



## REGION OF WINDSOR AND WEST HANTS MUNICIPALITY

Public Hearing Minutes – PID #45059755, 411 King Street, Windsor – Land-Use By-law  
Amendments

April 28, 2020 6:00 pm

Virtual Meeting – via Zoom

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### 1. Call to Order

The Public Hearing was called to order at 6:12 pm.

#### Council Present:

Abraham Zebian, Mayor

Rupert Jannasch, Councillor, District 1

Scott McLean, Councillor, District 2

Mark McLean, Councillor, District 3

Jeff Hartt, Councillor, District 4

Debbie Francis, District 5

Paul Morton, Deputy Mayor, District 8

Bob Morton, Councillor, District 6

Ed Sherman, Councillor, District 7

Richard Murphy, Councillor, District 9

Laurie Murley, Councillor, District 10

Jim Ivey, Councillor, District 11

#### Staff and Guests Present:

Mark Phillips, Chief Administrative Officer

Todd Richard, Dir. Public Works

Kathy Kehoe, Dir. Community  
Development

Shelleena Thornton, Administrative  
Supervisor

Sara Poirier, Planner

Carlee Rochon, Dir. Financial Services

Rhonda Brown, Municipal Clerk

Madelyn LeMay, Dir. Planning &  
Development

Diana Gibson, Manager, Accounting and  
Financial Reporting

Members of the public watched the meeting using Facebook Live.

### 2. Introduction

Mayor Zebian advised that the Public Hearing for Planning documents is required under Part 8 of the Municipal Government Act. The virtual public hearing is hosted by Council and following the presentation, will be adjourned until 6:00 pm on May 26, 2020.

During the adjournment members of the public may submit comments or questions to Planner Poirier and the information would be presented at the next part of the Public Hearing.

Mayor Zebian stated that Councillors would need to be present at both sessions of the Public Hearing to consider the application at Council on May 26<sup>th</sup> when they would have opportunity for questions and comments.

### 3. Overview of Land-Use By-law Amendment

Planner Sara Poirier reviewed the presentation (attached) highlighting the current and proposed use of the property.

Ms. Poirier stated all comments received by mail, email or phone would be brought back on May 26, 2020 prior to Second Reading. The following inquiries have already been received:

- Email from the media looking for more information about the site.
- Call from Mr. Taylor requesting information about the environmental concerns previously raised.

Additional information was received from Mr. Orman regarding the previous environmental concerns.

Ms. Poirier stated the environmental concerns of Mr. Taylor and Mr. Orman date back to 2011-2013. Ms. Poirier is going to review the documents received with the Director of Public Works regarding the concerns.

Ms. Poirier provided her contact information so the public could provide comments to her by 6:00 pm on May 26, 2020.

Mayor Zebian declared the Public Hearing adjourned until May 26, 2020 at 6:00 pm.

*The meeting ended at 6:25 pm.*

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Abraham Zebian, Mayor

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Rhonda Brown, Municipal Clerk

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**TOGETHER**

The logo features the letters 'WWH' in a bold, sans-serif font. The first 'W' is dark blue, the second 'W' is a lighter blue, and the 'H' is dark blue. Below this, the text 'WINDSOR / WEST HANTS' is written in a smaller, green, sans-serif font. A thin dark blue horizontal line separates this from the word 'TOGETHER', which is written in a large, bold, dark blue, sans-serif font. The background is white with abstract geometric shapes in shades of blue and green on the left and right sides.



**Map Amendment:**  
**411 King Street, Windsor PID 45059755**  
**Public Hearing**  
April 28, 2020

# Background

- ▶ Received an application from Michael Jamieson
- ▶ Requested a commercial school, office, repair and rental establishment, retail store, service shop, entertainment uses, and residential uses
- ▶ The building was constructed in 1898 and was used as Windsor United Baptist Church until November 2019

