

# Development agreement application for PID 45053220, King Street, Windsor

Council First Reading  
September 23, 2025

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# Application

- A completed application was received from UPLAND Planning + Design Studio on behalf of Pinnacle Construction Ltd on April 3, 2025
- The request was a 72-unit apartment building by development agreement.
- The subject lot is located on King Street and is owned by the Province.
- The developer applied their proposal through the provincial Land for Housing program.

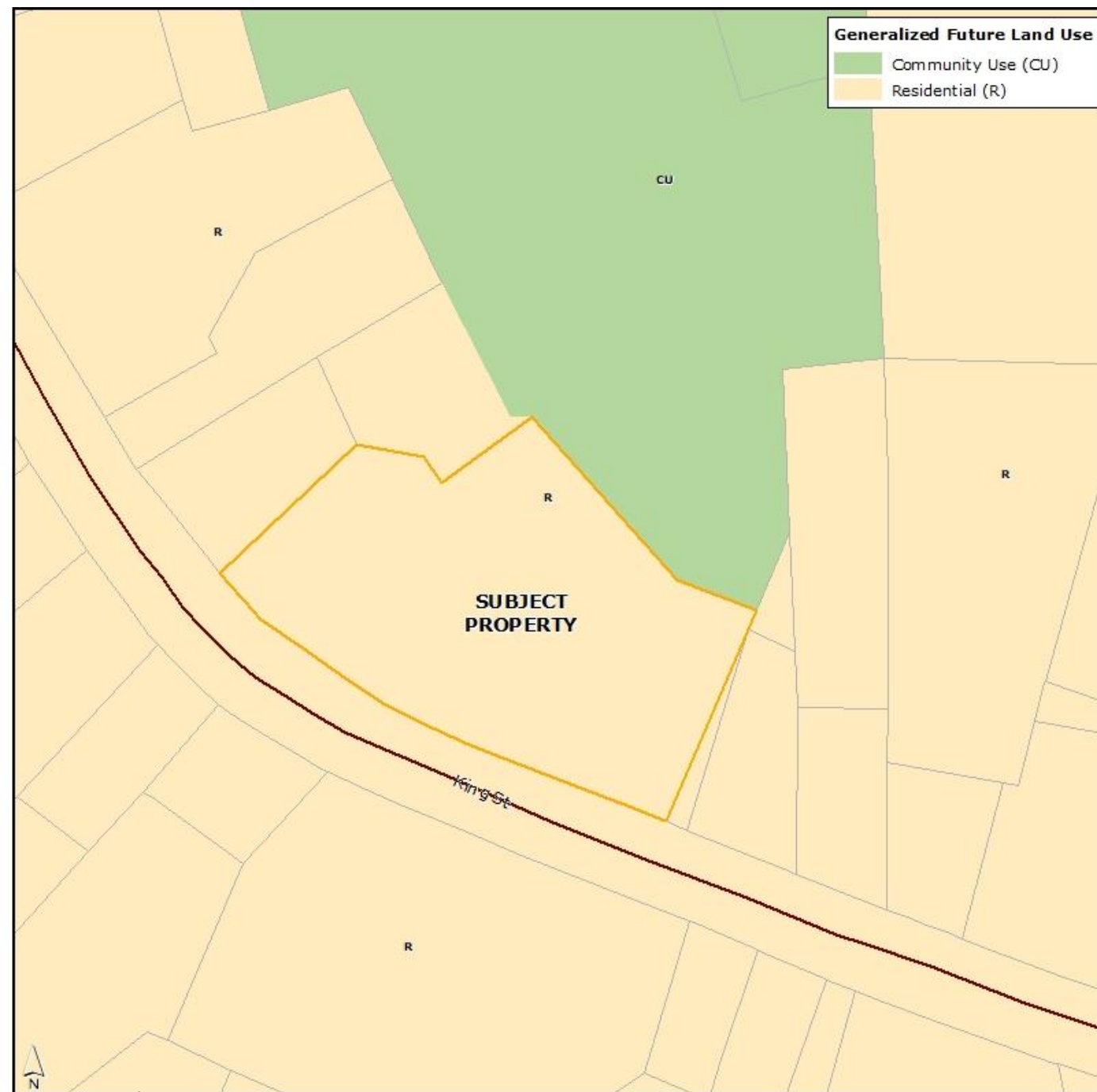




# Orthophoto

- Located on King Street
- 1.67 acre in size
- Nearby properties consist of a mix of residential, institutional, and commercial uses, such as Dykeland Lodge, Clockmaker's Inn, and a mix of low and medium density residential dwellings.

