

WEST HANTS REGIONAL MUNICIPALITY
Public Hearing Minutes – Fairfield Court Development Agreement
Thursday, December 16, 2021 - 6:00 pm
In-person Sanford Council Chambers and virtually via ZOOM
(also Facebook Livestreamed)



1. Call to Order

The Public Hearing was called to order at 6:34 pm.

2. Council:

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, Councillor, Dist. 5

Paul Morton, Deputy Mayor, District 8
Bob Morton, Councillor District 6
Ed Sherman, Councillor, District 7
John A. Smith, Councillor, District 9
Laurie Murley, Councillor, District 10
Jim Ivey, Councillor, District 11

Staff and Guests:

Mark Phillips, Chief Administrative Officer
Shelleena Thornton, Mun. Oper. Super.
Deanna Snair, Exec. Asst/ Clerk
Kathy Kehoe, Dir. Community Development
Madelyn LeMay, Dir. Planning & Development

Todd Richard, Dir. Public Works
Sara Poirier, Sr. Planner
Alex Dunphy, Planner
Planner Fuller, Developer's Planner
Clarke Wilkins, Developer
Murray Tate. Tate Engineering, Presenter

Regrets:

Carlee Rochon, Dir. Financial Services

- 3. Public Hearings – All public hearings and presentations are available on the Municipal website. Fairfield Court, Development Agreement– Planner Dunphy reviewed the presentation (attached) of the proposed agreement to permit a one storey three (3) unit residential dwelling on Fairfield Court in Windsor.**

Discussion Points:

- The application was received by David Howell on April 30, 2021.
- The Development Agreement details were reviewed as identified in the presentation.
- Public Information Meeting was held October 14, 2021.
- Prior to the Public Hearing, a notice was issued in the local paper, signage board was posted at the site and letters were sent out to all property owners within 300ft. Deadline for comments was December 10, 2021 and no comments were received.
- First reading was held November 23, 2021. Public hearing and Second reading is being held at this meeting (December 16, 2021).

4. Mayor Zebian declared the Public Hearing closed.

The Public Hearing ended at 7:08 pm.

Abraham Zebian, Mayor

Deanna Snair, Executive Assistant/Clerk

Fairfield Court Development Agreement

Public Hearing
December 16th, 2021

something inspiring awaits



Application

- Application was received on April 30th, 2021 from David Howell
- Application was for a development agreement to permit a one storey, three (3) unit residential dwelling on Fairfield Court in Windsor
- A development agreement is a legal contract between the Municipality and a property owner to permit a use that is not permitted in the underlying zone





Orthophoto

- Subject lot is currently vacant
- Abutting residential development on Fairfield Court
- Also abutting Hants Community Hospital