# 411 King Street Orthophoto



# 411 King Street

## *Exterior*



# 411 King Street

*Exterior (cont.)*



# 411 King Street

*Exterior (cont.)*



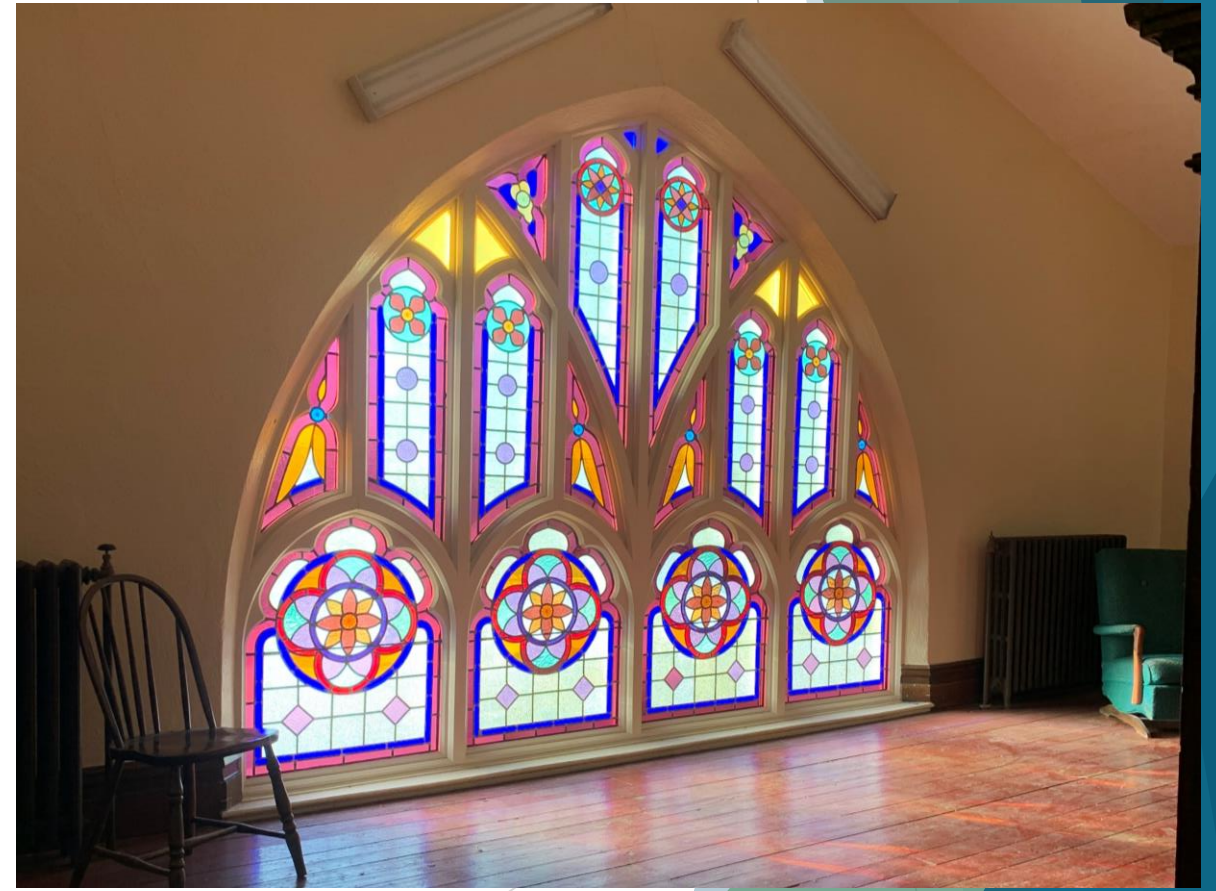
