

WEST HANTS REGIONAL MUNICIPALITY
Council Meeting Agenda **AMENDED**
November 22, 2022 - 5:00 p.m.
Virtual via Zoom (also FB Livestream)



1. Call to Order
2. Attendance
3. Announcements
4. Approval of the Agenda, including additions or deletions
 - a) Dashboard Action Items – Information Log
 - b) Dashboard Action Items – Dangerous and Unsightly Premises
5. Declaration(s) of Conflict of Interest
6. Approval of Previous Meeting Minutes
 - a) 2022-10-25 Council Meeting Minutes
 - b) 2022-10-25 Public Hearing Meeting Minutes, 65 Fort Edward Street, PID 45059797
 - c) 2022-10-25 Public Hearing Meeting Minutes, Property Assessed Clean Energy (PACE) By-Law RP-001
7. Presentations
8. Public Hearings
 - i. Hantsport, West Hants and Windsor MPS and LUB Amendments: Secondary Suites in Accessory Buildings (three reports, one presentation, three motions) – Planner Poirier
 - ii. WHLUB Amendments: Wentworth Road PID 45190386 and Cole Drive PID 45366457 (one report, one motion) – Planner Poirier
 - iii. 697 Greenhill Road, Greenhill, PID 45026010, WHLUB Map Amendment (one report, one motion) - Planner Dunphy
 - iv. 4245 Hwy 14, PID 45038361, WHLUB Amendment (one report, one motion) - Planner Dunphy
 - v. 4701 Hwy 1, Three Mile Plains, Development Agreement (one report, two motions) – Planner Poirier
 - vi. Hantsport, West Hants, Windsor MPS and LUB Amendments: Small Options Housing (three reports, three motions) - Director LeMay
 - vii. Outdoor Fires By-Law RO-001 (one report, one motion) – Supervisor Thornton
9. Second Readings

- i. Hantsport, West Hants and Windsor MPS and LUB Amendments: Secondary Suites in Accessory Buildings (three reports, one presentation, three motions) – Planner Poirier
- ii. WHLUB Amendments: Wentworth Road PID 45190386 and Cole Drive PID 45366457 (one report, one motion) – Planner Poirier
- iii. 697 Greenhill Road, Greenhill, PID 45026010, WHLUB Map Amendment (one report, one motion) - Planner Dunphy
- iv. 4245 Hwy 14, PID 45038361, WHLUB Amendment (one report, one motion) - Planner Dunphy
- v. 4701 Hwy 1, Three Mile Plains, Development Agreement (one report, two motions) – Planner Poirier
- vi. Hantsport, West Hants, Windsor MPS and LUB Amendments: Small Options Housing (three reports, three motions) - Director LeMay
- viii. Outdoor Fires By-Law RO-001 (one report, one motion) – Supervisor Thornton

10. Unfinished Business/Postponed Motions

- a) Debt Reconciliation Information Report -Director Gibson

~~11.~~ ~~Mayor's Report~~

12. Committee(s) of Council Excerpts/Recommendations

- a) Committee of the Whole Excerpts (November 8, 2022)

- i. December Meeting Dates
- ii. Falmouth Family Dog Park
- iii. REMO Mutual Aid Agreement
- iv. Security Camera
- v. Streetlights in the Crossing
- vi. Thermal Imaging Camera Capital Purchase
- vii. Updating the 2022-23 Tax Resolution

- b) Planning and Heritage Recommendations (November 10th, 2022) (First Readings)

- i. Cole Drive, PID 45366432 West Hants and Windsor MPS and LUB Amendments (two reports, two motions) - Planner Dunphy
- ii. 394 Greenhill Road, Greenhill, PID 45118502 Development Agreement (one report, two motions) - Planner Dunphy
- iii. Hantsport Coastal Protection and Flood Planning Policy (one report, one motion) – Planner Dunphy
- iv. West Hants Coastal Protection and Flood Planning Policy (one report, one motion) – Planner Dunphy
- v. Windsor Coastal Protection and Flood Planning Policy (one report, one motion) – Planner Dunphy

13. Councillor Municipal Business/Activity Reports
 - a) Councillor Ivey, District 11 Activity Report

14. Correspondence
 - a) Information
 1. Avon Causeway Activity Log as of November 17, 2022- No new correspondence

 2. Correspondence Received Activity Log as of November 17, 2022
 - i. 2022-11-06 Andrea Parker Re Road repair work needed
 - ii. 2022-11-07 WAEFA Recipient Confirmation - 2022 (Awards sponsored by the West Hants Regional Municipality)
 - iii. 2022-11-10 CAO Letter - Comfort Centre Designation - Garden of Eden Community Centre
 - iv. 2022-11-10 David Old, President Hantsport Seniors and Elders Club re Community Generator Program
 - v. 2022-11-12 Juanita Wilcox re Expression of Thanks
 - vi. 2022-11-14 Emily McNeil re Renewal of the Operating Approval for the Avon Hydro System
 - vii. 2022-11-16 Paul Beazley re Boundary Review Questions

 3. Fort Edward Activity Log as of November 17, 2022

 4. Storm Wastewater Activity Log as of November 17, 2022 - No new correspondence
 - b) Requests – None
 - c) Outgoing Correspondence Log as of November 17, 2022

15. New Business

16. In-Camera

17. Next Meeting Date / Adjournment

WEST HANTS REGIONAL MUNICIPALITY

**Public Hearing Minutes – 2022-11-22 PH Meeting, WHLUB Amendments,
Wentworth Road PID 45190386 and Cole Drive PID 45366457**

Tuesday, November 22, 2022 – 5:04 pm

In-person Sanford Council Chambers and virtually via ZOOM
(also Facebook Livestreamed)



West Hants
something inspiring awaits

1. Call to Order

The Public Hearing was called to order at 5:04 pm.

2. Council:

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

John A. Smith, Councillor, District 9

Laurie Murley, Councillor, District 10

Jim Ivey, Councillor, District 11

Regrets:

Abraham Zebian, Mayor

Ed Sherman, Councillor, District 7

Staff and Guests:

Mark Phillips, CAO

Shelleena Thornton, Mun. Ops Supervisor

Kathy Kehoe, Director Community Development

Diana Gibson, Acting Dir. Financial Services

Madelyn LeMay, Dir. Planning & Development

Deanna Snair Municipal Clerk

Todd Richard, Dir. Public Works

Sara Poirier, Senior Planner

Alex Dunphy, Planner

Five (5) Residents in the Gallery

3. Public Hearings – All public hearings and presentations are available on the Municipal website.

WHLUB Amendments, Wentworth Road PID 45190386 and Cole Drive PID 45366457

Planner Poirier reviewed the report highlighting that a completed application was received on August 10, 2022, from Chrystal Fuller from Brighter Community Planning & Consulting on behalf of Mitch Brison of Brison Developments with authorization from Nick Valcour on behalf of the property owner J. D. Irving Limited to consider amending the map of the West Hants Land Use By-law (WHLUB) to rezone a portion of PID 45190386 and a portion of PID 45366457 to permit residential development and amend the text of the WHLUB to allow reduced minimum lot specifications to conform with the Crossing development agreement (2019).

Within the presentation, the two parcels of land were referred to as parcel 1 and parcel 2. Parcel 1 -Portion of PID 45190386 equals approximately 56 acres and Parcel 2 -Portion of 45366457 equals approximately 1.5 acres. The current designation of parcel one was

residential and the designation of parcel two was joint industrial park. Parcel one was zoned agricultural priority three and parcel two was zoned joint industrial type three.

The proposed units were single residential units and two residential units with roadway connections between the Crossing on Edward Drive to Cole Drive and a few roads that would circulate traffic throughout development.

Planner Poirier reviewed the enabling criteria as per the West Hants Municipal Planning Strategy along with the additional amendments proposed by the applicant:

- develop single-and two-unit dwellings on the majority of subject lots which would be permitted as-of-right as per the requested zoning to Multiple Residential (R-3).
- the residential development be connected to the Crossing via a new public street.
- requesting Council to consider amending the West Hants Land Use By-law to permit the same minimum lot specifications for single-and two-unit dwellings as is permitted in the mixed residential area of the Crossing development agreement (2019).

Planner Poirier reviewed the proposed amendment guidelines with respects to lot frontage for both single and two units. If approved the amendment would only apply to the specific PIDs listed, not every property zoned Single Unit Residential (R-1) or Two Unit Residential (R-2) in West Hants. These are minimum lot specification requirements so the National Building Code takes precedence over the Land Use By-law, therefore if the amendment is approved and added to the West Hants Land Use By-law the developer would still be required to follow the National Building Code requirements for the reduced lot specifications.

There is no specific policy to amend the minimum lot specification requirements in the Single Unit Residential (R-1) and Two Unit Residential (R-2) zones in West Hants; however, Council may consider amending its documents as it deems necessary

A Public Information Meeting was held on September 8, 2022 and broadcasted live on the Municipal Facebook page. Seventeen (17) members of the public requested invites to the Public Information meeting. The deadline for comments was September 23 with two (2) phone calls and seven (7) written letters received via email and were included within the package.

Notes highlighted from the Public Information Meeting:

- Transportation infrastructure (additional connections)
- Safety and Active Transportation infrastructure (sidewalks)
- Housing (type and price)
- Healthcare shortages (doctors, EHS, hospital)
- Timeline (how long for full build-out)
- Construction activities (dust, traffic, noise)
- Stormwater management
- Side yard specifications reduction
- Greenspace (5% provided at time of subdivision)

Policy 5.3.7 establishes specific criteria for Council to consider and in summary the criteria had been met.

Policy 16.3.1 states that the general criteria for Council to consider and in summary this has been met.

At the October 13th, 2022, Planning and Heritage Advisory Committee (PAC/HAC) reviewed the report and recommended in favour. First reading was held on October 25, 2022. If approved, notice would go in the local paper beginning the fourteen (14) day appeal period. All statutory requirements had been met.

A presentation was received from the applicant; however, the applicant was not present in the gallery of via ZOOM. The applicant's presentation was not presented.

Clerk Snair read aloud the email correspondence received from Dorothy Blakey with respects to the map include in the proposal information sheet not being clear and correspondence received from Mike Hackett concerning rezoning from Agricultural AR-3 and LI-3 to R-3. The development plan shows this area developed for R-1 and R-2. There is no mention of R-3 on the plan. What are the plans for the development of this area?