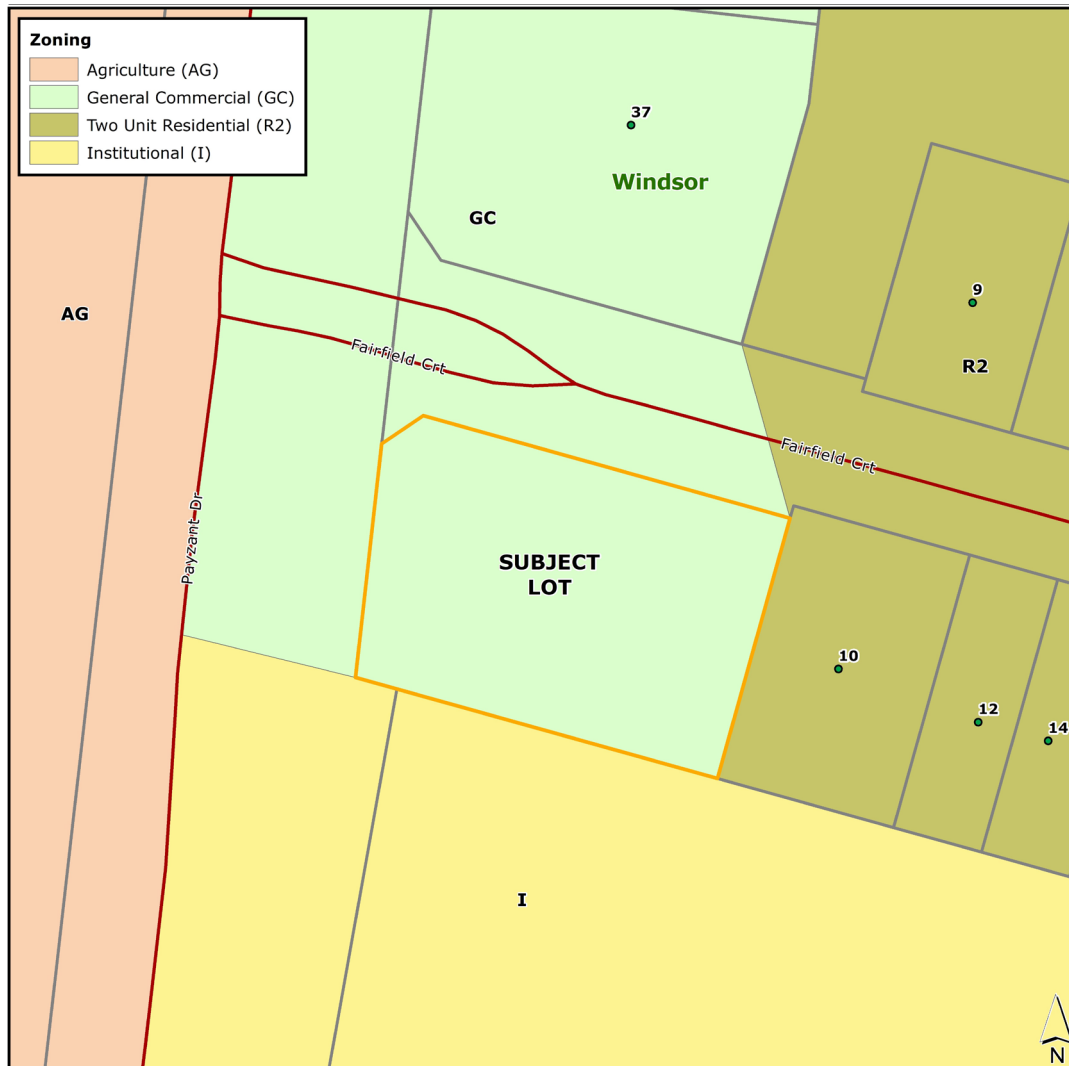


GFLUM

- Designation: Residential



Zoning



- Zone: General Commercial (GC)
- Subject lot was part of a group rezoning in 2009 to allow for a variety of commercial uses, two of the properties have been developed





View of Subject Lot from Fairfield Court

Windsor Land Use By-law

- **Section 6.1 states:** The following developments may be considered only by development agreement in accordance with the *Municipal Government Act* and the (Windsor) Municipal Planning Strategy:
 - **Clause 6.1 (b) states:** multiple unit residential development consisting of three or more units in a Residential designation in accordance with **Policy 5.4.6** of the (Windsor) Municipal Planning Strategy



Windsor Municipal Planning Strategy

- **Policy 5.4.6** enables Council to consider proposals for new multiple unit residential developments consisting of three or more units, in the Residential designation by development agreement.
- **Policy 16.3.1** states general criteria for amendments and development agreements.



Specific Criteria for Development Agreement

- **Policy 5.4.6** criteria have been considered met and are summarized as the following:
 - the proposed use is a new building which is consistent with the High Density Residential (R-4) zone standards, except for a reduced setback to accommodate higher density in a single storey and to match the streetscape;
 - the dimensions and appearance of the building are compatible with adjacent land uses;
 - there are no concerns with respect to traffic generation or population density; and
 - there is adequate recreational open space suitable for the development.



General Criteria for Development Agreement

- **Policy 16.3.1** criteria have been considered met and are summarized as the following:
 - the proposal is not considered premature or inappropriate for the area;
 - no municipal costs related to the proposal are anticipated;
 - there are no concerns regarding the suitability of traffic movement (auto, rail, or pedestrian);
 - the proposal reflects the direction of development intended by the Generalized Future Land Use Map (GFLUM); and
 - the proposal is located within an environmental constraints area, an environmental study will be required prior to issuing development permits.



Development Agreement Details

- Permits a single storey residential building containing three (3) units
- Requires five (5) parking spaces with minimum dimensions of 10 by 20 feet each
- Permits a maximum of two (2) driveways, which may not be constructed within 50 feet of the intersection of Fairfield Court and Payzant Drive
- Requires construction with floodproofing measures if required by the environmental study



Public Information Meeting Notes

- A virtual Public Information Meeting was held on October 14 and was broadcast live on the Municipal Facebook page.
- The deadline for comments was October 29.
- No comments were received.