# 411 King Street

## *Interior*



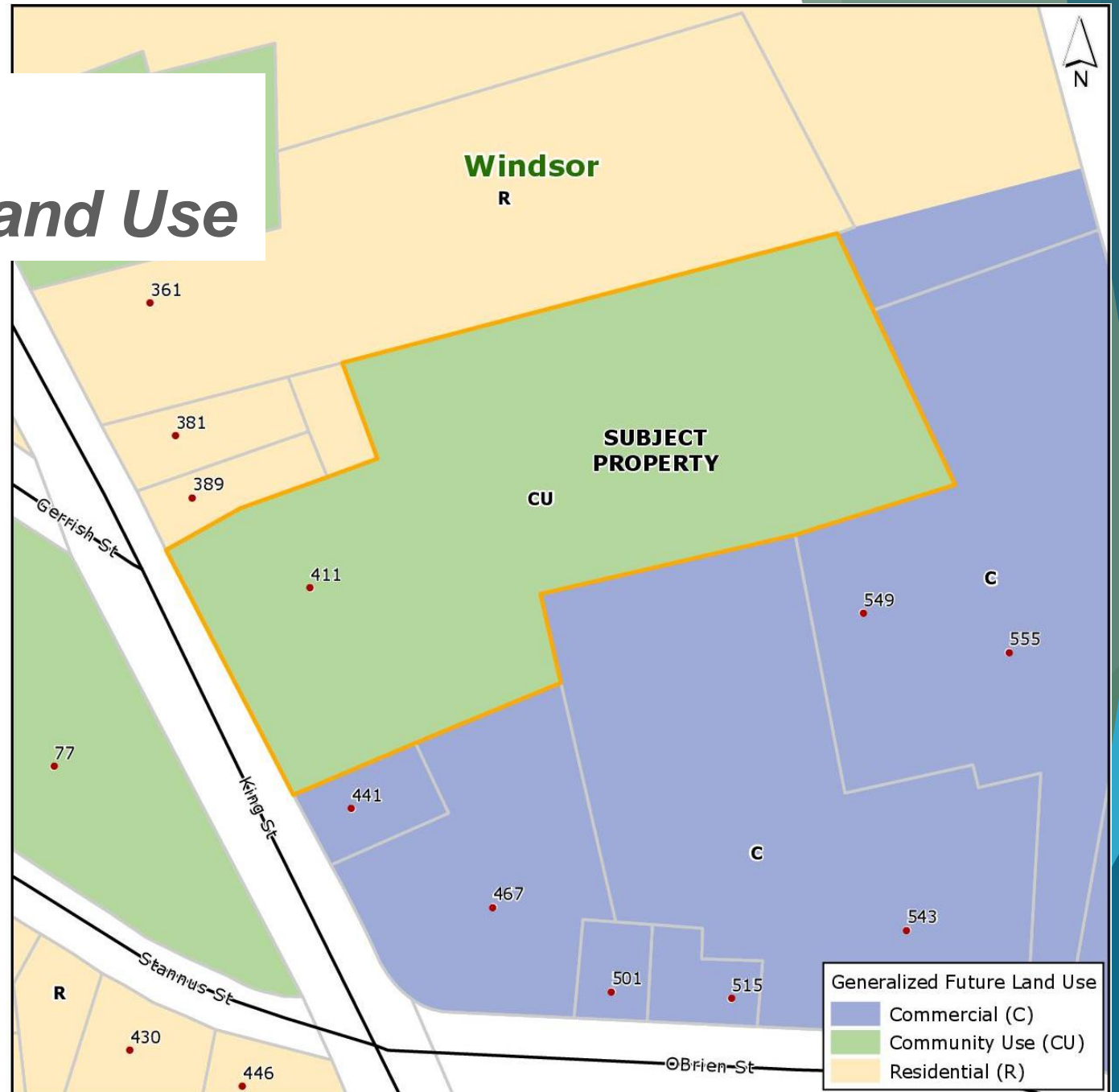
# 411 King Street

*Interior (cont.)*

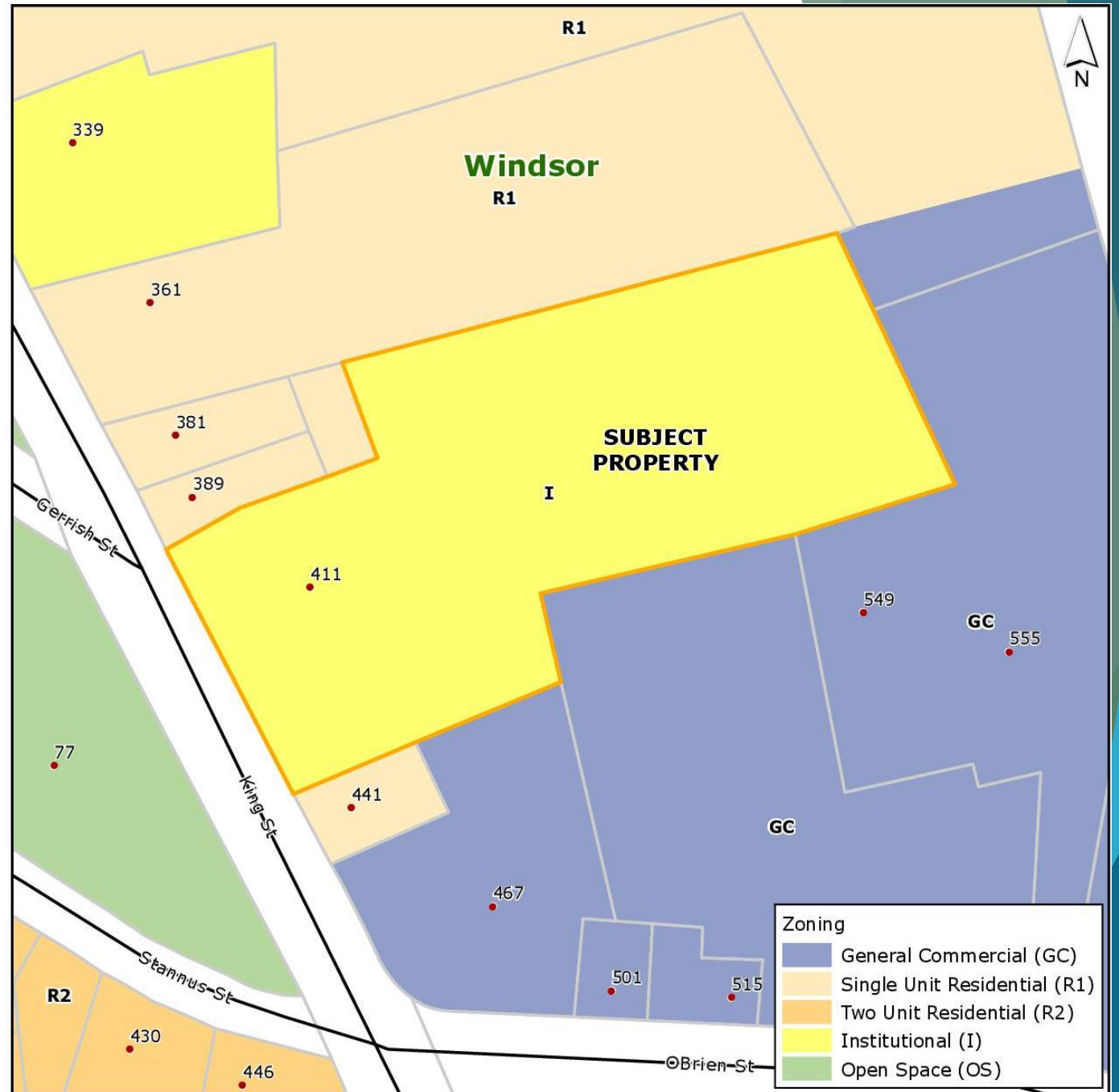


# 411 King Street

## *Generalized Future Land Use*

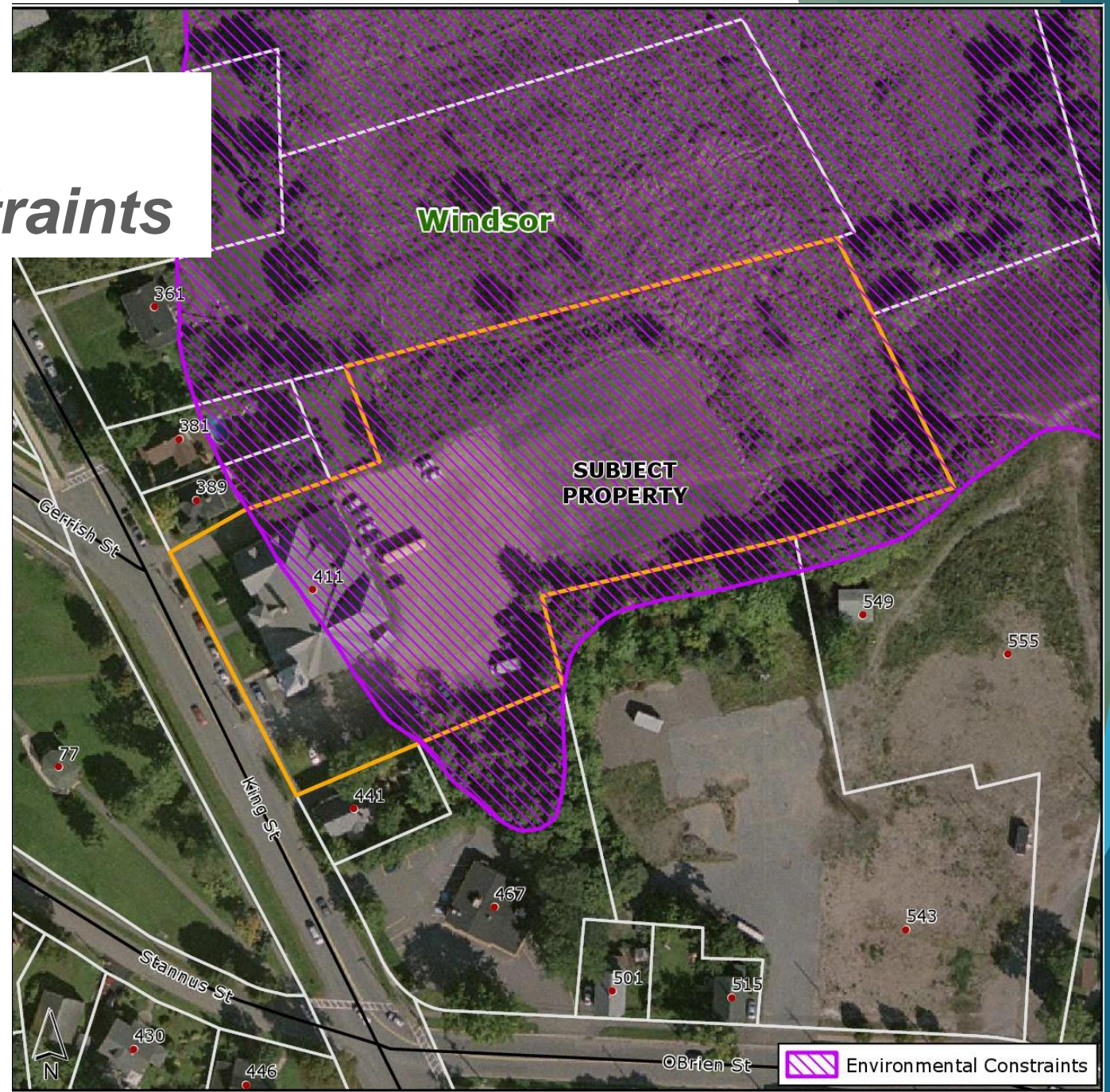


# 411 King Street Current Zoning



# 411 King Street

## *Environmental Constraints*



# Environmental Constraints

- ▶ The existing building may be enlarged, reconstructed, repaired or renovated provided all other requirements of the WLUB are met
- ▶ Any new construction on site would have to meet the requirements of Section 27.0 of the WLUB and any other requirements of the Regional Municipality

