. I trust that the municipality will carefully consider the potential long-term effects of the proposed rezoning on our community. I look forward to your response and to an opportunity for further discussion.

Sincerely,
Jill Martin

January 20, 2025

From Monique Wood

To Alex Dunphy

SEE ATTACHED LETTER

January 22, 2025

From Heather Lunan

To Alex Dunphy

Good day My Dunphy,

I have been away and was just informed by my neighbour of the intention of our mutual neighbour at 1177 King St.

My understanding is that he would like to rezone his lot to a multi resident property.

I find myself questioning what that actually means. Is it possible for you to provide more details to this request? For example, what are the restrictions and possibilities for a lot this size?

I apologize for not having been available to attend the meeting. And in light of this, I look forward to further information from you that I might make a more intelligent decision about the future of our neighbourhood.

Thanking you in advance.

Heather Lunan

January 22, 2025

From Jackie Bacon

To Alex Dunphy

Alex,

I would like to express my opposition to the rezoning of property 1177 King St. Windsor (PID 45053816) from R1 to R2. Since I live within 300 feet of this proposed rezoning lot, I received a letter informing me of this. I am deeply concerned about having multiple duplexes on one lot. The proposal from R1 to R2 will not suit the surrounding established single dwelling homes that are present in the area now.

Again, I am strongly opposed to this proposal.

Thank you,

Jacqueline Bacon.

January 23, 2025

From Patricia Phillips

To Alex Dunphy

In regards to this request, we as in the neighbouring property of ***ADDRESS REDACTED***, Windsor, do not agree with this change. Duplexes on this single dwelling neighbourhood would not be a welcomed change for many reasons; effect value of existing homes, crowding the corner of King St. & Tremaine Cr, extra traffic, driveway specifications, especially next to our property, lack of privacy. Other property owners have purchased single family homes because of the lack of duplexes. Repairing the existing property of 1177 King St. as (R-1) single dwelling would definitely be an agreeable action the the neighbouring homes.

Ronald & Patricia Phillips

January 24, 2025

From Nigel Gutcher

To Alex Dunphy and Kari Fougere

Kari Fougere and Alex Dunphy,

and The Regional Municipality of Windsor-West Hants department of Planning & Development, I hope everyone is doing well. Please consider this formal objection to the application for re-zoning 1177 King Street, here in Windsor, from R1 to R2.

As a resident in the immediate vicinity of the site, I have a few concerns to voice with hope to avoid future issues from impacting the well-being of local residents.

Objection #1: noise -

Residences near the corner of King & Tremain are dealing with increasing through-fare traffic from commercial and local vehicles. Adding a multi-stage development project to the immediate vicinity will disrupt, for example, the working life of anyone who lives nearby and works remotely. My office window and desk face out and are able to see the edge of 1177 King Street property, which is roughly 15-20 meters away.

My spouse, Stephanie Smith (CC'd on this email), also works remotely in very close proximity to the site. We have the well-being of retired individuals and young families living very close by, as well, to consider.

Please refer to the following scientific scholarly article reporting on the health impacts of construction noise:

https://urldefense.proofpoint.com/v2/url?u=https-3A_www.google.com_url-3Fsa-3Dt-26source-3Dweb-26rct-3Dj-26opi-3D89978449-26url-3Dhttps-3A_www.sciencedirect.com_science_article_pii_S2210670723000811-26ved-3D2ahUKEwiwpN7H946LAXV-5FpokEHdRBKa0QFnoECBUQAQ-26usg-3DAOVVaw0TS-5Fz4CMVOciW7cIKNJGub&d=DwICAg&c=euGZstcaTDllvimEN8b7jXrwqOf-v5A_CdpgnVfiiMM&r=1tj02Gr1SNhyPB_0qBF5YmEa9g7bJaHgkYonkfZXtwM&m=fL64ZxY4fzwn79iif76R5veajK-jsBVp8GGdZBpWP0TquZzl2RkpWlvtV8IHgEin&s=OjVzvFeUjqDDNh61nyg_PhB3sYSypLxpbD84SCRZT-M&e=

As someone who witnessed his parents go through extreme stress and fatigue from a re-zoning construction project beside my childhood home, let me convey to you; the impacts on human life can be very real.