Planner Poirier spoke of the phone call received from Beth McCarthy with respects to if the developer knew what they were proposing with the increased population in relation to water and sewer service, traffic and lighting.

The presentation ended at 5:30 p.m.

4. Adjournment

Deputy Mayor P. Morton declared the Public Hearing closed at 6:02 p.m.

Abraham Zebian, Mayor

Deanna Snair, Executive Assistant/Clerk



WEST HANTS REGIONAL MUNICIPALITY REPORT

Information <input type="checkbox"/>	Recommendation <input checked="" type="checkbox"/>	Decision Request <input type="checkbox"/>	Councillor Activity <input type="checkbox"/>
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To: Mayor Zebian and Members of West Hants Regional Municipality Council

Submitted by: _____
Sara Poirier, Senior Planner

Date: 2022-11-22

Subject: West Hants Land Use By-law Amendments: Portion of PID 45190386, Wentworth Road, and PID 45366457, Cole Drive, Garlands Crossing; File #22-17 C

LEGISLATIVE AUTHORITY

Section 210 of the Municipal Government Act.

RECOMMENDATION

Should Council wish to approve the amendments following Public Hearing, the following motion would be in order:

...that Council gives Second Reading to and approves amending the zoning map of the West Hants Land Use By-law to rezone a portion of the lot located at PID 45190386, Wentworth Road, Garlands Crossing from the Agricultural Priority Three (AR-3) Zone to the Multiple Residential (R-3) Zone and rezone a portion of the lot located at PID 45366457, Cole Drive, Garlands Crossing from the Joint Industrial Type Three (LI-3) zone to the Multiple Residential (R-3) zone, as shown on Figure 3, and amends the text of the West Hants Land Use By-law to reduce the minimum lot specification requirements for PID 45190386 and 45366457 owned by J. D. Irving Limited on Wentworth Road and Cole Drive, in a manner substantively the same as the draft set out in Attachment A of the report File #22-17 to the Planning and Heritage Advisory Committee dated October 13, 2022.

BACKGROUND

Property <input checked="" type="checkbox"/>	Public Opinion <input type="checkbox"/>	Environment <input type="checkbox"/>	Social <input type="checkbox"/>	Economic <input type="checkbox"/>	Councillor Activity <input type="checkbox"/>
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A completed application was received on August 10, 2022, from Chrystal Fuller from Brighter Community Planning & Consulting on behalf of Mitch Brison of Brison Developments with authorization from Nick Valcour on behalf of the property owner J. D. Irving Limited. The application is to consider amending the map of the West Hants Land Use By-law (WHLUB) to rezone a portion of PID 45190386 and a portion of PID 45366457 to permit residential development and amend the text of the WHLUB to allow reduced minimum lot specifications to conform with the Crossing development agreement (2019).

PID 45366457 is currently designated Joint Industrial Park. A MPS designation change for the lot will be considered through “File 22-05 Windsor/West Hants MPS and LUB Amendments - Cole Drive, Windsor/Garlands Crossing”.

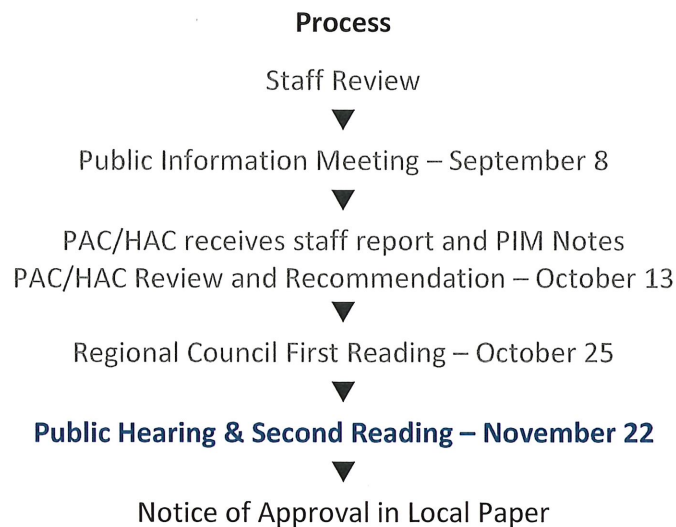
A Public Information Meeting was held on September 8, 2022.

On October 13, 2022 staff presented a recommendation report to the Planning and Heritage Advisory Committee (PAC/HAC). PAC/HAC recommended in favour of the amendments as drafted on October 13, 2022.

On October 22, staff presented the PAC/HAC recommendation to Council for First Reading (Appendix A).

NEXT STEPS

The process for this application is as follows:





14-Day Appeal Period

APPENDICIES

Appendix A 2022-10-22 PAC/HAC Recommendation to Council: West Hants Land Use By-law Amendments: Portion of PID 45190386, Wentworth Road, and PID 45366457, Cole Drive, Garlands Crossing; File #22-17 B

CHIEF ADMINISTRATIVE OFFICER REVIEW

The recommendation and related amendments will allow for future residential development of the noted PIDs in a manner similar to the current style reflected in The Crossing. The change of use and anticipated residential development will help provide capacity and accommodate the growth of the municipality and much needed housing.

I support the recommendation.

Report Prepared by: _____
Sara Poirier, Senior Planner

Report Reviewed by: _____
Madelyn LeMay, Director of Planning and Development

Report Approved by:  _____
Mark Phillips, CAO



Appendix A

WEST HANTS REGIONAL MUNICIPALITY REPORT

Information <input type="checkbox"/>	Recommendation <input checked="" type="checkbox"/>	Decision Request <input type="checkbox"/>	Councillor Activity <input type="checkbox"/>
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To: Mayor Zebian and Members of West Hants Regional Municipality Council

Submitted by: _____

Sara Poirier, Senior Planner

Date: 2022-10-25

Subject: West Hants Land Use By-law Amendments: Portion of PID 45190386, Wentworth Road, and PID 45366457, Cole Drive, Garlands Crossing; File #22-17 B

LEGISLATIVE AUTHORITY

Section 210 of the Municipal Government Act.

RECOMMENDATION

Should Council wish to proceed to Public Hearing, the following motion would be in order:

...that Council gives First Reading and will hold a Public Hearing to consider amending the zoning map of the West Hants Land Use By-law to rezone a portion of the lot located at PID 45190386, Wentworth Road, Garlands Crossing from the Agricultural Priority Three (AR-3) Zone to the Multiple Residential (R-3) Zone and rezone a portion of the lot located at PID 45366457, Cole Drive, Garlands Crossing from the Joint Industrial Type Three (LI-3) zone to the Multiple Residential (R-3) zone, as shown on Figure 3, and amend the text of the West Hants Land Use By-law to reduce the minimum lot specification requirements for PID 45190386 and 45366457 owned by J. D. Irving Limited on Wentworth Road and Cole Drive, in a manner substantively the same as the draft set out in Attachment A of the report File #22-17 to the Planning and Heritage Advisory Committee dated October 13, 2022.

BACKGROUND

Property <input checked="" type="checkbox"/>	Public Opinion <input type="checkbox"/>	Environment <input type="checkbox"/>	Social <input type="checkbox"/>	Economic <input type="checkbox"/>	Councillor Activity <input type="checkbox"/>
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PID 45366457 is currently designated Joint Industrial Park. A MPS designation change for the lot will be considered through "File 22-05 Windsor/West Hants MPS and LUB Amendments - Cole Drive, Windsor/Garlands Crossing".

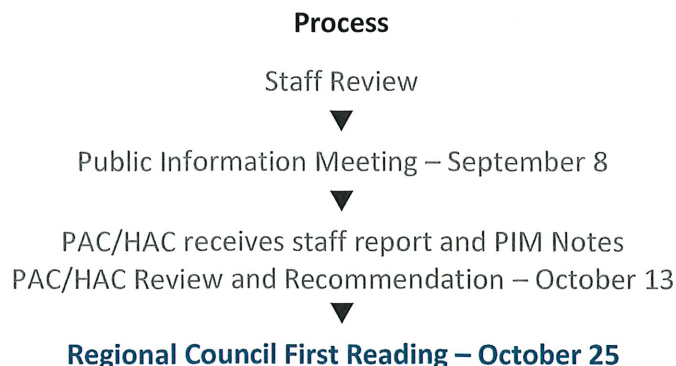
DISCUSSION

A Public Information Meeting was held on September 8, 2022.

On October 13, 2022 staff presented a recommendation report to the Planning and Heritage Advisory Committee (PAC/HAC) (Appendix A). There was significant discussion at PAC/HAC on the reduced lot specifications proposed in this application, specifically reduced lot area and reduced side yards, due to the aesthetic appearance of the community, concerns of increased fire spread potential and the decrease of permeable surfaces in the area. PAC/HAC recommended in favour of the amendments as drafted on October 13, 2022.

NEXT STEPS

The process for this application is as follows:



▼
Public Hearing & Second Reading – November 22*

▼
Notice of Approval in Local Paper

▼
14-Day Appeal Period

*anticipated dates; final dates set by Council

FINANCIAL IMPLICATIONS

There are no anticipated costs to the Municipality in regard to this development.

ALTERNATIVES

In response to the application, Council may decide to:

- hold First Reading and authorize a Public Hearing to approve the amendments as drafted or as specifically revised by direction of Council;
- provide alternative direction such as requesting further information on a specific topic.

APPENDICIES

Appendix A 2022-10-13 Staff Report: West Hants Land Use By-law Amendments: Portion of PID 45190386, Wentworth Road, and PID 45366457, Cole Drive, Garlands Crossing; File #22-17

CHIEF ADMINISTRATIVE OFFICER REVIEW

The proposed rezoning within the recommendation have been thoroughly reviewed by PAC /HAC and are before Council for their consideration. The recommendation and impacts on the noted PIDs are in keeping with the surrounding developments and housing stock.

I support the recommendation.