Helipad Consideration

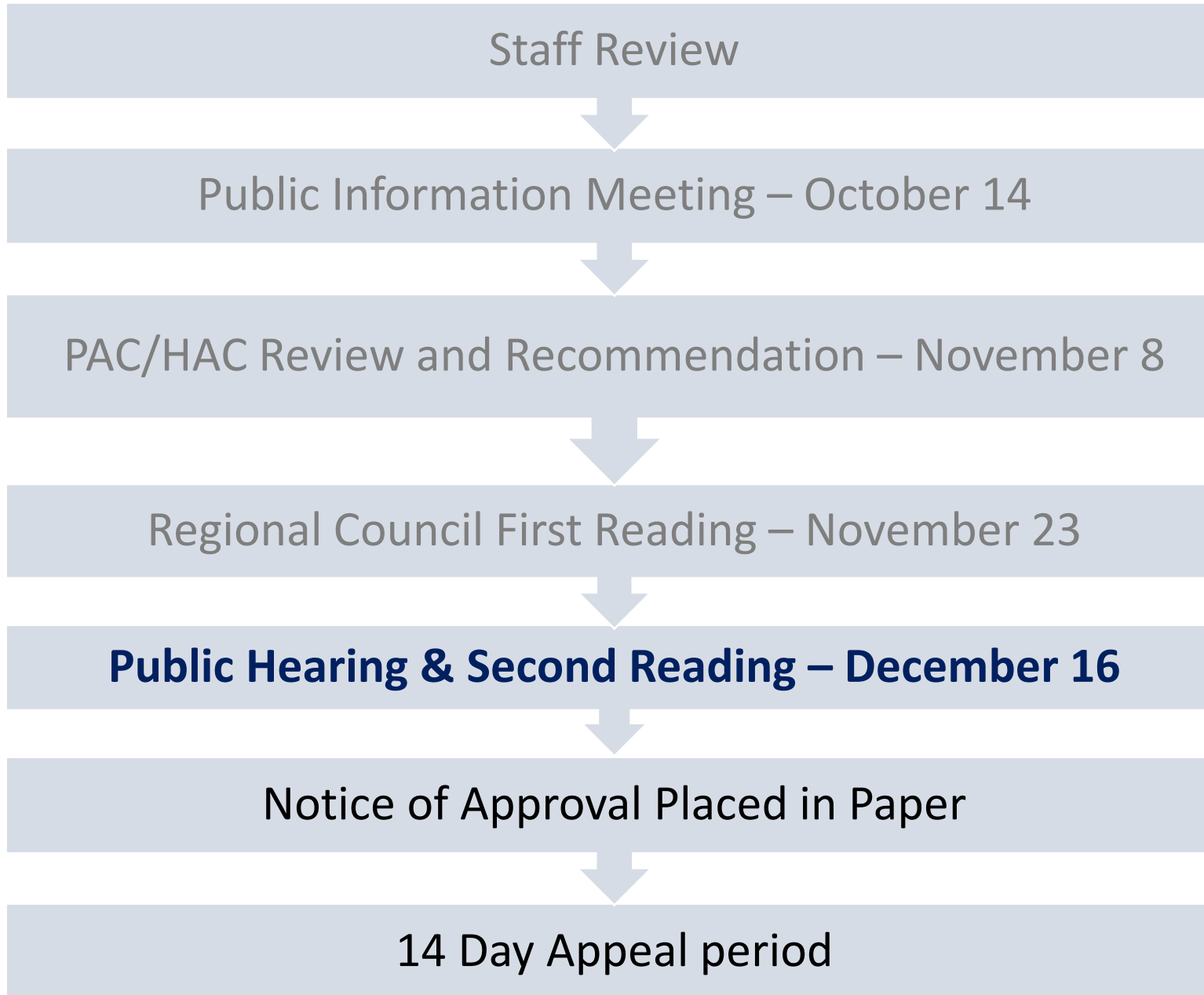
- During First Reading, Council asked if there would be any issues with the adjacent landing pad for the Hants Community Hospital.
- Staff contacted EHS Life Flight and met with one of their representatives on December 14th to discuss the proposed development.
- The representative from EHS Life Flight had no issues with the proposed development, so long as it remained below the existing powerlines. As the proposal is for a single storey dwelling, this will not be an issue.

Public Hearing Comments

- Prior to the Public Hearing:
 - a notice was issued in the local paper;
 - a signboard was posted at the site; and
 - letters were sent to all property owners within 300 ft.
- The deadline for comments was December 10th.
- No comments have been received.



Process



Recommendation

- ...that Council gives Second Reading and approves of entering into a development agreement to permit a one storey residential building containing three dwelling units at PID 45383742 on Fairfield Court, Windsor, in a manner substantively the same as the draft set out in Appendix A to the report #20-25 to Mayor Zebian and the Members of West Hants Regional Municipality Council dated November 23, 2021.