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Objection #2: pollution -

In a capacity similar to noise, the amount of pollution this vital corridor of Windsor has been impacted by increased through-fare traffic

- including both air pollution and litter. Construction projects are not a physically 'inert' activity, as solvents, debris, dust could post a threat to the health of those in the immediate area.

My neighbour, John Trinacty (included on this email), grows prize-winning watermelons in the summer that he donates to children and local groups. He is able to sustain himself for several seasons with a modestly-sized garden plot that would be directly in the blast radius of any construction made in this area.

I also garden near this space, and - depending on the building methods and materials - I would likely feel unsafe consuming any of that produce before having my soil tested after any major construction. Air quality impacts are also a concern, since residences here depend on the direction of the wind to keep diesel and persistent traffic pollution away from our homes. Adding dust and solvents to the mix from another vector could have impacts on the health of nearby residents. Persistent and repeat vibration also has the potential to dislodge particles within our homes.

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Objection 3: structural integrity of neighbouring houses - Digging, pile driving, and crushing rock may have geological and structural implications for the neighbouring buildings that would likely need to be assessed. The foundation at my residence - ***ADDRESS REDACTED*** - was poured in the 1950's, and it shows several cracks that have needed to be patched. During the spring thaw, we often get water ingress through the cracks (and via capillary action). If extended high-intensity vibrations are being considered in the building process, they could have a detrimental impact on the value and integrity of surrounding homes.

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Objection 4: privacy -

There is a view through a straight corridor from the north-east section of the property at 1177 King Street that, at elevation, would allow anyone occupying residences in that spot to view the majority backyard activity of at least 4 residences. Currently, we have reasonable barriers (including growing foliage) ensuring privacy between each other at eye level, but adding a new multi-tenant residence to the proposed spot would allow anyone residing there to monitor the activity of their surrounding neighbours, altering the social dynamic and privacy of our neighbourhood.

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Objection 5: road infrastructure -

King Street is already heavily taxed by commercial and industrial vehicles, as well as commuter and local traffic. The edges of the road are crumbling, and while a pedestrian stop has been added to the corner of King and Tremain I would like to convey some concern about the potential of a multi-tenant dwelling on the safety of this corner.

1) local and commercial traffic generally do not respect the speed limit in this area

2) this corner is a hot zone in the morning, with school busses turning in to drop children off at the local elementary school

3) I have recently witnessed, first hand, an automotive accident at this corner when a lady in a mid-sized SUV was attempting to turn onto Tremain, and was rear-ended and pushed into the iron chain fence in the adjacent cemetery.

I must stress that motorists often do not respect the speed limit here, and residents on King Street must be very risk-averse about leaving our driveways. Adding more load to this corner without improvements may require further assessment.

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Thank you for considering this objection. I am available to field any follow-up questions or concerns you may have.

Sincerely,

Nigel Gutcher

January 27, 2025

From Terry Ferguson

To Alex Dunphy

I spoke to you last week on the phone but decided to also email you with my opposition to 1177 king street application for rezoning from R1 to R2 . All neighbouring properties are opposed to this rezoning application ! Thank you , T F

January 29, 2025

From Jed Martin

To Alex Dunphy and Mayor Zebian

Dear Mr. Dunphy and Mr. Zebian,

I hope this letter finds you both well. I am writing to express my concerns regarding the proposed residential rezoning at 1177 King Street in Windsor. As a property-owning resident in this area since 2010, I have been recently made aware of the rezoning application and would like to formally submit my opposition and raise several points for consideration.

My primary concerns are as follows:

- 1. Neighborhood Character and Aesthetic Impact:**

- **Change in Density:** Rezoning could lead to a significant increase in density, potentially altering the character of the neighborhood. Single-family residential areas often maintain a specific look and feel that could be disrupted by introducing more units, leading to overcrowding or overdevelopment.
- **Visual Incompatibility:** The conversion from a single-unit residence to a two-unit dwelling may not blend well with the architectural style and design of existing homes in the neighborhood.