Report Prepared by: _____
Sara Poirier, Senior Planner

Report Reviewed by: _____

Madelyn LeMay, Director of Planning and Development

Report Approved by:  _____
Mark Phillips, CAO



Appendix A

WEST HANTS REGIONAL MUNICIPALITY REPORT

Information <input type="checkbox"/>	Recommendation <input checked="" type="checkbox"/>	Decision Request <input type="checkbox"/>	Councillor Activity <input type="checkbox"/>
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To: Members of Planning and Heritage Advisory Committee (PAC/HAC)

Submitted by: _____
Sara Poirier, Senior Planner

Date: 2022-10-13

Subject: West Hants Land Use By-law Amendments: Portion of PID 45190386, Wentworth Road, and PID 45366457, Cole Drive, Garlands Crossing; File #22-17

LEGISLATIVE AUTHORITY

Section 210 of the Municipal Government Act.

RECOMMENDATION

To allow the requested development, staff recommends that the PAC/HAC forward a positive recommendation by passing the following motion:

...that PAC/HAC recommends that Council give First Reading and hold a Public Hearing to consider amending the zoning map of the West Hants Land Use By-law to rezone a portion of the lot located at PID 45190386, Wentworth Road, Garlands Crossing from the Agricultural Priority Three (AR-3) Zone to the Multiple Residential (R-3) Zone and rezone a portion of the lot located at PID 45366457, Cole Drive, Garlands Crossing from the Joint Industrial Type Three (LI-3) zone to the Multiple Residential (R-3) zone, as shown on Figure 3, and amend the text of the West Hants Land Use By-law to reduce the minimum lot specification requirements for PID 45190386 and 45366457 owned by J. D. Irving Limited on Wentworth Road and Cole Drive, in a manner substantively the same as the draft set out in Attachment A of the report File #22-17 to the Planning and Heritage Advisory Committee dated October 13, 2022.

BACKGROUND

Property <input checked="" type="checkbox"/>	Public Opinion <input type="checkbox"/>	Environment <input type="checkbox"/>	Social <input type="checkbox"/>	Economic <input type="checkbox"/>	Councillor Activity <input type="checkbox"/>
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PID 45366457 is currently designated Joint Industrial Park. A MPS designation change for the lot will be considered through “File 22-05 Windsor/West Hants MPS and LUB Amendments - Cole Drive, Windsor/Garlands Crossing”.

DISCUSSION

Portion of PID 45190386

PID 45190386 is approximately 69.2 acres (280,042 sq. m.) and is partially within the jurisdiction of the Windsor Municipal Planning Strategy (WMPS) and partially within the jurisdiction of the West Hants Municipal Planning Strategy (WHMPS). This application is a request to rezone an approximately 56-acre (226,624 sq. m.) portion of the lot that is entirely within the jurisdiction of the West Hants planning documents.

The approximately 56-acre (226,624 sq. m.) portion of the lot is designated Residential on the Generalized Future Land Use Map of the WHMPS (Figure 1) and is within the Three Mile Plains Growth Centre. Part 5.3 of the WHMPS contains the overall intention for properties designated Residential in the Three Mile Plains Growth Centre.

This portion of the lot is zoned Agricultural Priority Three (AR-3) on the Zoning Map of the WHLUB (Figure 2). Single and two-unit residential development on lots less than 40,000 sq. ft. (3,716 sq. m.) is not permitted as-of-right in the Agricultural Priority Three (AR-3) zone.

This portion of the lot abuts properties within the Three Mile Plains Growth Centre designated Residential and Commercial Core and zoned Two Unit Residential (R-2) and Highway Commercial (HC). It also abuts lots on Cole Drive designated Joint Industrial Park and zoned Joint Industrial Type 3 (LI-3).

Portion of PID 45366457

PID 45366457 is approximately 1.76-acres (7,122.47 sq. m.) and is partially within the jurisdiction of the WMPS and partially within the jurisdiction of the WHMPS. This application is a request to rezone an approximately 1.5-acre (6,070.28 sq. m.) portion of the lot that is entirely within the jurisdiction of the West Hants planning documents.

The approximately 1.5-acre (6,070.28 sq. m.) portion of the lot is designated Joint Industrial Park on the Generalized Future Land Use Map of the WHMPS (Figure 1). Part 11.0 of the WHMPS contains the overall intention for properties within the Joint Industrial Park.

This portion of the lot is zoned Joint Industrial Type 3 (LI-3) on the Zoning Map of the WHLUB (Figure 2). Residential uses are not permitted as-of-right in the Joint Industrial Type 3 (LI-3) zone.

This portion of the lot abuts properties designated Residential and Joint Industrial Park and zoned Agricultural Priority Three (AR-3) and Joint Industrial Type 3 (LI-3).

Current Use

These portions of PID 45190386 and 45366457 are currently vacant. The Development Officer noted that to their knowledge PID 45190386 has been used for agricultural purposes such as pasturing cattle for the past 25 years. There is a watercourse and some existing drainage ditches crossing this portion of the lot. The Agricultural Priority Three (AR-3) zoning of PID 45190386 was likely in place to allow the existing agricultural use to continue without creating a non-conforming use. The lot has been designated Residential since at least 2008 which shows Council's long term intent for residential uses to develop here.

Proposed Uses

The application is to consider amending the map of the WHLUB to rezone a portion of PID 45190386 and a portion of PID 45366457 to permit residential development and amend the text of the WHLUB to allow reduced minimum lot specifications to conform with the Crossing development agreement (2019). The site plan for the proposal shows a combination of single- and two-unit dwellings with a total of 232 dwelling units upon full build out. The site plan also shows an area for parkland and stormwater management ponds, and identifies an area for future multi-residential development.

Dwellings with more than two units are permitted in the Multiple Residential (R-3) as-of-right, subject to specific requirements including a maximum of 20 units per building and a maximum height of 3 storeys. Council can consider multiple unit residential development greater than three storeys in height in the Three Mile Plains Growth Centre by development agreement in accordance with the criteria in Policy 5.3.8. This would require a separate application to be considered by Council. The developer has not applied for multi-unit development as part of this application.

The site plan proposes a new public street to connect Edward Drive to Cole Drive, along with a few other streets for circulation within the proposed development. The developer has submitted a traffic impact study with the application which has been deemed satisfactory by the Municipal Traffic Authority.

The Crossing

The Crossing development in Garlands Crossing was permitted by development agreement originally approved by the former West Hants Council in 2008. Since then, the agreement has been amended three times at the request of the owner, in 2014, 2017 and 2019. The development agreement permits the development of a manufactured home park and grouped dwellings within a land lease community and a mixed residential area. The minimum lot specifications for single- and two-unit dwellings in the mixed residential area as specified in The Crossing development agreement (2019) are shown in Table 2.

Table 1: The Crossing Development Lot Specifications

Type of Unit	Minimum Frontage	Minimum Area	Minimum Side Yard	Minimum Front Yard	Minimum Rear Yard
Single Unit Dwelling	40 ft. (12.19 m.)	4,000 sq. ft. (371.60 sq. m.)	4 ft. (1.22 m.)	15 ft. (4.57m.)	25 ft. (7.62 m.)
Two Unit Dwelling	20 ft. (6.1 m.) / unit	2,000 sq. ft. (185.80 sq. m.)	4 ft. (1.22 m.)	15 ft. (4.57 m.)	25 ft. (7.62m.)

The developer is proposing to develop single- and two-unit dwellings on the majority of the subject lots which would be permitted as-of-right if the rezoning to the Multiple Residential (R-3) zone is approved. The applicant is also proposing that this residential development would connect to the Crossing via a new public street. Therefore, the applicant is requesting Council consider amending the WHLUB to permit the same minimum lot specifications for single- and two-unit dwellings as is permitted in the mixed residential area of the Crossing (Attachment A).

West Hants Municipal Planning Strategy

Portion of PID 45190386

Section 5.9 of the WHMPS contains the policies for agriculturally zoned lots within the Growth Centres. Policy 5.9.2 states that the provisions of Policy 8.10.3 shall apply to any application for non-agricultural development on land with agriculture zoning within the Growth Centres. Policy 8.10.3 states that land zoned Agricultural Priority Three (AR-3) in a Growth Centre may be considered for non-agricultural development subject to the relevant Growth Centre policies, provided that no rezoning shall be approved where the development will adversely affect

adjacent existing agricultural operations. There are no existing agricultural uses abutting the subject lots that would be adversely affected by the rezoning application.

The portion of the lot being discussed for rezoning as part of this application is designated Residential which shows that Council's long term intent for the lot is residential uses. Section 5.3 of the WHMPS contains the policies for residential development within the Three Mile Plains Growth Centre. Policy 5.7.3 establishes Council's intention to rezone "land within the Three Mile Plains Growth Centre to R-3". The Multiple Residential (R-3) zone allows uses permitted in the Single Unit Residential (R-1) zone, Two Unit Residential (R-2) zone and dwellings with more than two units as-of-right.

Portion of PID 45366457

Policy 16.1.3 allows Council to consider a Land Use By-law amendment to zone any area immediately adjacent to a given land use designation on the Generalized Future Land Use Map (Map 1) to a zone permitted in the adjacent designation without requiring a Strategy amendment, provided that all policies of the Strategy are satisfied. This allows Council to consider rezoning the portion of PID 45366457 that is currently zoned Joint Industrial Type Three (LI-3) to the Multiple Residential (R-3) zone because PID 45366457 abuts the Residential designation where the Multiple Residential (R-3) zone is permitted.

Industrial uses would most likely not be possible to be developed on PID 45366457 due to the size and dimensions of the lot. The lot is 55 ft. (16.7 m.) at its narrowest and 97 ft. (29.6 m.) at its widest. The Joint Industrial Type Three (LI-3) zone requires a minimum of 25 ft. (7.62 m.) front and rear yard making it difficult to construct a building on this lot alone.

Statements of Provincial Interest

The Province of Nova Scotia has six (6) Statements of Provincial Interest which are regulations made under the Municipal Government Act and provide municipalities guidance on certain aspects of development in the Province: drinking water, flood risk areas, agricultural land, infrastructure, housing, and the development of the Nova Centre.

