

Development Agreement: Irving Lands (PIDs 45439098, 45190386 & 45055282), Windsor

Planning and Heritage Advisory Committee

November 13, 2025

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Application

- A completed application was received from Chrystal Fuller of Brighter Community Planning on behalf of the landowner, J. D. Irving, Limited, on March 13, 2025. The application is to allow a large-format retail store and several smaller retail stores by development agreement.
- This application also included a rezoning component which is considered in a separate report under File # 25-11 and 25-12. The development agreement portion of this application is not contingent on the rezoning portion of the application.

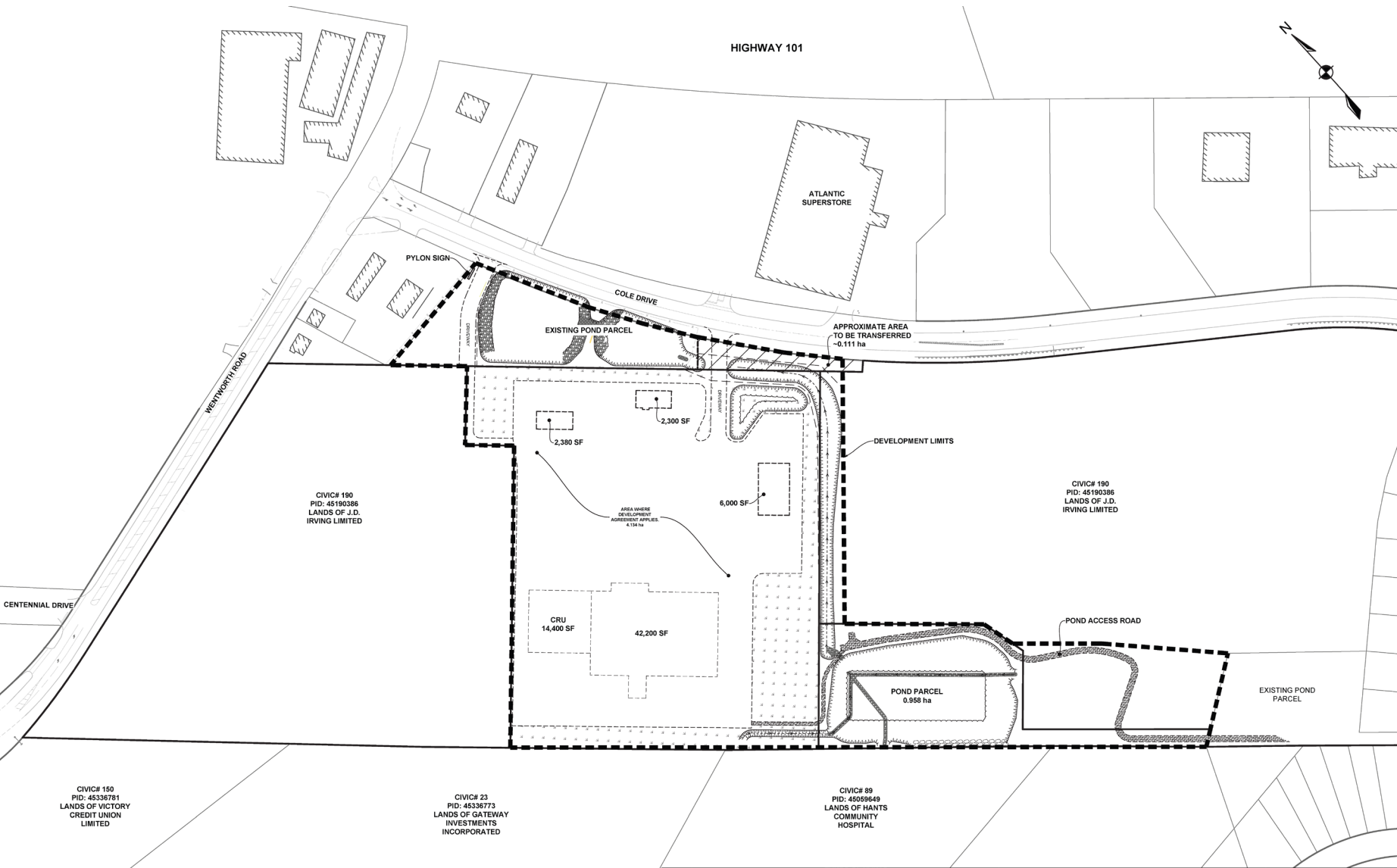


Application Cont.