2. Traffic and Parking Concerns:

- **Increased Traffic:** A two-unit dwelling typically means more residents and, consequently, more vehicles. This can put added pressure on already limited parking and lead to congestion in areas not designed to handle increased traffic.
- **Parking Shortages:** If the property doesn't provide adequate off-street parking, this could lead to on-street parking problems for residents and visitors, especially in a neighborhood where parking is already limited.

3. Potential Strain on Infrastructure and Services:

- **Water, Sewer, and Utilities:** The infrastructure in a single-family residential area might not be adequately equipped to support additional units. This could place strain on local water, sewer, and utility systems, possibly leading to increased maintenance costs or the need for costly upgrades.
- **Public Services:** Higher densities could also require more frequent public services, which might be an added cost to the municipality or create service disruptions.

4. Environmental Impact:

- **Loss of Green Space:** Subdividing the lot may reduce green space or yard areas, negatively impacting the local environment and reducing opportunities for residents to have outdoor space for recreational purposes.
- **Stormwater Drainage:** Increased impervious surfaces due to construction or parking areas could lead to runoff and flooding problems, particularly if the neighborhood is not well-equipped for stormwater management.

5. Property Value Concerns:

- **Decreased Property Values:** Residents might worry that converting the lot from R-1 to R-2 could lower their property values due to increased density, reduced privacy, and potential changes in neighborhood dynamics. This concern may impact overall neighborhood desirability.

6. Zoning and Planning Precedents:

- **Encouraging More Rezoning:** Allowing one rezoning request could set a precedent for further rezonings in the area, leading to increased density and a shift in the community's character, potentially spiraling out of control.
- **Consistency with Master Plans:** If the rezoning contradicts existing neighborhood or city plans for future development, it could undermine long-term planning goals or create conflicts with other West Hants priorities.

7. Community Opposition:

- **Local Resident Concerns:** Rezoning may face opposition from local residents who feel that the proposed changes are not in keeping with their expectations for the neighborhood.
- **Loss of Community Cohesion:** Higher-density development can disrupt the sense of community, especially in neighborhoods that value their quiet, single-family character.

In general, a balanced approach should be taken to consider the needs of the existing community, environmental sustainability, and long-term growth strategies. It's important to weigh the benefits against the potential negative impacts of rezoning.

Thank you for your time and attention to this matter.

Sincerely,
Jed Martin

January 29, 2025

From Ben Bennett

To Alex Dunphy and Mayor Zebian

Alex Dunphy – West Hants Regional Municipality,

We would like to start by thanking the West Hants Regional Municipality for allowing us to voice our opinions on the proposed changes to 1177 King Street.

We will keep this relatively brief, as our concerns regarding the proposed rezoning are self-explanatory. We'd also like to note that this is not a case of "NIMBY" (Not in My Backyard). We're happy to see developments and changes that make sense within our community; however, this is not one of them.

MISINFORMATION & POOR PLANNING

Misinformation— I guess that's what we call it these days. Peter is a nice guy; however, he has told various stories to different neighbours in the surrounding community. These range from flipping the single-unit house to creating a duplex and even adding two more residential structures to the property.

This has created confusion for the neighborhood and the West Hants Regional Municipality. A property can't be rezoned without a plan. And, there is no plan. Additionally, a property cannot be rezoned to allow someone to develop without restrictions in a densely populated residential area.

If Peter's not able to be clear about his intentions, then there's an issue and a reason for concern. If it looks like a duck, swims like a duck, and quacks like a duck, then it probably is a duck.

SETTING A PRECEDENT

We believe it's not a good idea for the West Hants Regional Municipality to set an open-ended development precedent, as noted above. If Peter wants to convert the property into a single duplex, that makes logical sense.

However, adding multiple buildings with multiple dwellings on a single PID is a full-scale development. And no town, city, or municipality allows individuals or companies to develop without a clear, structured plan.