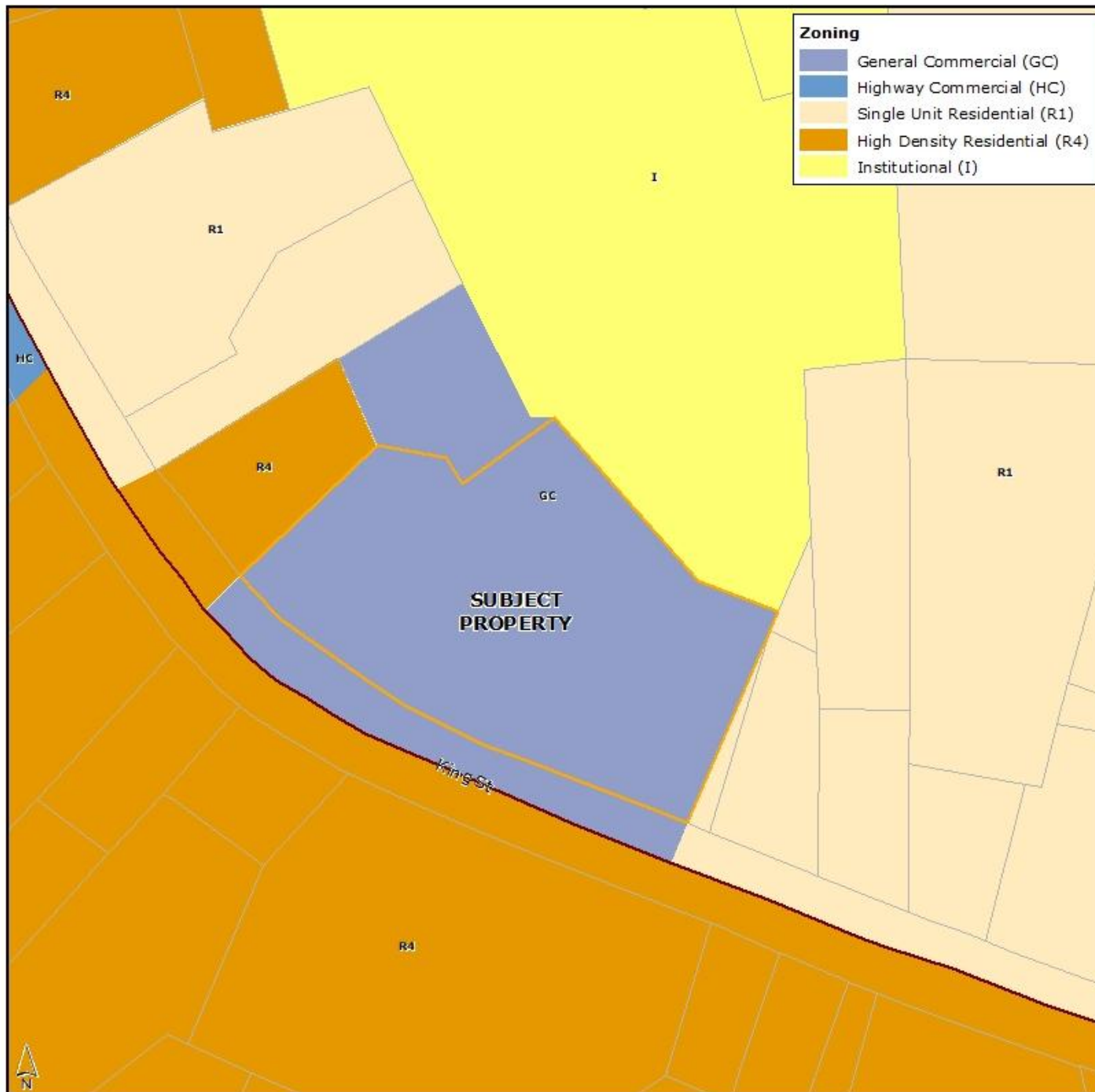




# Generalized Future Land Use Map

Residential Designation





# Current Zoning

## General Commercial (GC)

Permitted uses include a variety of uses, such as:

- Arts studios
- Banks and financial institutions
- Country inns
- Residential uses (not on the ground floor)
- Restaurants
- Retail stores





View of Subject Lot facing King St



View of the rear of the property



Surrounding area consists of a mix of low- to medium-density residential dwellings and commercial uses.