This application will be considered by Planning staff in three parts:

1. an amendment to the maps of the Windsor Municipal Planning Strategy to allow Council to consider redesignate portion of PID 45055241 and 45190386 to Commercial.
2. an amendment to the maps of the Windsor Land Use By-law to allow Council to rezone portion of 45190386 from Agriculture (AG) to Wentworth Road Commercial (WR-C) and Two Unit Residential (R-2), and amend the Wentworth Road Gateway District boundary; and
3. consider the proposed commercial buildings by development agreement as per Policy 8.5.1 of the WMPS

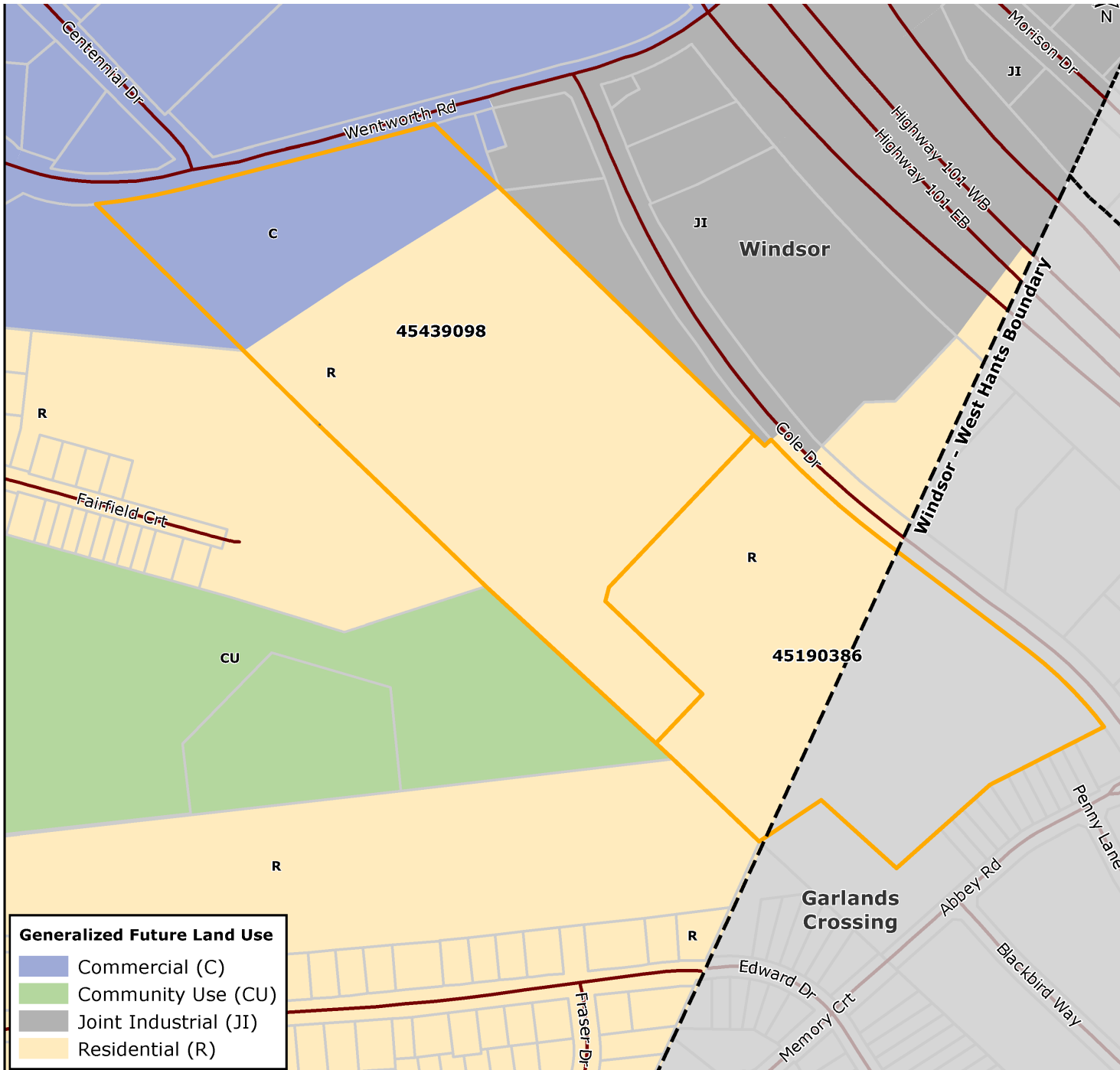




Proposed Site Plan

- Large Format Retail with smaller retail stores on lot
- Stormwater management ponds
- Frontage on Cole Drive