Hopefully, a precedent hasn't already been set with the development on the corner of Gabriel Road and the Falmouth Back Road. I'll be frank—We don't know a single person in the community who thinks that development is a good look or strategy for Falmouth.

Honestly, we believe this also undermines the hard work that the West Hants Regional Municipality's Mayor, Council, and Staff have put into securing the multi-unit dwellings that are currently under construction, with more to come.

Municipalities and towns are about planning and ensuring developments are placed appropriately. As citizens, we believe the West Hants Regional Municipality is doing an excellent job of this at the moment. That's because the developments currently happening are being built in the right places at the right time.

INFRASTRUCTURE AND TRAFFIC

We currently have infrastructure issues in this area of town, from sewer concerns to frequent water main breaks. This is an old street with aging infrastructure. More importantly, we have

flooding issues—specifically on that property. The culverts and ditches cannot support the current number of homes in this area.

King Street is one of the oldest streets in Windsor, and it's part of the old Number 1 Highway system. It always has been and always will be busy. The speed limit is 50 km/h; however, 60 km/h or more seems to be the norm.

Adding more structures on a corner where accidents occur regularly is not a good decision. This is especially concerning given the number of school buses that travel to and from Windsor Elementary, leaving from the Termaine Crescent and King Street intersection.

The former Windsor Fire Chief was actually involved in an accident at the very corner of the proposed rezoning site. Furthermore, I've caused two accidents simply by patiently waiting to cross the street. Even with the crosswalk and flashing lights, this intersection is dangerous.

It is not logical to obstruct that corner further.

We'd like to thank you for reviewing and considering our thoughts and opinions. We look forward to discussing the matter further once Peter has a plan that he is able to present to the West Hants Regional Municipality.

Thanks,

Ben Bennett & Alexa Goucher

Monique Wood
ADDRESS REDACTED

January 20, 2025

West Hants Municipality

Alex Dunphy

Regarding Residential Rezoning Proposal 1177 King St Windsor

Dear Mr. Dunphy,

I am writing to express my concerns regarding the rezoning proposal at 1177 King St. I have resided here for 35 years, having actively participated in and been involved in many municipal activities. I was not present for the public meeting, however I did request Zoom access and did review the proceedings.

I understand and support the housing initiatives, and also appreciate that change is difficult and challenging. These are my concerns with the proposal of rezoning:

Traffic/ Safety : Tremain Cresc is narrow, with a short sidewalk leading to the school. During peak times, the area is quite congested with vehicular traffic, posing safety issues for the children travelling to and from school: school busses turning in or out from King St, along with another bus stop at King & Tremain for the high school route, transfer trucks, GFL vehicles, courier vans, traffic to the two Centennial apartments. The narrow street does not have speed bumps or traffic calming measures. Additional driveways onto King and Tremain can potentially negatively impact the flow at and leading to this intersection.

Maplewood Cemetery has become a popular location as a walking path, attracting many seniors, frequently in the morning, adding to the traffic at King St and Tremain.

I would like to hear more details on what rezoning means to our neighborhood.

Does this rezoning to R-2 open the gates for any nearby home owner, with a large property (which was one of the attractions to this area) to add multiple units; what is the height restriction to these units, what is the plan for traffic control?

Flood Mitigation/ Marshland Protection

Many of the homes, including my property and a portion of the property in question, lie in the Tregothic Marsh Land, a protected area. As owners on the marshland, we are responsible for the protection of this area. Construction of a new building, as has been proposed, will be on the marshland and could potentially disrupt drainage. We have already witnessed flooding on the street (Tremain), which is a low lying area. It would be important that this factor be examined more carefully and consideration be given to potential detrimental effects to our Tregothic Marshland.

Follow up: I look forward to having the opportunity to discuss these concerns at a follow up meeting. I trust that the review committee takes my concerns into consideration and carefully examines the Tregothic Marsh Land Use Regulations and bylaws.

Respectfully,

Monique Wood