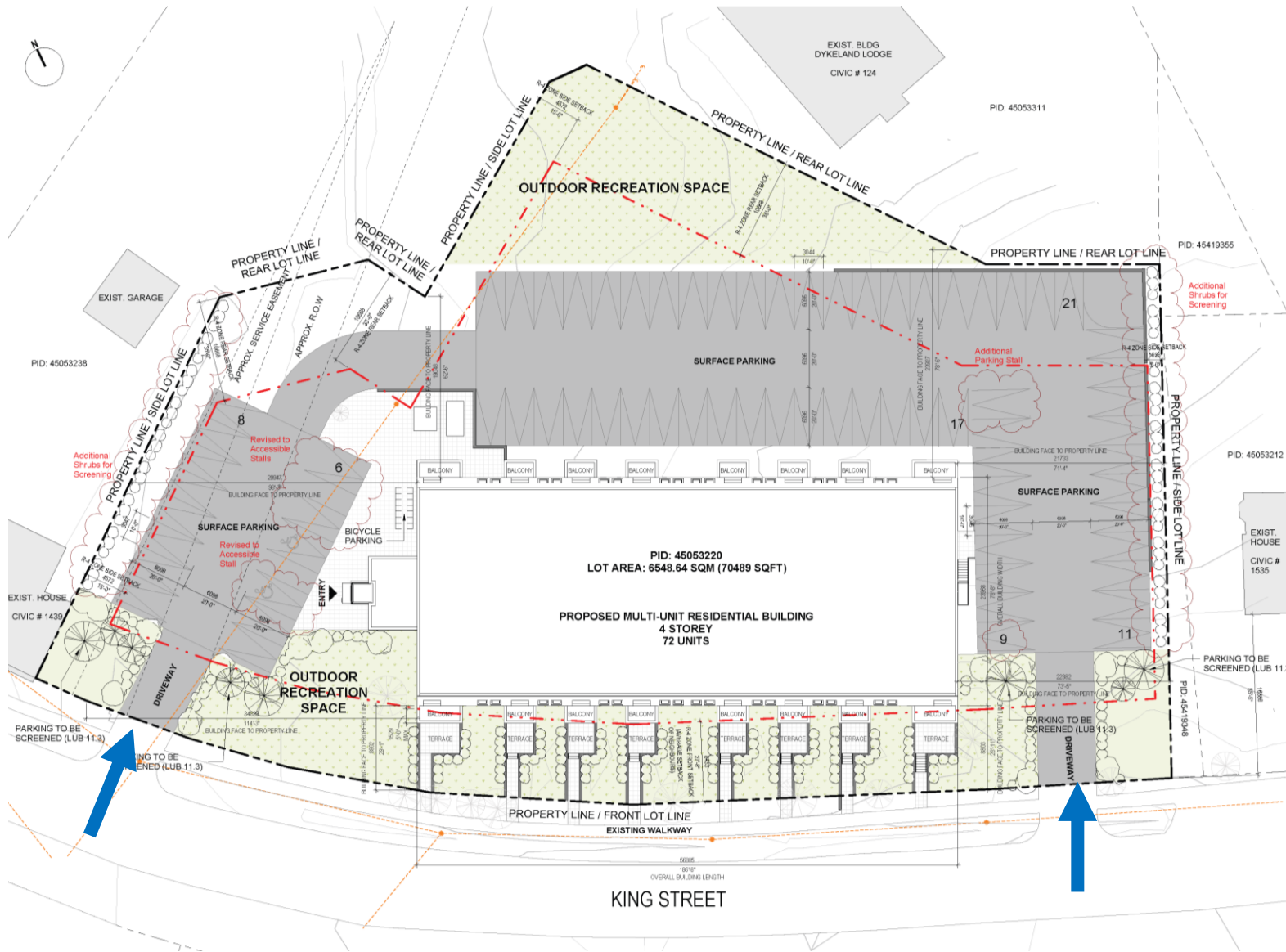
# Nova Scotia Land for Housing Program

- Launched in 2022, this program aims to increase the supply of affordable, accessible and energy efficient homes by making provincially owned land available for housing development.
- The Province identified sites from the provincial land inventory that could be used to build housing, and private developers and community housing developers can submit their proposal for review.
- As of 2024, 12 proposals have been approved across the province, unlocking to create approximately 550 affordable housing units.
- This is the first application the Municipality received under this provincial program.