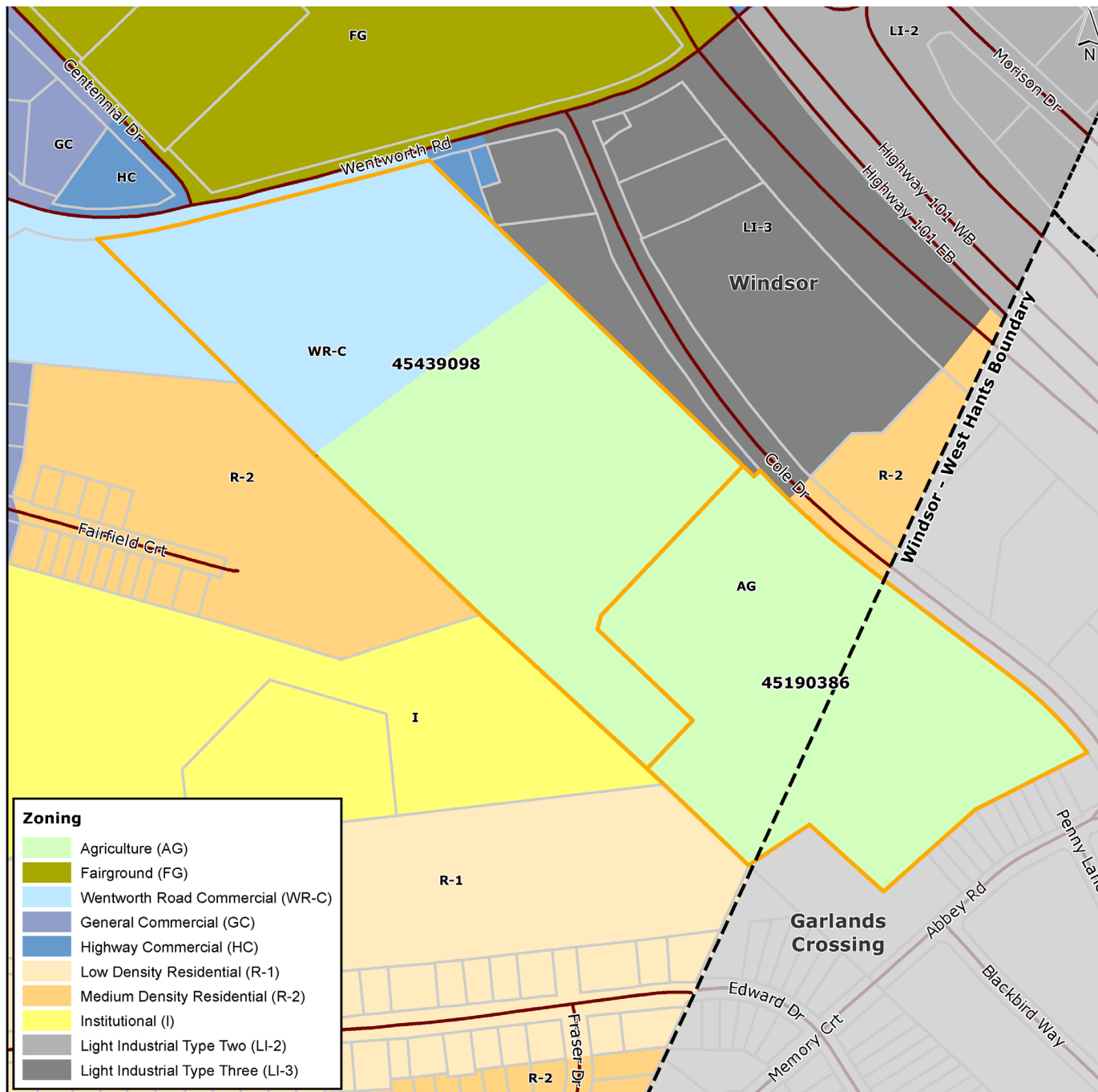




GFLUM

- Commercial Designation
- Residential Designation