The goal of the Statement of Provincial Interest regarding agricultural land is to "protect agricultural land for the development of a viable and sustainable agriculture and food industry". It is noted that this statement applies to all active agricultural land and land with agricultural potential in the Province. PID 45190386 is zoned Agricultural Priority Three (AR-3) in the West Hants Land Use By-law, however, is designated as Residential in the West Hants Municipal Planning Strategy. The Statement outlines that "Existing land-use patterns, economic conditions and the location and size of agricultural holdings means not all areas can be protected for food production, e.g., when agricultural land is located within an urban area. In these cases, planning documents must address the reasons why agriculture lands cannot be protected for agricultural use." PID 45190386 is within a Growth Centre where water and sewer infrastructure are

available for the proposed development, it is surrounded by existing residential and commercial type development, and there are policies allowing Council to consider the rezoning provided that the development will not adversely affect adjacent existing agricultural operations.

The Statement of Provincial Interest related to housing specifies that the goal is to “provide housing opportunities to meet the needs of all Nova Scotians” by incorporating housing policies into the municipal planning documents which address affordable housing, special-needs housing, rental accommodation, and providing for manufactured housing. All the planning documents for the Region have housing policies and discuss residential development in specific communities. The Statement also notes that “Depending upon the community and the housing supply and need, the measures that should be considered in planning documents include: enabling higher densities, smaller lot sizes and reduced yard requirements that encourage a range of housing types.” In the Three Mile Plains Growth Centre the residential policies allow Council to consider rezoning land in the Growth Centre to Multiple Residential (R-3) which would enable a range of housing types. The application also requests reduced minimum lot specifications which aligns with the Statement to include measures to allow smaller lot sizes and reduced yard requirements.

The goal of the Statement of Provincial Interest regarding infrastructure is to “make efficient use of municipal water supply and municipal wastewater disposal systems.” It states that “unplanned and uncoordinated development increases the demand for costly conventional infrastructure.” This proposed development encourages the efficient use of municipal sewer and water services that are available and already provided to properties on either side of the subject lots.

West Hants Land Use By-law

An amendment to the Zoning Map of the WHLUB is being requested for a portion of PID 45190386 and 45366457 to the Multiple Residential (R-3) zone (Figure 3). Additionally, to permit the requested reduced minimum lot specifications in the Single Unit Residential (R-1) and Two Unit Residential (R-2) zones, an amendment to the text of the WHLUB would be required (Attachment A).

WHMPS Specific Criteria

Policy 5.3.7 outlines the specific criteria to be considered by Council, which are examined in detail in Attachment B.

In summary, the criteria are met since the development:

- will have frontage on a collector street as identified on the Future Streets Map of the West Hants Subdivision By-law;
- will be serviced with Municipal water and sewer;

- is compatible with the character of the area; and
- will provide adequate on-site parkland and parking.

WHMPS General Criteria

The proposed development meets the general criteria for amendments set out in the WHMPS Policy 16.3.1. These criteria are examined in detail in Attachment C. In summary:

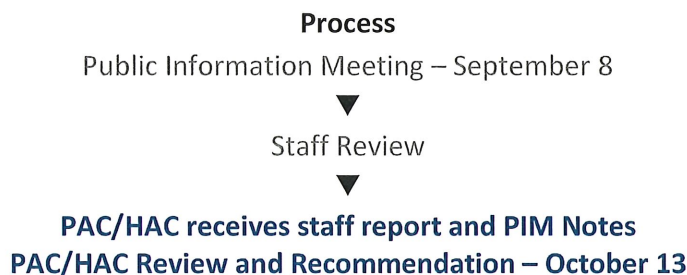
- the proposal is not premature or inappropriate for the area;
- no municipal costs related to the proposal are anticipated; and
- the Fire Chief, Development Officer, Manager of Building and Fire Inspection Services, Municipal Project Engineer, and Manager of Public Works Operations have no concerns.

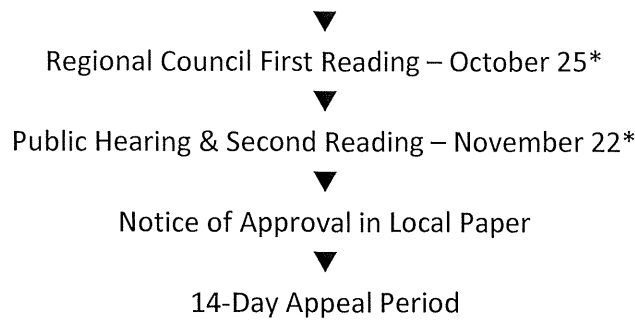
MUNICIPAL CLIMATE CHANGE ACTION PLAN

The Municipal Climate Change Action Plan (MCCAP) for Windsor (2014) highlights two simulated flooding scenarios. The first scenario is based on a storm surge that occurred in 1997, which shows the expected damage is to occur along the coastline. The second scenario shows the simulated flooding extent for probable maximum flood due to climate change. Under this scenario most of the community of Windsor will experience extensive flooding. The subject lots are not expected to be impacted by flooding however access to these lots may be. Additionally, map 2B “Sea level modeling – sea level rise” in the West Hants MCCAP (2013) does not show any impact to these properties. Property owners are responsible for ensuring that their lot is suitable for the proposed uses.

NEXT STEPS

As noted above, the proposed amendments have been considered within the context of the general policies of the WHMPS, and are consistent with the intent, objectives, policies and criteria of the WHMPS. As a result, it is reasonable to consider permitting rezoning of an approximate 56-acre (226,624 sq. m.) portion of a PID 45190386 on Wentworth Road and a 1.5-acre (6,070.28 sq. m.) portion of 45366457 on Cole Drive to allow residential development and to consider reducing the minimum lot specifications in the Single Unit Residential (R-1) and Two Unit Residential (R-2) for these lots.





*anticipated dates; final dates set by Council

FINANCIAL IMPLICATIONS

There are no anticipated costs to the Municipality in regard to this development.

ALTERNATIVES

In response to the application, PAC/HAC may recommend that Council:

- hold First Reading and authorize a Public Hearing to approve the amendments as drafted or as specifically revised by direction of PAC/HAC;
- provide alternative direction such as requesting further information on a specific topic.

ATTACHMENTS

Figure 1	GFLUM Extract
Figure 2	Current Zoning Map Extract
Figure 3	Proposed Zoning Map Extract
Attachment A	Proposed WHLUB Amendments
Attachment B	Specific Criteria for Amendments
Attachment C	General Criteria for Amendments
Attachment D	Public Information Meeting Notes