# Proposed Development

- 72 dwelling units
- 4 storey above grade with one additional basement level
- Surface parking with 72 spaces
- Landscaped along the property lines



# Development Agreement

- A development agreement is a legal contract between the Municipality and a property owner to permit a use that is not usually permitted in the underlying zone.
- Requests for development agreements are “measured” against the policies of the MPS.



# Windsor Municipal Planning Strategy Policies

- Part 4.18 of the WMPS contains Council's general intentions for housing development in Windsor planning area, with an emphasis on encouraging affordable housing as per Policy 4.18.1.
- **Policy 5.4.6** establishes Council's intention to consider proposals for multiple unit residential dwellings of three units or more in the Residential designation by development agreement, subject to the specific criteria outlined in the staff report.
- **Policy 16.3.1** outlines general criteria in considering a development agreement.

# Development Agreement Details

## *Permitted Uses*

- those uses permitted in the underlying zone;
- an apartment building consisting of a maximum of 72 dwelling units; and
- surface parking for the uses within the development.

# Development Agreement Details

- Recreational space as per 9.5 of the Land Use By-law, which may include individual balconies, indoor amenity space, and common use landscaped areas;
- Stormwater management plan in accordance with the WHRM Municipal Service System Specifications Manual, prior to a development permit being issued;
- Design plans of the water and sewer servicing connections in accordance with the Municipal specifications;
- 1 parking space per dwelling unit;
- Private snow plowing;



# Development Agreement Details

## *Requirements Cont.*

- All undeveloped areas shall be landscaped which may include grass, shrubs, trees or other vegetative cover;
- Retain as many trees as feasible when grading or building the development;
- Any trees that are not feasible to retain shall be replaced at a 1:1 ratio of the same species and planted on the property; and
- The required number of replacement trees may be waived by 50% if the development incorporates a low impact development feature, which may include rain garden, permeable pavement used on the parking lots, green roof, or other feature that satisfies the Municipal Engineer.

# Development Agreement Details

## *Substantive Matters*

- The uses permitted on the Property;
- The maximum number of dwelling units;
- The maximum building height;
- The requirements for a stormwater management plan to be submitted prior to a development permit being issued; and
- The requirements for the number of tree replacements.

# Public Information Meeting Notes

- A Public Information Meeting was held on June 4, where the meeting was broadcast live on the Municipal YouTube page.
- 13 members of the public attended in-person and 4 members joined via Zoom.
- The deadline for comments was June 18.
- Staff received 7 written comments via email and 1 phone call.

# Public Feedback & Comments

- Feedback included:
  - Traffic – congestion, noise and pollution concerns
  - Compatibility with surrounding properties – privacy concerns for nearby residents
  - Loss of existing natural green space
  - Built form/density – concerns for height and relaxed setback
  - Infrastructure & services capacity concerns – concerns for sewage capacity and stormwater management

# Planning Advisory Committee Comments

- Feedback included:
  - Concerns about the adequacy of accessible parking spaces and compliance with accessibility regulations
  - Clarification on tree replacement requirements, including the number, location, and potential use of low-impact design features
  - Concerns regarding the height of the proposed building



# Planning Advisory Committee Comments

- Following the PAC meeting:
  - The accessible parking space requirements under the current Land Use By-laws do not align with the standards in the Nova Scotia Building Code.
  - In response, the Developer agreed to add three additional accessible spaces, increasing the total to four accessible parking spaces.

Public Information Meeting – June 4

Staff Review

PAC/HAC Review and Recommendation –  
September 11

**Council First Reading – September 23**

Public Hearing & Second Reading – October  
28\*

Notice Placed in Paper

14 Day Appeal period

# Process

\* Anticipated dates



# Recommendation (1 of 2)

...that Council gives First Reading and holds a Public Hearing to consider entering into a development agreement to allow for a new multiple unit residential building at PID 45053220 on King Street, Windsor in a manner substantively the same as the draft set out in Attachment C of the report File #25-15 to the Planning and Heritage Advisory Committee report dated September 11, 2025



## Recommendation (2 of 2)

...that Council require that the development agreement with Pinnacle Construction Ltd. 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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