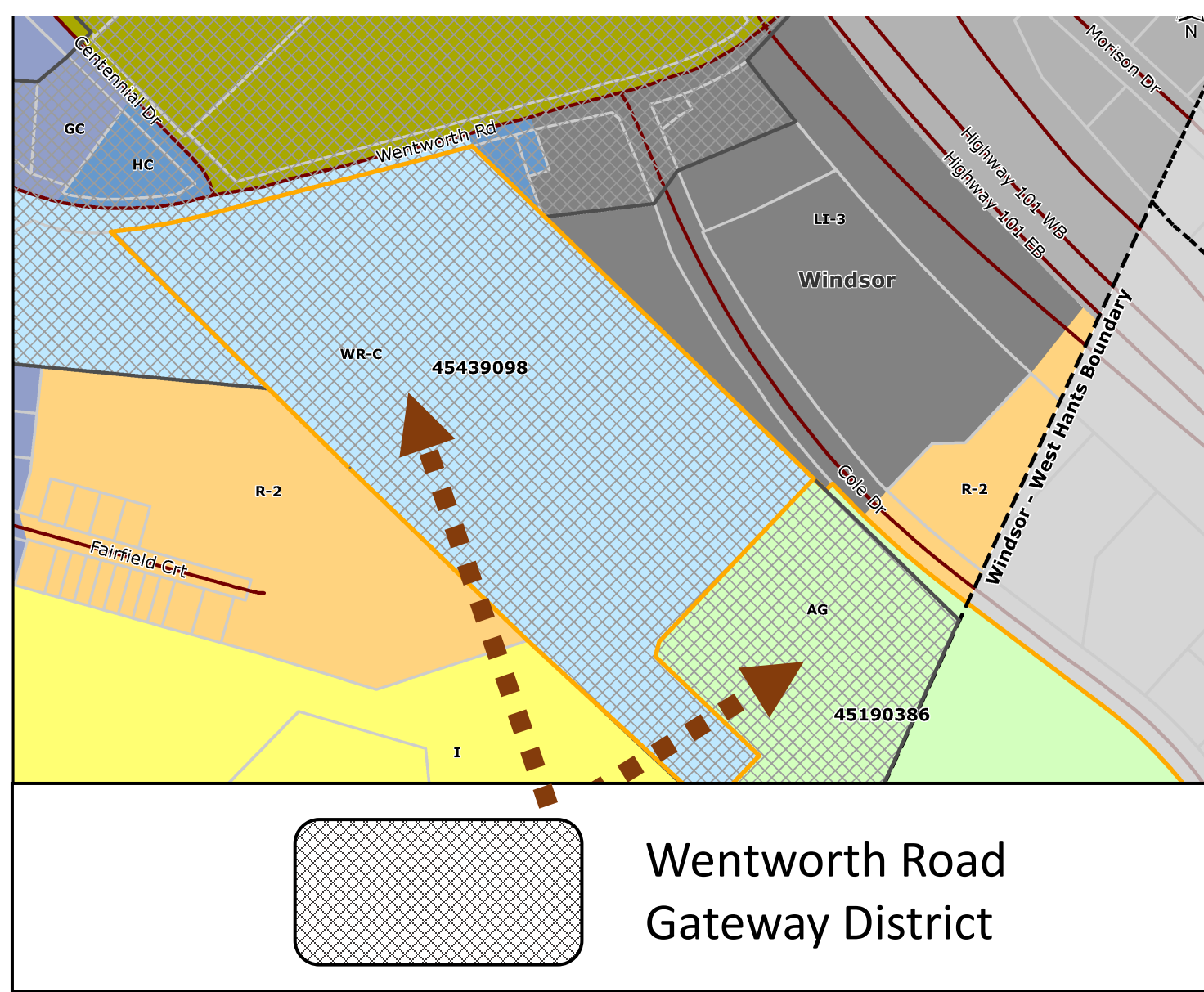


Current Zoning

Wentworth Road Commercial (WR-C)

Agriculture (AG)





Current Zoning cont.