Report Prepared by: _____
Sara Poirier, Senior Planner

Report Reviewed by: _____
Madelyn LeMay, Director of Planning and Development

Figure 1
GFLUM Extract

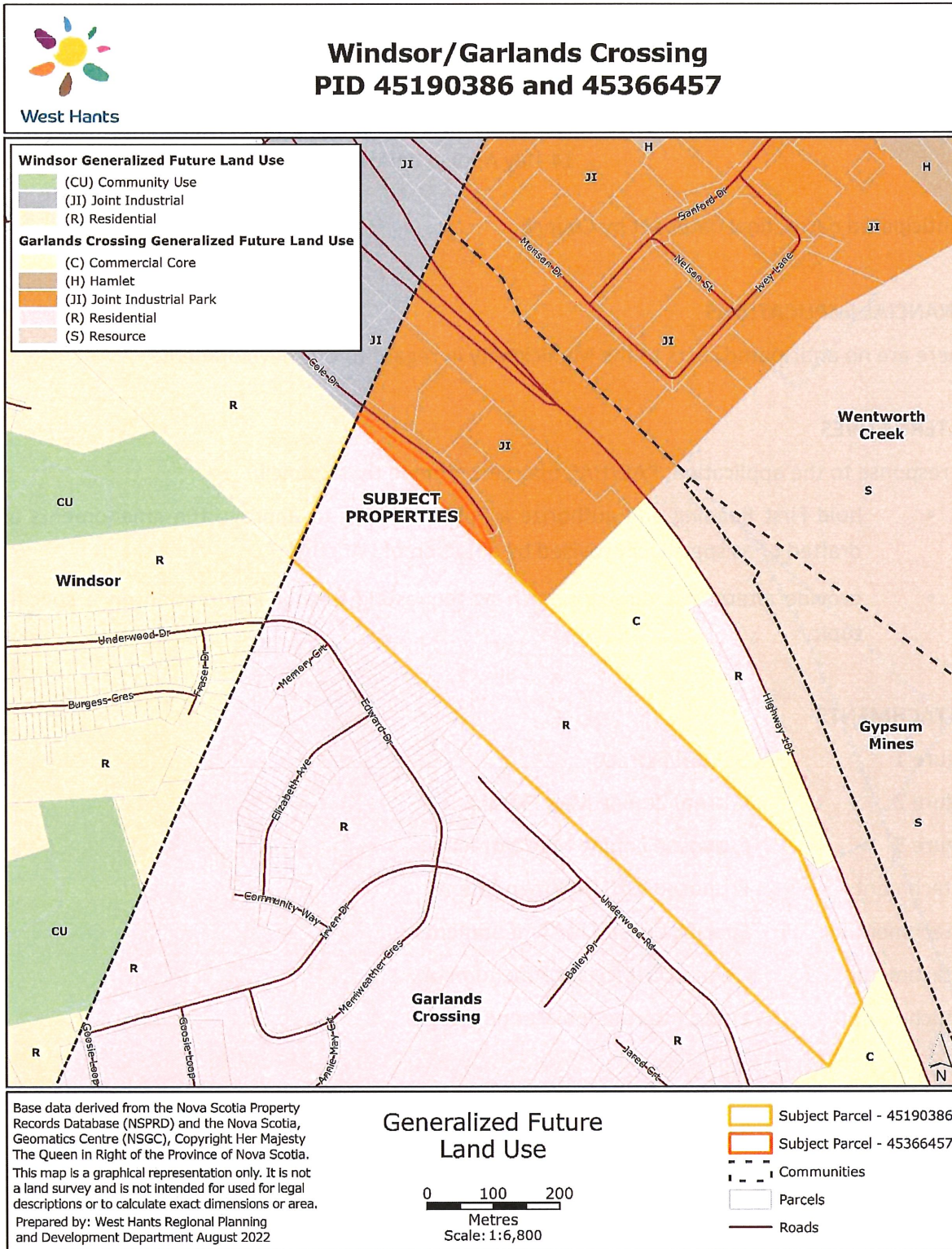


Figure 2
Current Zoning Map Extract

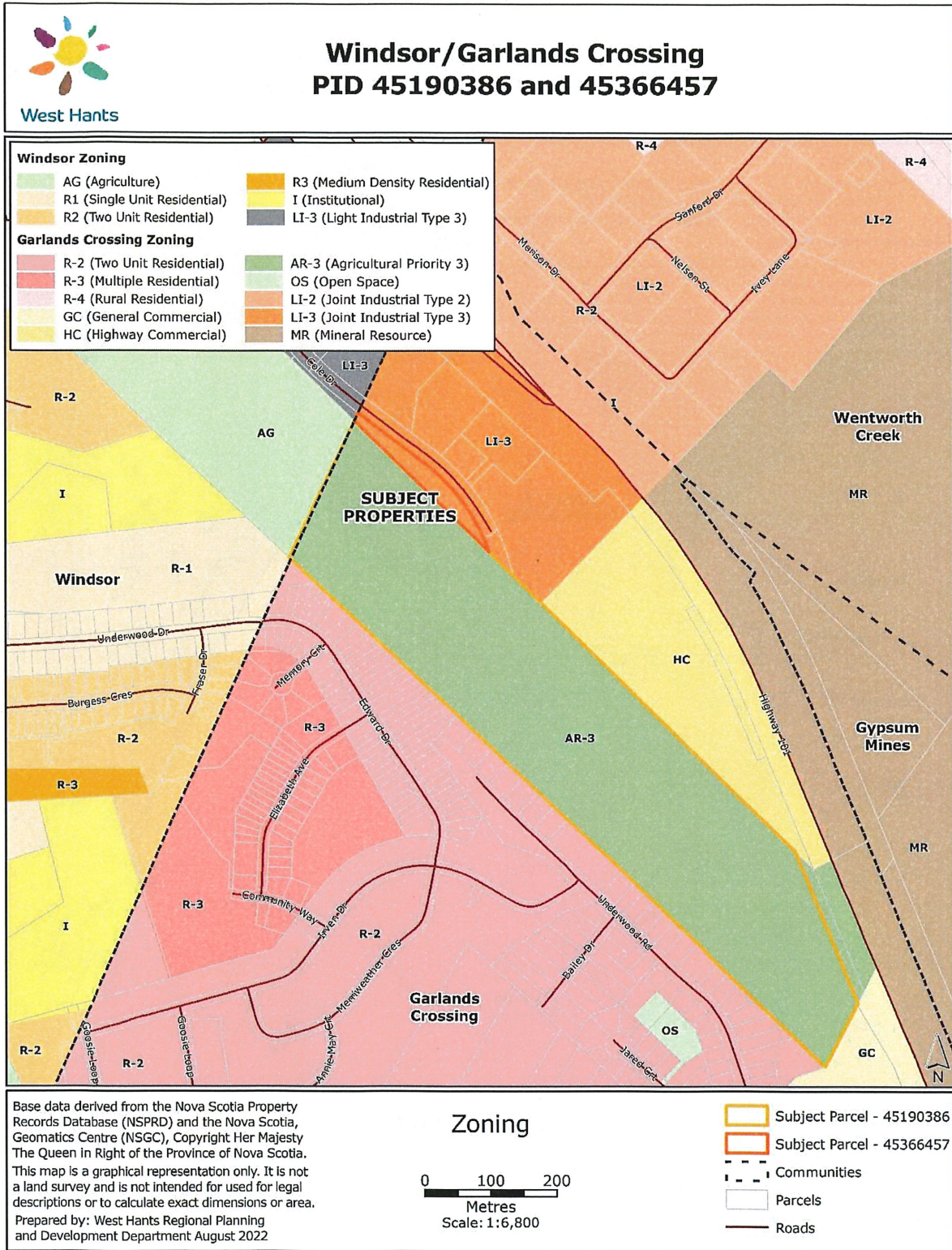
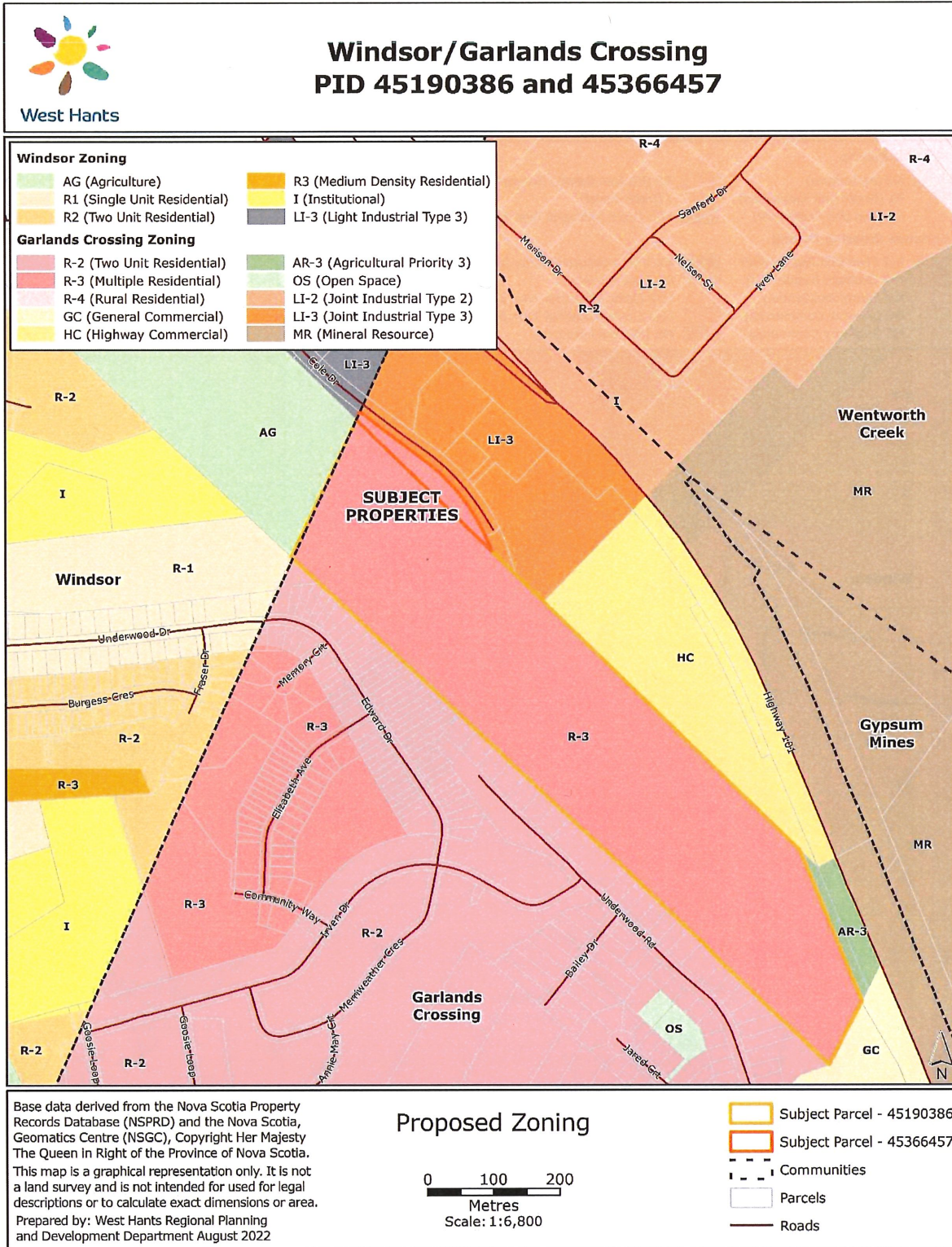


Figure 3
Proposed Zoning Map Extract



Attachment A
Proposed West Hants Land Use By-law Amendments

Text amendments to the Single Unit Residential (R-1) and Two Unit Residential (R-2) zones of the West Hants Land Use By-law to reduce the minimum lot specification requirements for portions of specific PIDs 45190386 and 45366457 owned by J. D. Irving Limited. Note: Amendments in blue.

- Amend Part 8.2, R-1 Zone General Requirements, in Part 8.0 of the West Hants Land Use By-law, Single Unit Residential (R-1), to include an exception of reduced minimum lot specifications for PID 45190386 and 45366457, so that it reads as follows:**

8.0 SINGLE UNIT RESIDENTIAL (R-1)

Permitted Uses

8.1 The following uses shall be permitted in the Single Unit Residential (R-1) zone:

- Single unit dwellings
- ~~Accessory apartments (removed by amendment 20-27 effective September 14, 2021)~~
- Existing manufactured homes

R-1 Zone General Requirements

8.2 (a) In the R-1 zone, no development permit shall be issued except in conformity with the following:

		with municipal services	with on-site services
Minimum lot area		6,000 ft ² (557.40 m ²) 7,000 ft ² (650.30 m ²) for corner lots	29,000 ft ² (2,694.10 m ²)
Minimum lot frontage		60 ft (18.29 m)	100 ft (30.48 m)
Minimum front yard		25 ft (7.62 m)	
Minimum rear yard		25 ft (7.62 m)	
Minimum side yard	one side	6 ft (1.83 m)	
	other side	10 ft (3.05 m)	
Maximum height of main building		35 ft (10.67 m)	

Accessory Apartments – Special Requirements (removed by amendment File #20-27 effective September 14, 2021)

(b) **Exception for PID 45190386 and 45366457**– Notwithstanding Section 8.2 (a), the lot specifications for PID 45190386 and 45366457 (owned by J.D.Irving Limited in 2022) shall be:

Minimum lot area	4,000 ft ² (371.60 m ²) 5,000 ft ² (464.5 m ²) for corner lots
Minimum lot frontage	40 ft (12.19 m)

Minimum front yard	15 ft (4.57 m)
Minimum flankage yard	15 ft (4.57 m)
Minimum rear yard	25 ft (7.62 m)
Minimum side yard	4 ft (1.22 m)
Maximum height of main building	35 ft (10.67 m)
Maximum height of accessory building	15 ft (4.57 m)

2. Amend Part 9.2, *R-2 Zone General Requirements*, in Part 9.0 of the West Hants Land Use By-law, *Two Unit Residential (R-2)*, to include an exception of reduced minimum lot specifications for PID 45190386 and 45366457, so that it reads as follows:

9.0 TWO UNIT RESIDENTIAL (R-2)

Permitted Uses

9.1 The following uses shall be permitted in the Two Unit Residential (R-2) zone:

- Two-unit dwellings
- Mini homes
- Uses permitted in the R-1 zone subject to the R-1 zone requirements
- Mobile homes in the Three Mile Plains Growth Centre (**Amendment 20-28 Effective June 15, 2021**)

R-2 Zone General Requirements

9.2 (a) In the R-2 zone, no development permit shall be issued except in conformity with the following:

	Mobile homes and Mini homes		Two-unit dwellings	
	with municipal services	with on-site services	with municipal services	with on-site services
Minimum lot area	6,000 ft ² (557.40 m ²); 7,000 ft ² (650.30 m ²) for corner lots	29,000 ft ² (2,694.10 m ²)	3,500 ft ² (325.15 m ²)/unit	29,000 ft ² (2,694.10 m ²)/unit
Minimum lot frontage	50 ft (15.24 m)	100 ft (30.48 m)	30 ft (9.14 m)/unit	100 ft (30.48 m)/unit
Minimum front yard	15 ft (7.62 m)			
Minimum rear yard	25 ft (7.62 m)			
Minimum side yard	one side	6 ft (1.83 m)		
	other side	6 ft (3.05 m)		
Max. height of main building	35 ft (10.67 m)			

(Amendment 20-28 Effective June 15, 2021) (Amendment GC2LUB 17-01 Effective March 7, 2018)

(b) **Exception for PID 45190386 and 45366457** – Notwithstanding Section 9.2 (a), the lot

specifications for PID 45190386 and 45366457 (owned by J.D.Irving Limited in 2022) shall be:

Minimum lot area	2,000 ft ² (185.80 m ²) / unit 3,000 ft ² (278.7 m ²) / unit for corner lots
Minimum lot frontage	20 ft (6.1 m) / unit
Minimum front yard	15 ft (4.57 m)
Minimum flankage yard	15 ft (4.57 m)
Minimum rear yard	25 ft (7.62 m)
Minimum side yard	4 ft (1.22 m)
Maximum height of main building	35 ft (10.67 m)
Maximum height of accessory building	15 ft (4.57 m)

Subdivision of Semi-detached Units

- 9.3 Semi-detached dwelling units located on an approved water and sewer serviced lot may be subdivided into lots provided each dwelling unit has separate service connections and provided all applicable provisions of the West Hants Subdivision By-law and this By-law are met. No side yard shall be required along the common lot boundary dividing a semi-detached dwelling.

Attachment B
Specific Criteria for Amendments

West Hants Municipal Planning Strategy

Policy 5.9.2 It shall be the policy of Council that the provisions of Policy 8.10.3 shall apply to any application for non-agricultural development on land zoned agriculture within the Growth Centres.

Policy 8.10.3 Land zoned AR-3 in the Growth Centre, Village and Hamlet designations may be considered for non-agricultural development subject to the relevant Growth Centre, Village or Hamlet policies, provided that no development agreement or rezoning shall be approved where the development will adversely affect adjacent existing agricultural operations.

COMMENT
PID 45190386 is the only lot zoned Agriculture (AG) / Agricultural Priority Three (AR-3) in this area. There are no existing agricultural uses abutting the subject lots that would be adversely affected by the rezoning application.

Policy 5.3.7 It shall be the policy of Council to consider rezoning land within the Three Mile Plains Growth Centre to R-3 subject to the following:

CRITERIA	COMMENT
(a) the development has frontage on an arterial or collector street designated on the Transportation Map (Map 2) if it consists of 12 or more units;	Cole Drive is shown as a local road on the Transportation Map (Map 2) of the West Hants Municipal Planning Strategy. Even though Cole Drive is within an area designated Joint Industrial Park and was constructed with a sidewalk on one side of the street, it is most likely classified as a local road due to it being a dead-end street with no current connections elsewhere. Edward Drive is not on the Transportation Map as it was created after the map was approved. As part of this application, there is a new street being proposed to connect Edward Drive and Cole Drive. The Future Streets Map attached to the West Hants Subdivision By-law shows Cole Drive as a collector street with a

	<p>“proposed collector street” in the location of this new road into the Crossing from Cole Drive. The West Hants Land Use By-law defines a collector street or road as a “means a street designed to move vehicular traffic from residential neighbourhoods to commercial and institutional areas and to arterial streets”. As this new street will connect local roads in the Crossing to Cole Drive which is identified as a collector street on the Future Streets Map this criterion is met. Updates to the Transportation Map (Map 2) will be conducted as an amendment to the WHMPS in the future, once these new road connections have been approved and constructed.</p>
<p>(b) the lot is serviced, or is capable of being serviced, with municipal water and sewer;</p>	<p>The Municipal Project Engineer stated that the lots are “not currently served with municipal sewer and water, however, would be capable of being served. Municipal water and sewer mains currently exist at locations adjacent to these properties.”</p>
<p>(c) the development is compatible with the character of the area with respect to building scale and design, traffic generation, population density and similar matters;</p>	<p>The Manager of Operations commented that they have no concerns with the adequacy of road networks adjacent to or leading to the development. A Traffic Impact Study was provided to the Municipality from the developer as part of the rezoning application. The Manager of Public Works Operations has stated this traffic study is satisfactory to the Municipality. Additionally, the Municipality recently completed a Windsor Intersection Infrastructure Needs Assessment which included the intersection of Payzant Drive and Wentworth Road. The intersection study (2021) recommended that plans be prepared to upgrade the Wentworth Road at Payzant Drive intersection to a roundabout. A staff</p>

	<p>report was presented to Committee of the Whole on October 12, 2021 recommending DesignPoint be awarded the contract to design the roundabout for this intersection. The Director of Public Works has confirmed that the design of the traffic circle is 95% complete. They noted that “pending approval of Council to proceed with construction we would like to be in a position to have construction started this construction season (2023) at the earliest. However, no approval other than design work has been granted at this time.”</p> <p>Windsor has a population density of 522 people per sq. km. (Statistics Canada Census for 2022). The Crossing development as currently constructed has a population density of almost double this and this area of Burgess Crescent, Underwood Drive and Fraser Drive has a population density almost three and a half times the population density of Windsor. The footing permit has been issued for a 6-storey 83-unit apartment building in the Crossing (Building A) which will also increase the population density in this area and a development agreement for 176 apartment buildings (Buildings B and C) on Community Way was approved by Council on September 27, 2022. The development proposed as part of this rezoning application would be consistent with the current and future development plans and population for the area.</p>
<p>(d) existing and proposed streets are adequate to support the development and existing streets will not require major infrastructure improvements as a result of the development; a traffic impact</p>	<p>In response to an inquiry the Manager of Public Works Operations stated that existing and proposed streets are adequate to support the development and existing streets will not require any improvements in relation</p>

study may be required in accordance with Section 14.6 of this Strategy;	to this development. A Traffic Impact Study was provided to the Municipality from the developer as part of the rezoning application. The Manager of Public Works Operations has stated this traffic study is satisfactory to the Municipality.
(e) adequate open space or recreational space is provided;	A 56-acre portion of PID 45190386 and a 1.5-acre portion of PID 45366457 are included in this application. If the rezoning application is approved, during the subdivision process the Development Officer will calculate the required 5% of parkland required for the proposed 138 lots. The Development Officer commented that “the area shown on the concept plan as proposed parkland appears to be low lying with a stream or brook running through it. As well, it appears to have a drainage ditch and culvert within the proposed parkland. This area will need to be inspected in order to determine if it meets the definition of useable land and is acceptable for parkland purposes.” It is expected that adequate open space or recreational space will be able to be provided on-site.
(f) adequate on-site parking is provided;	The West Hants Land Use By-law requires one (1) parking space per dwelling unit for any dwelling containing fewer than three (3) dwelling units. Adequate on-site parking would be able to be accommodated on these properties.
(g) any other matter which may be addressed in a Land Use By-law; and; and	All other matters are addressed elsewhere in this report.
(h) Policy 16.3.1.	Please see Attachment B for further details.

Policy 16.1.3 It shall be the intention of Council to consider a Land Use By-law amendment to zone any area immediately adjacent to a given land use designation on the

Generalized Future Land Use Map (Map 1) to a zone permitted in the adjacent designation without requiring a Strategy amendment, provided that all policies of the Strategy are satisfied.

Attachment C
General Criteria for Amendments

Policy 16.3.1 In considering development agreements and amendments to the West Hants Land Use By-law, in addition to the criteria set out in various policies of this Strategy, Council shall consider:

CRITERIA	COMMENT
(a) whether the proposal is considered premature or inappropriate in terms of:	
(i) the adequacy of sewer and water services;	As noted in 5.3.7 (b), the Municipal Project Engineer has stated that the lots are “not currently served with municipal sewer and water, however, would be capable of being served. Municipal water and sewer mains currently exist at locations adjacent to these properties.” They added that the proposed uses are not considered premature or inappropriate in terms of the adequacy of sewer and water services in the area.
(ii) the adequacy of school facilities;	No impact on school facilities is anticipated.
(iii) the adequacy of fire protection and other emergency services;	The Manager of Building and Fire Inspection Services and the local Fire Chief did not identify any issues with the adequacy of fire protection and other emergency services. The Fire Chief added that “as long as they are meeting the requirements of location of hydrants and access for large apparatus such as aerial, I don’t have any immediate concerns.”
(iv) the adequacy of road networks adjacent to, or leading to the development; and	The developer plans to connect Cole Drive to Edward Drive through a new street during the development of these properties. The Development Officer commented that the “proposed street layout appears to meet the requirements of the Subdivision By-law for future streets conceptual plan.” As noted in 5.7.6 (d), the Manager of Operations has confirmed the road networks leading to the proposed development are adequate and

	that no improvements will be needed on existing roadways.
(v) the financial capacity of the Municipality to absorb any costs relating to the development.	There are no anticipated costs to the Municipality regarding this development.
(i) whether the development is serviced, or capable of being serviced, by a potable water supply and either central sewer or an approved on-site sewage disposal system;	As noted in 16.3.1 (a) (i), the property is capable of being serviced by municipal water and sewer.
(c) the suitability with any aspect relative to the movement of auto, rail and pedestrian traffic;	<p>The Manager of Operations has stated they have no concerns with regard to the adequacy of road networks adjacent to, or leading to the development, or the impact of the development on traffic generation or traffic safety.</p> <p>The new Regional Municipal Specifications Manual that was approved by Council on September 27, 2022 requires a sidewalk on one side of any new public street within Growth Centres. This will mean that all new public streets within this development will be required to include a sidewalk on one side of the street as PID 45190386 is within the Growth Centre of Three Mile Plains.</p> <p>There is no active rail transportation in the vicinity.</p>
(d) the adequacy of the dimensions and shape of the lot for the intended use;	<p>As noted in 5.3.7 (e), a 56-acre portion of PID 45190386 and a 1.5-acre portion of PID 45366457 are included in this application.</p> <p>The lots are adequate in shape and dimension for the intended uses.</p>
(e) the pattern of development which the proposal might create;	<p>The Crossing development agreement (2019) permits a variety of housing types including manufactured homes, mini homes, modular homes, single unit, two-unit, triplex, townhouse and multiple unit dwellings.</p> <p>There are a variety of housing types already</p>

