



West Hants

Public Hearing Agenda

1. Intro by Mayor
2. Presentation by Planner (Kari Fougere)
3. Presentation by Applicant (Coady Sanford)
4. Comments or Questions from Public
5. Questions from Council
6. Conclusion of Public Hearing



Upper Water Street, Windsor PID 45056363 Development Agreement Amendment

Council- Public Hearing and Second Reading

June 24th, 2025

something inspiring awaits



Application

- Application received January 22, 2025 from Coady Sanford
- Request to amend the existing development agreement for PID 45056363 to allow updated unit design, exterior finishes, additional units to upper floors, update commercial uses permitted, and update parking.



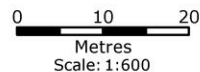
West Hants

Upper Water Street, Windsor
PID 45056363



Base data derived from the Nova Scotia Property Records Database (NSPRD) and the Nova Scotia, Geomatics Centre (NSGC), Copyright Her Majesty The Queen in Right of the Province of Nova Scotia. This map is a graphical representation only. It is not a land survey and is not intended for use for legal descriptions or to calculate exact dimensions or area. Prepared by: West Hants Regional Planning and Development Department February, 2025.

Orthophoto



- PID 45056363
- Parcels
- Roads

Orthophoto

- Currently vacant
- Surrounding properties consist of lower density residential development
- Nearby are Town Centre type developments (commercial and residential)
- Frontage on to Upper Water Street

Land Use

- Designated Town Centre
- Zoned Town Centre



Background

- Existing development agreement with Asset Management LTD. for PID 45056363 was approved by Council in 2009.
- Permits mixed use development consisting of commercial space (up to 3000 sq.ft.) and 4 residential units on the upper floors of the building.
- Property owner requesting substantive amendments to the development agreement.
- The Town Centre zone permits the development of new main buildings by development agreement

Development Agreement Amendments

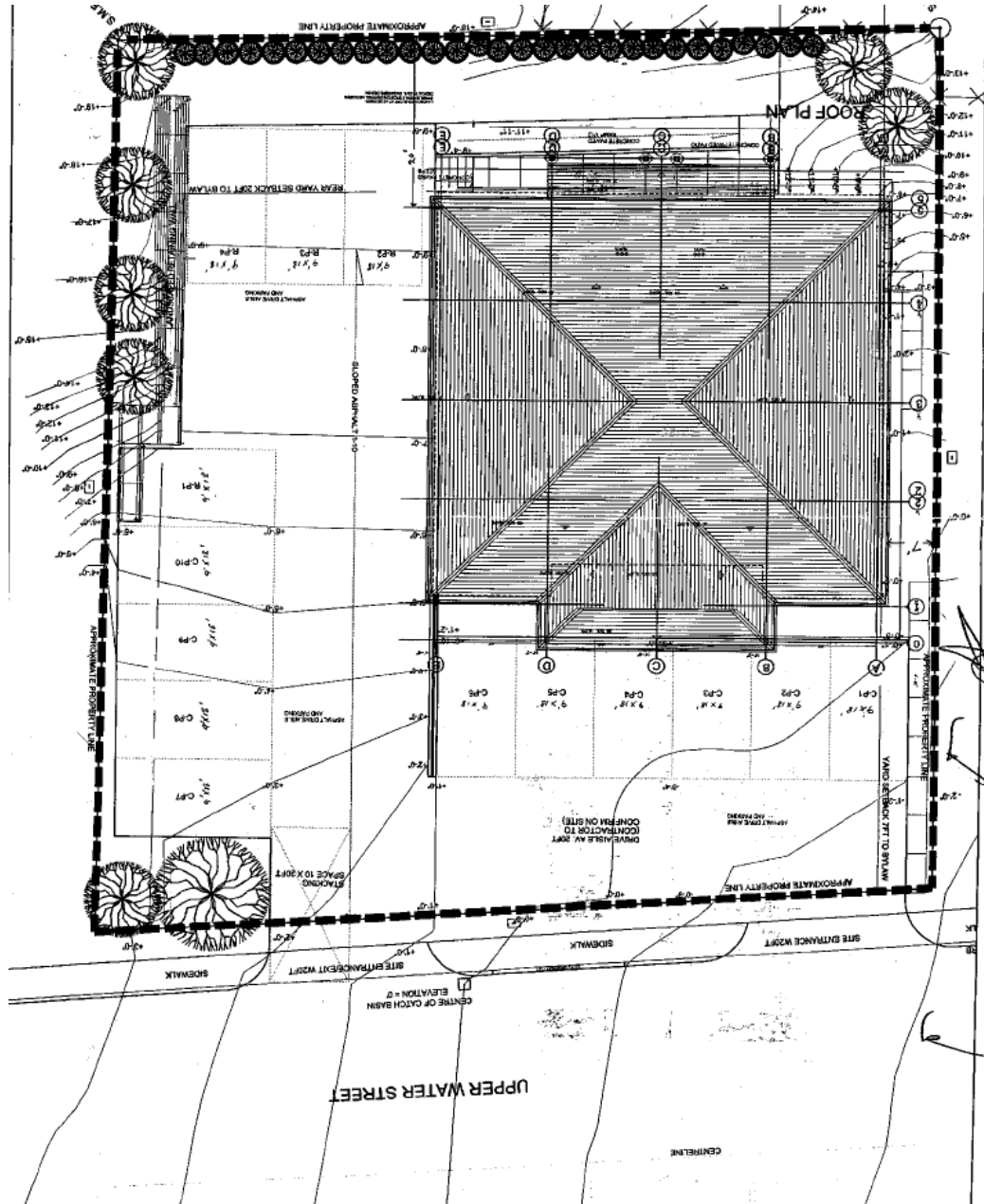
- A property owner can apply for an amendment to a development agreement registered on their property at any time
- Section 15.0 outlines substantive matters of the development agreement
- Section 15.2 states that *“amendments to any matters not identified under Clause 15.1 shall be deemed to be substantive and may only be amended in accordance with the provision of Section 230 of the Municipal Government Act”*. Given these proposed changes are not listed in 15.1, the amendments are deemed substantive.
- Therefore, this amendment application must follow the regular process for planning applications, including a Public Hearing