- Both properties are within the Wentworth Road Gateway District

Windsor MPS Policies

Policy 8.5.1 provides Council with the ability to consider the permitting of large format retail stores and expansions to existing large format retail stores by development agreement.

- In summary, the policy is applicable since the proposed development is for a large format retail store.



Windsor MPS Policies

Policy 8.5.2 provides the criteria to consider development agreements applications enabled by Policy 8.5.1.

In summary, the proposal meets the criteria as:

- the proposal included an acceptable traffic impact study and meets all parking, access, and pedestrian safety concerns;
- the proposed development agreement meets all architectural, setback, landscaping, and buffering requirements;
- the proposed development agreement will not conflict with neighbouring uses; and
- the Development Officer and Municipal Traffic Authority have no concerns which have not been addressed in this report.



Windsor MPS Policies

Policy 8.6.16 provides additional criteria to consider when reviewing proposals for development agreements applications in the Wentworth Road Gateway District.

In summary, the proposal meets the criteria as:

- the proposed development agreement will not conflict with neighbouring uses;
- the proposed development agreement meets all architectural requirements and includes landscaping along the road frontage of the proposed development;
- the proposal included an acceptable traffic impact study; and
- the Development Officer and Municipal Traffic Authority have no concerns which have not been addressed in this report.



Windsor MPS Policies

Policy 8.6.4 provides justification to require additional landscaping requirements on the road frontage of developments in the Wentworth Road Gateway District.

- The draft development agreement requires landscaping and buffering which meet the requirements set out in this policy.
- Neither the Development Officer or the Traffic Authority had any concerns regarding the streetscape, pedestrian movement, or vehicle traffic.

Windsor MPS Policies

Policy 8.6.8 provides certain provisions to be included within development agreement applications for proposals within the Wentworth Road Gateway District.

In summary, the proposal meets the criteria as:

- the proposed development agreement includes a natural buffer along the road frontage of the proposed development as well as a provision to require landscaping within the parking areas;
- the proposal does not raise any pedestrian safety concerns; and
- the Development Officer and Municipal Traffic Authority have no concerns which have not been addressed in this report.



Windsor MPS Policies

Policy 16.3.1 establishes the general criteria that must be considered for all development agreements applications.