	<p>built in the Crossing and Payzant Drive area including mini homes, modular homes, single unit, two unit, and multiple unit dwellings and footing permits have been issued for a 6-storey apartment building in this area. This proposal is not anticipated to create a different pattern of development than is already permitted through The Crossing development agreement and being constructed in the area.</p>
<p>(f) the suitability of the area in terms of steepness of grade, soil and geological conditions, location of water courses or wetlands, and susceptibility of flooding;</p>	<p>The portion of the lots outlined in this application are sloped downward towards the area identified on the site plan as parkland and stormwater management ponds. There is a watercourse located on the lot and drainage ditches in this lower lying area. If the rezoning is approved a stormwater management plan will be required from the developer during the subdivision process to show that pre- and post-construction flows are balanced and that there will be no negative impact on downstream properties.</p> <p>The maps in the Municipal Climate Change Action Plan (MCCAP) for Windsor (2014) and West Hants (2013) do not show the subject lots to be susceptible to flooding in the future, however access to these lots may be. Property owners are responsible for ensuring that their lot is suitable for the proposed uses.</p>
<p>(g) whether the proposal meets the requirements of the appropriate provincial or federal agencies as well as whether it conforms to all other relevant municipal by-laws and regulations; and</p>	<p>All Municipal, Provincial and Federal regulations will have to be met.</p> <p>A few additional comments were received in relation to this development and future requirements that will need to be met. The Municipal Project Engineer stated that a “complete stormwater management study</p>

from a qualified engineer will be required to ensure pre/post development flows are met.”

The Manager of Public Works Operations added that “a sewer pumping station will be required for part of the development and rerouting of an existing sewer would be required. The developer is aware of both of these.” The developer’s engineering firm has responded that “We understand there is some concern regarding the existing sewage pumping station on Irven Drive. Our plan is to redirect the flow from Community Way that currently flows east on Irven to the pump station such that it flows west on Irven to the trunk sewer on HWY #1. This can be done by re-configuring the existing manhole at the intersection of Irven and Community Way. This manhole is at a high point on Irven and the flow at this manhole can be directed east or west, currently it is directed to the east. By redirecting the flow from (sic) Community Way we will significantly reduce the load on the existing pumping station thus freeing up capacity for the Kent lands. Our overall servicing plan will detail this approach with specific flows.” The specific servicing plans will be reviewed by the Municipal Public Works Department during the subdivision process.

The Manager of Building and Fire Inspection Services noted that “I can work with the 4’ side yard setbacks, but it has been causing issues with the builder. Once they get closer than 2m (6’ 6 3/4”) we are required to cut the permitted openings in half of what is permitted. This reduces the windows considerably. There are several on Elizabeth

	<p>that have had this done. Like I said, no difference to me, but the owner should be aware of this (I know his builder is) and if the side yard setback was 2m, would fix a lot of issues at permit approval time.” The developer has been made aware of this and will consider the size of lots and proposed side yard setbacks when developing a detailed subdivision plan.</p>
<p>(h) any other matter required by relevant policies of this Strategy.</p>	<p>There are no other relevant policies of this Strategy.</p>

Attachment D
Public Information Meeting Notes
September 8 - 23, 2022
File 22-17

Portion of PID 45190386, Wentworth Road, and PID 45366457, Cole Drive; Windsor

Meeting date and time	A Public Information Meeting was held on September 8, 2022 beginning at 6 p.m. The meeting was live broadcast on the Municipal Facebook page.
Attending	<p>In attendance:</p> <p>One (1) Councillor:</p> <ul style="list-style-type: none"> • Councillor Ivey (Chair) <p>Four (4) members of staff:</p> <ul style="list-style-type: none"> • Planner Poirier • Planner Dunphy • Director LeMay • Meeting Secretary Lake <p>Applicant:</p> <ul style="list-style-type: none"> • Mitch Brison, Applicant • Darren Shupe, Brighter Community Planning (Applicants Planner) <p>The following members of the public requested invited to attend the PIM via Zoom:</p> <ul style="list-style-type: none"> • Bruce Roald • Harvey Conrad • Paul Todd • Dorothy Blakely • Adam Donaldson • Alex and Kim Janssen • Elizabeth McCarthy • Glenn Robinson • Mike and Sheila Porter • Mike and Jayne Welling • Paul Brown • Dean Dyck • Lindsay and Bradley Gregg • Dave Hackett • Claude O’Hara • Dan Shiers • Conor Rooney

<p>Applicant Mitch Brison, Brison Developments</p> <p>Property Portion of PID 45190386, Wentworth Road, and PID 45366457, Cole Drive, Windsor</p>	<p>Planner Poirier outlined the amendment application to rezone an approximately 56-acre (226,624 sq. m.) portion of a PID 45190386 on Wentworth Road and an approximately 1.5-acre (6,070.28 sq. m.) portion of 45366457 on Cole Drive to allow residential uses.</p> <p>A formal presentation was made by Darren Shupe of Brighter Community Planning on behalf of the applicant. Mr. Brison responded to questions from the public.</p>
<p>Comments</p>	<p>Comments from the public could be submitted to Planner Poirier by mail, e-mail and telephone between September 8 – 23, 2022.</p> <p>7 members of the public spoke at the Public Information Meeting, 2 phone calls were received and 7 written comments were received via email. The questions and comments from the public are summarized below. The email responses are attached.</p> <p>The following comments and questions were made at the Public Information Meeting. Staff and applicant responses are included in purple text.</p> <ul style="list-style-type: none"> • Active transportation infrastructure is needed as there are currently no sidewalks in the existing development which is a safety concern for dog walkers, children and seniors, especially during construction. There should be an active transportation plan for the development prior to the public information meeting. Mr. Brison responded that he has been in discussions with the Community Development Department regarding active transportation connections in the area. Sara noted that an active transportation plan is not a requirement as part of the rezoning process and that sidewalks would be considered during the subdivision process. • How will this development be connected to other areas? The current road infrastructure is inferior and dangerous. Mr. Brison responded that safety is always a concern and the proposal includes a road connection from Edward Dr. to Cole Dr. to help with a secondary entrance/exit to the Crossing.

	<ul style="list-style-type: none"> • A secondary access is a great plan, but it might make Underwood Dr. busier • The current housing crisis is also an affordable housing crisis. The developer should consider the pricing of the units to be more affordable to local residents. • An expansion of mini homes is not desired in this area. Mr. Brison responded that the proposal is currently for single and two-unit dwellings, not for mini homes. • Has there been any review of ambulance service in relation to the increase of senior population proposed? Currently our ambulances are sent to Truro. Sara noted that healthcare is a Province wide issue and may not be specific to this individual application. She added that she would reach out to our Community Health Board representative to see if they could comment. • Why is the emergency access road to King Street from the Crossing not maintained? Mr. Brison responded that it is an emergency access as required by the Crossing development agreement. It is not for public use, and he does not fix the road up because he does not want to encourage its use. • Is the Crossing designated a 55+ community? Mr. Brison responded that the Crossing is designed for empty nesters without kids. • We've had concerns since last fall regarding an alternative access. There's no sidewalks which is a concern due to the narrow streets. It is of vital importance to have sidewalks and streetlights for Edward Dr. • An Underwood Road resident asked the procedure for dirt removal from the bank behind their house. Mr. Brison commented that it should not be substantial and that they are not cutting into that bank. • How long between the start of construction to completion? Mr. Brison responded that the heavy dirt moving should be completed this year, and the building should be completed within 3-5 years, but it will be market driven. • What are the hours of operations for construction? Sara commented that there are no Municipal by-laws
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	<p>that would restrict hours of construction and the hours of construction cannot be restricted through the rezoning process.</p> <p>Two phone calls were received during the PIM comment period:</p> <ul style="list-style-type: none"> • Lyndell Myers was concerned that the developer has machines on the subject lots already even though the rezoning has not been approved yet. Sara commented that the Municipality advises applicants that the application follows a public process and that it is not guaranteed for approval, the final decision is made by Council. Developers are allowed to prepare their land for development however the developer assumes the risk/cost of the application not being approved. Lyndell expressed that she is not opposed to development, as they knew there would be development when they purchased the lot, however that it would be nice if there was communication regarding when trucks weren't working, and dust wouldn't be blowing so they could hang out laundry or open their windows. • Alexander Janssen requested information on whether Mr. Brison had excavation permits for the work he's doing on these properties. Sara noted that there is no such thing as an excavation permit and that property owners are permitted to excavate their land to prepare for development. Alexander stated that he is concerned about safety on his street and wanted to know who he could call to make it safer. He said he already spoke to Troy Burgess who said it wasn't his jurisdiction. Sara noted that the RCMP should be called regarding speeding, the Provincial Department of Public Works could be contacted regarding the request for sidewalks and stop signs on Provincial roads (Underwood Road), and that Alex could write a letter or present to Council if he is not satisfied with the process or the responses he is getting from Municipal staff.
Adjournment	The meeting was adjourned at 6:55 p.m.

Public Email Responses Submitted for the Application PIM

September 1, 2022

From: Adam Donaldson

To: Sara Poirier

Good afternoon,

I am writing to express my general support for the proposed rezoning, subject to concerns regarding the eventual development and potential impacts this may have on traffic on Underwood Rd.