Development Agreement Details

- Specific changes to the agreement:
 - Additional 2 residential units (up to 6 units)- Up to 3 storeys
 - Additional commercial uses (all permitted in the TC zone):
 - Entertainment, recreation and assembly uses within a wholly enclosed building,
 - Clubs and community organizations,
 - Licensed liquor establishments,
 - Restaurants,
 - Farm markets.
 - Site plan
 - Parking (now 1 stall per dwelling unit and 1 stall per 300sq.ft. of commercial floor area)
 - Balconies
 - Other amendments to language (i.e., stormwater management) and housekeeping





Site Plan

Existing

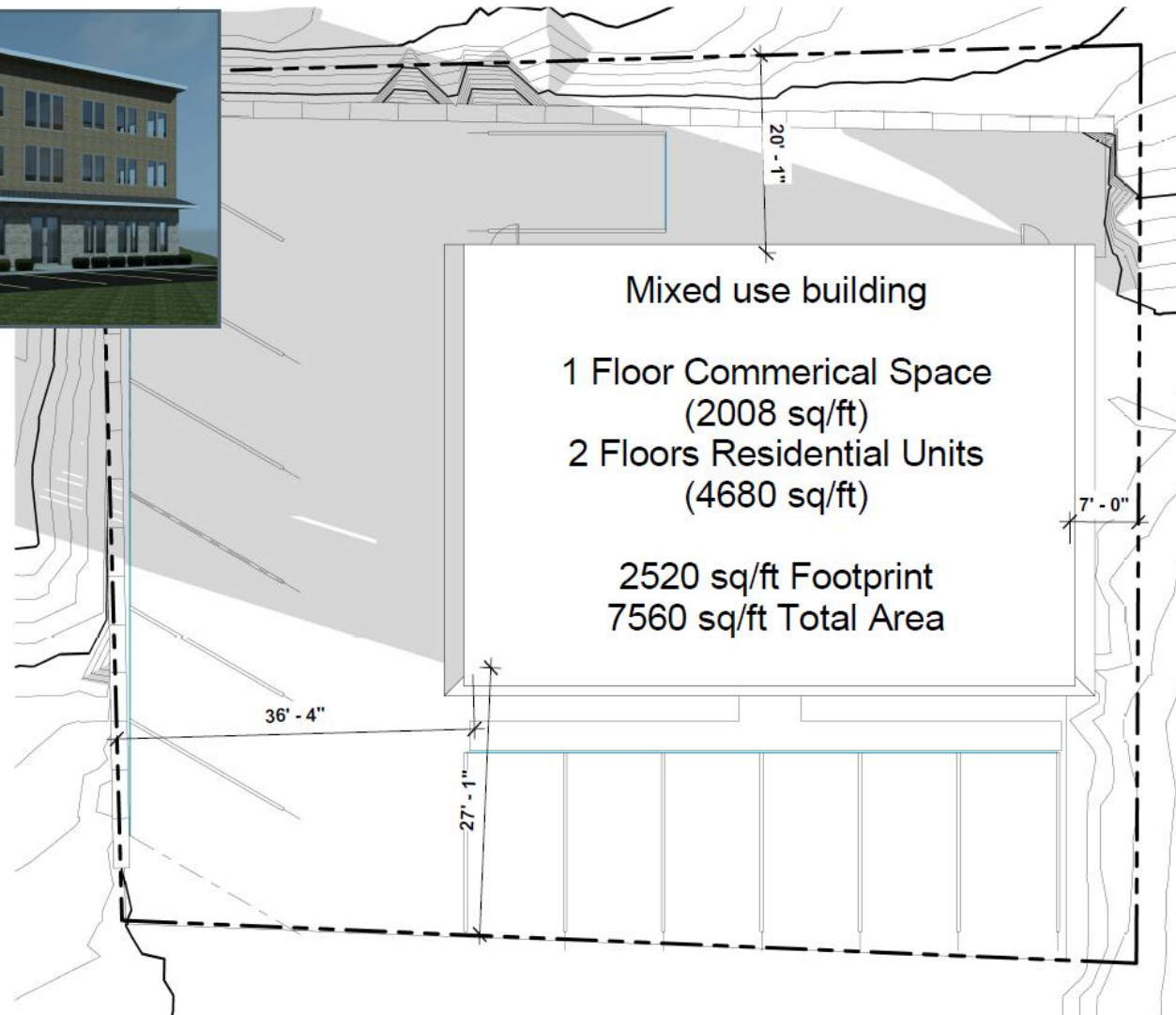


Site Plan

New



Parking spaces needed:
Commerical Space - 7
Residential Space - 6





View of Subject Lot



Windsor Municipal Planning Strategy

- Policy 7.2.1 and 7.4.2 enables Council to consider new main buildings and new residential developments in the Town Centre zone by development agreement.
- Policy 7.2.2 and 7.4.3 states general criteria for development proposals in the Town Centre zone.
- Policy 16.3.1 states general criteria for amendments to development agreements



Windsor Municipal Planning Strategy

The proposal meets all WMPS criteria given that:

- The proposed use is permitted in the TC zone;
- The proposal incorporates windows and other elements at the street façade;
- Adequate parking is included;
- Architectural design and scale are compatible with the surrounding area;
- Proposal consists of commercial uses at the street level;
- Proposal is not considered premature for the area; and
- The Fire Chief, Development Officer, Manager of Building and Fire Inspection Services, Public Works, Nova Scotia Department of Public Works and the Municipal Traffic Authority have no concerns which have not been addressed.



Public Information Meeting – April 2

Staff Review

PAC/HAC Review and Recommendation- May 8th

Council First Reading- May 27th

Public Hearing & Second Reading- June 24th

Notice of Approval in Paper

14 Day Appeal period

Process

All statutory requirements have now been met.



Presentation by Applicant



Comments or Questions from Public



Public Hearing Comment Period

- The Public Hearing was advertised:
 - in the paper June 6 and 13;
 - letters were sent to property owners within 300 ft of the subject lot; and
 - a sign was posted on the lot.
- Staff received no written correspondence.



Questions from Council



Recommendations

...that Council give Second Reading and approves entering into a development agreement which replaces the original development agreement on PID 45056363 on Upper Water Street, Windsor in a manner substantively the same as the draft set out in Attachment D of the report File #25-04 to the Planning and Heritage Advisory Committee report dated May 8, 2025, taking note that this development agreement will discharge and replace the development agreement recorded at the Land Registry Office on November 25, 2009, as document number 94794790.

Recommendations

...that Council requires that the development agreement amendment with Seastone Developments Limited 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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