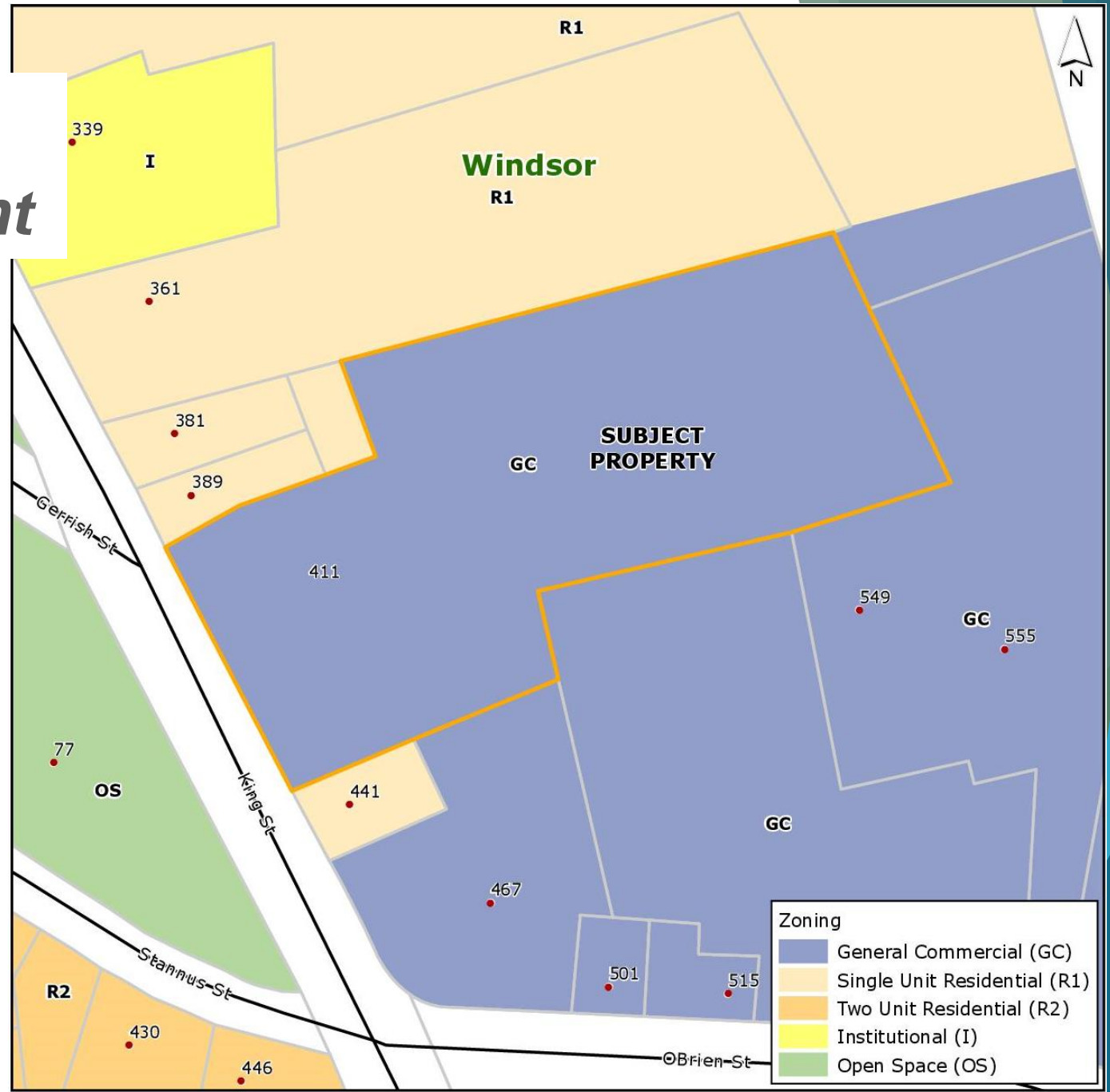
# Document Review

- ▶ Section 8.0 of the WMPS contains the commercial policies for Windsor
- ▶ **Policy 8.3.2** establishes Council's intent to *“consider the creation of new General Commercial (GC) Zones in any designation, with the exception of the Wentworth Road Gateway District, by amendment to the Land Use By-law”*

# Map Amendment

- ▶ For the requested uses to be developed on the lot, an amendment to the Zoning Map is required

# 411 King Street Proposed Amendment



# Text Amendment

- ▶ Text amendment is not required as commercial schools, offices, repair and rental establishments, retail stores, service shops, entertainment uses, and residential uses are permitted as-of-right in the General Commercial (GC) Zone

# Specific Criteria for Amendment

- ▶ **Policy 8.3.2** establishes criteria to be considered by Council
- ▶ In summary, the criteria are met since:
  - ✓ the lot is serviced by both municipal water and sewer;
  - ✓ the proposed use will not conflict with adjacent existing uses;
  - ✓ the proposal meets the WMPS general criteria.

# General Criteria for Amendment

- ▶ **Policy 16.3.1** states general criteria for any amendments considered in Windsor
- ▶ In summary:
  - ✓ the proposal is not premature or inappropriate for the area;
  - ✓ no municipal costs related to the proposal are anticipated;
  - ✓ the Fire Chief, Development Officer, Senior Building and Fire Official, Director of Public Works and Traffic Authority have no concerns.

# Public Concerns from PIM

- ▶ 1. Environmental – it was determined that these concerns would be considered a civil issue and any corrective action (if required) would be between the property owners
- ▶ 2. Future uses: Suggestion to add the requested uses to the Institutional zone instead of rezoning – Amending the definition of Institutional uses would change the intent of the Institutional (I) Zone and adding all the requested uses to the list of permitted uses for the Institutional (I) Zone would permit any property zoned Institutional (I) in Windsor to do these as-of-right

# Conclusion

- ▶ Proposed map amendment is considered within the context of both specific and general WMPS policies
- ▶ Consistent with the intent, objectives and policies of the WMPS
- ▶ The proposed uses are permitted within the General Commercial (GC) Zone
- ▶ Reasonable to amend the zoning of the subject lot from Institutional (I) to General Commercial (GC)

# Process

Notices were placed in the newspaper & properties within 500' were notified of the Public Hearing

All statutory requirements have been met





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