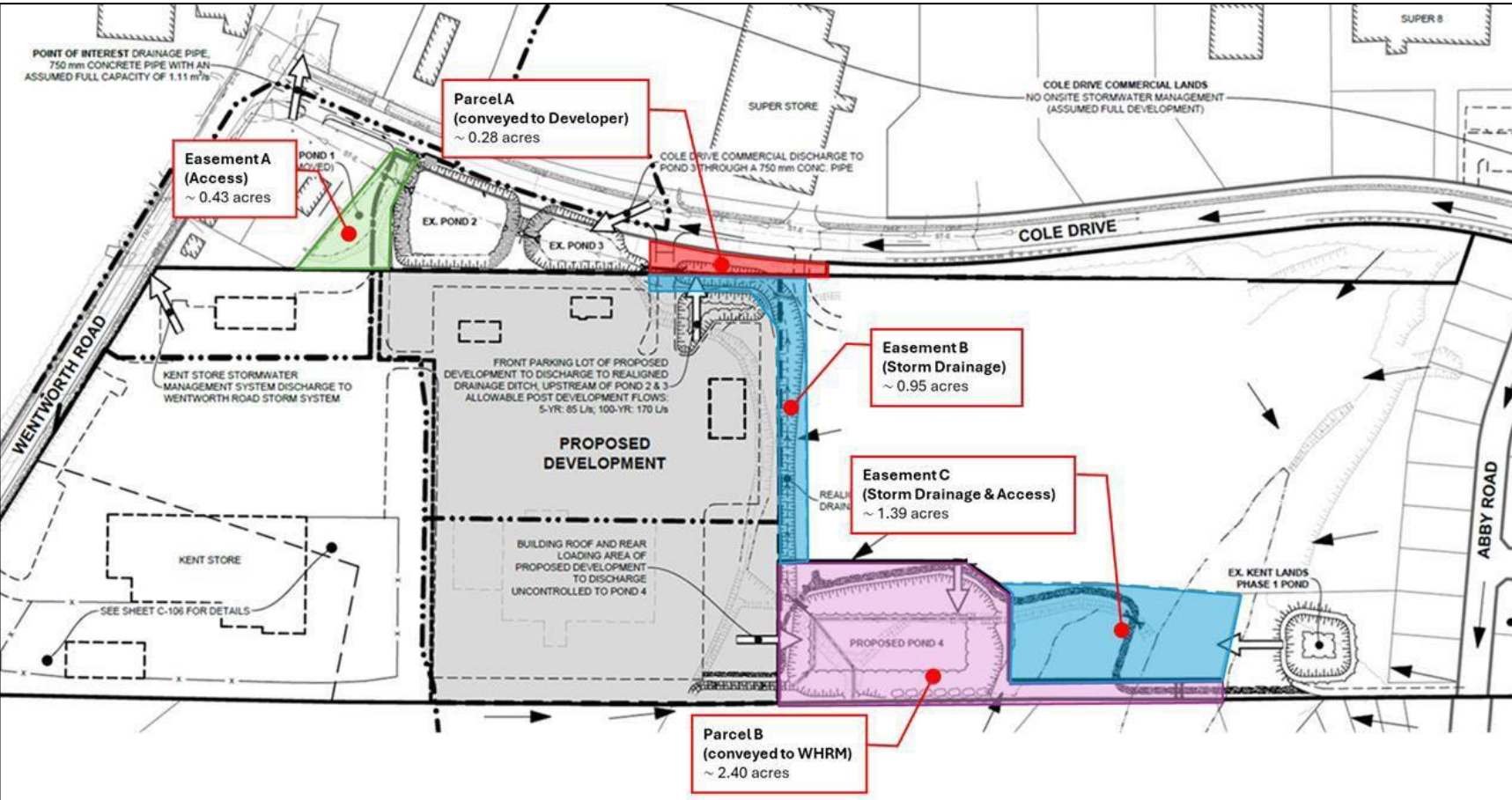
In summary, the proposal meets the criteria as:

- 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.



Easements and Land Conveyance

- Included in the recommendation is a component which exchanges land ownership in order to satisfy the stormwater requirements for Public Works.



Public Information Meeting Notes

- A Public Information Meeting was held on March 5, where the meeting was broadcast live on the Municipal YouTube page.
- 2 members of the public attended the meeting.
- The deadline for comments was March 19.
- Staff did not receive any comments from the public.



Public Information Meeting – March 5

Staff Review

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

Council First Reading – November 25*

Public Hearing & Second Reading – TBD*

Notice Placed in Paper

14 Day Appeal period

Process

* Anticipated dates



Recommendations (1 of 3)

...that PAC/HAC recommends that Council give First Reading and hold a Public Hearing to consider entering into a development agreement to allow a large-format retail store and several smaller retail stores on Cole Drive (**PIDs 45439098, 45190386 & 45055282**) in Windsor by development agreement, which is substantively the same as the draft set out in Attachment B of the report File #25-07 to the Planning and Heritage Advisory Committee dated November 13, 2025.



Recommendations (2 of 3)

...that PAC/HAC recommends that Council require that the development agreement with J. D. Irving, Limited which permits a large-format retail store and several smaller retail stores on Cole Drive (**PIDs 45439098, 45190386 & 45055282**) in Windsor 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.



Recommendations (3 of 3)

...that PAC/HAC recommends that Council approves the necessary land transfer of a portion of PID 45055282 to the Owner and a portion of **PID 45439098** to the Municipality, as well as an easement across a portion of PID 45055282 in favour of the Municipality and two easements across **PID 45439098** in favour of the Municipality, as part of this Development Agreement.



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