With the increased development in Garlands crossing, continued use of a single access route to the Underwood/Bailey Dr/Garlands crossing community is already a challenging situation given the large population of families and significant wear and tear construction traffic has on these roads.

I would ask that as part of the development, road access linking the garlands crossing/underwood drive communities to Cole Drive would be a requirement for approval of development to create 2 fully serviced exit routes from the community. The continued blockade of Edward Drive to Underwood Dr is already an access issue for the community, and I'd like to ensure that additional development in the area is accompanied by appropriate improved access and exit routes for these communities through Cole Dr.

Thank you,

Adam Donaldson

September 8, 2022

From: Bill Preston

To: Sara Poirier

Hi Sara. I meant to ask you regarding Cole Drive if an agronomist report had been completed by Dept. of Agriculture on that property.

Meeting tonight was busy but well presented thank you.

Bill

September 9, 2022

From: Sara Poirier

To: Bill Preston

Good morning, Bill,

An agrologist report is not required for the Wentworth Road property as it is within the growth centre of Three Mile Plains and is designated Residential. The West Hants MPS policies require an agrologist report when a property owner requests rezoning or a development agreement for a property designated Agriculture and zoned Agricultural Priority Two (AR-2) or Agricultural Priority Three (AR-3).

All the best,
Sara

September 8, 2022

From: Sara Poirier

To: Alexander Janssen

Hello Alexander,

I just saw your message in the Zoom chat and wanted to reply this evening. Any comments/questions from tonight's PIM have been noted and I will look into the specifics for my staff report which is anticipated to go to PAC/HAC on October 13. I specifically noted safety, active transportation infrastructure, construction traffic and health board info re: senior residents from your comments. You can also send me individual comments/questions to look into further by September 23.

All the best,

Sara

September 9, 2022

From: Alexander Janssen

To: Sara Poirier

Hi Sara,

Thanks for the follow up.

From the way that meeting went it seems like Mr brissol doesn't care one bit about the concerns of residents and there is nothing the municipality can do, as per your own statements. I sure hope a child isn't killed by one of his trucks speeding down the road.

Where can we send pictures/videos of his trucks running after the hours he stated, or is it best to go straight to the media on this?

Thank you for your time.

Alex

September 12, 2022

From: Sara Poirier

To: Alexander Janssen

Good morning Alex,

Thank you for your email.

WHRM does not currently have any regulations that would restrict the hours of construction. I spoke to our local Traffic Authority, Troy Burgess, regarding the construction traffic concerns. Vehicles are able to travel on the roads to get to construction sites. The vehicles need to be registered through the Department of Motor Vehicles to travel the public roads. If there are concerns regarding the speed of the vehicles the local RCMP office should be contacted. If there are concerns regarding the compliance of the vehicles the Provincial vehicle compliance office should be contacted.

All the best,

Sara

September 12, 2022

From: Alexander Janssen

To: Sara Poirier

Thanks Sara, that clears up what our options are. I will not bother you with future concerns.

Alex

September 12, 2022

From: Alexander Janssen

To: Sara Poirier

Mr Burgess also let me know that the municipality has no jurisdiction over Underwood road as it is provincially mandated, so again there is no ability for the municipality to enforce anything. Very dissatisfied by the response.

September 9, 2022

From: Sara Poirier

To: All members of the public that requested a Zoom invite to the PIM

Hello all,

Thank you for attending the Public Information Meeting (PIM) regarding the amendment application for the portions of PID 45190386 and 45366457 on Wentworth Road and Cole Drive in Windsor.

I have attached a copy of my presentation and Darren Shupe's presentation. The meeting can be viewed on our Municipal Facebook page
<https://www.facebook.com/RMWindsorWestHants/>

Comments or questions on the application will be accepted until noon on September 23 via phone, email or mail through the following methods:

Phone	902-798-8391 ext. 117
Email	spoirier@westhants.ca
Mail	76 Morison Drive, PO Box 3000 Windsor NS B0N 2T0
Drop box	Regional office at 76 Morison Drive

All relevant comments will be passed along to the developer and the Planning and Heritage Advisory Committee (PAC/HAC) when they are considering these amendments.

All the best,

Sara

September 9, 2022

From: Adam Donaldson

To: Sara Poirier

Thank you Sara,

I had a chance to catch the recording and review the documents... A few additional concerns that I would ask be passed along to the planning committee (some are more technical and would require additional consideration)...

1) There is considerable concern around traffic on Underwood... while opening up access to Cole Drive will likely significantly reduce traffic on Underwood from the crossings development, it may add some traffic from Three Mile Plains who are cutting through. I'd love to see a transportation management strategy to address this (traffic calming on roads, clear information on where stop signs will be introduced (e.g. 4-way stop on the corner of Bailey and Underwood or Underwood/Jared?)... and would encourage consideration of whether there are sections of the new development which would benefit from a dedicated bike lane or sidewalk (perhaps on the direct travel-through routes where traffic may be more likely to go). Sidewalks obviously create difficulties from a maintenance perspective, but with the increased population density and this being an active community, it may be worth considering putting some in.

2) I am a bit concerned about water management... at the moment, the stormwater runoff system on the south side of Underwood drains into a ditch behind our house that drains over into the watershed by the existing Garlands Crossing community... it does not accommodate run-off from the field where this development is planned... we've had several large storms in the last few years that has had the water level in that ditch up by 6 to 7 ft from its normal level... I would be concerned if the development plan intended to further increase stormwater run-off through this area, and would expect the stormwater management plan to divert water more towards the highway... I note this because the conceptual map almost appears to have the culvert and water path coming down to Underwood where it might be tied into the existing water system for the crossings?

September 9, 2022

From: Adam Donaldson

To: Sara Poirier

sorry... one other request.

is it possible to require the traffic for the development to enter from Cole Drive, rather than through Underwood? it seems more appropriate to have that traffic come up through the

commercial/industrial district rather than on residential streets that were not designed for those loads and traffic levels for a development of this degree.

September 14, 2022

From: Sara Poirier

To: Adam Donaldson

Hello Adam,

Thank you for your email. I will ensure your comments are passed along to the Planning and Heritage Advisory Committee when they are considering this application in October.

I have provided responses to your comments/questions below:

1. A traffic impact report has been provided by the developer in relation to this development and is sufficient to the Manager of Public Works Operations. There is no opportunity to restrict traffic for the proposed development to only use Cole Drive. The developer is in regular discussions with Community Development, Planning and Development and Public Works staff regarding active transportation infrastructure in the proposed development which may include a sidewalk on at least one side of the street and other community connections. These plans would be submitted as part of the subdivision process, if the rezoning application is approved by Council. Underwood Road is a Provincial roadway therefore any requests to upgrade that particular road would need to be addressed to the Provincial Department of Public Works (<https://novascotia.ca/tran/contact/contact.asp>).
2. As per the Municipal Specifications Manual, through the subdivision process a stormwater management plan will be required by the developer to show that pre- and post-construction flows are balanced and that there will be no negative impact on downstream properties.

Please let me know if you have any other questions or comments.

All the best,

Sara

September 14, 2022

From: Adam Donaldson

To: Sara Poirier

Thank you.

One clarification point... I thought Underwood road was transitioned to the municipality after it was resurfaced last year? is it still a provincial road? If yes, I can certainly follow up there.

September 14, 2022

From: Sara Poirier

To: Adam Donaldson

Hi Adam,

I confirmed with our Manager of Public Works Operations that Underwood Road is a Provincial road however the Municipality does plow it as part of Public Works winter maintenance trade off with the Province.

All the best,

Sara

September 12, 2022

From: Dean Dyck

To: Sara Poirier

Hi Sara:

Thank you for the opportunity to attend the meeting. It was quite informative although I thought some of the questions were outside the context of the meeting.

I have a few comments to pass on to the Planning and Heritage Committee:

1. I am concerned with the minimum side yard specifications of 4 feet on either side of a dwelling. This seems particularly small and poses potential fire spread hazard between buildings. However, if this matches the current specifications of the 2019 Crossing agreement, then it would make sense to keep it consistent. Also, if it falls within National Building Codes, then it also makes sense. I present it more as a concern.
2. I would like to see the inclusion of sidewalks within the new development, at the minimum on one side of the street. The concerns at the meeting about safety of residents walking on the roads within the current Crossing development are valid and having the opportunity to include sidewalks in the new development would be advantageous.
3. I suggest requiring street lighting for safety and security purposes within the new development. This is lacking in the current Crossing development. If this falls outside the scope of the PAC/HAC, please pass the comments to the appropriate department.

Thanks for letting me voice my comments. Have a great day.

Sincerely,

Dean Dyck

Garlands Crossing, NS

September 14, 2022

From: Sara Poirier

To: Dean Dyck

Hello Dean,

Thank you for your email. I will ensure your comments are passed along to the Planning and Heritage Advisory Committee when they are considering this application in October.

I have provided responses to your comments/questions below:

1. The developer is in regular discussions with Community Development, Planning and Development and Public Works staff regarding active transportation infrastructure in the proposed development which may include a sidewalk on at least one side of the street and other community connections. These plans would be submitted as part of the subdivision process, if the rezoning application is approved by Council.
2. I don't believe street lights are required as per the Municipal Specifications Manual but I will double check with the Municipal Public Works Department and mention it to the developer.

Please let me know if you have any other questions or comments.

All the best,

Sara

September 19, 2022

From: Melissa Heffernan

To: Sara Poirier

Dear Sarah Poirier,

Thank you for the letter about the virtual meeting concerning this property, and thank you for your service to our municipality.

I was a bit disappointed that the letter was dated Aug. 30th, and the meeting was only about a week later. Considering the fact that since it was mailed, we received it a few days after Aug. 30th, that does not give us much notice to be able to attend.

Therefore, I would appreciate it next time there is a meeting about a property near us, that we be notified with more notice please.

I do have a few questions, which I would appreciate hearing from you about.

1. What is the environmental impact that this development would have on the surrounding homes? (I.e. runoff, etc.)
2. Are there going to be designated green spaces as a part of this development? (I hope so, since I know that there are deer that like to frequent those fields, and nature is so important to the holistic health of people as well)
3. Why is there already construction occurring on this site, before the meeting even happened? It causes me to feel unease, that if the voices and opinions of the citizenry were really desired, wouldn't the meeting be given before any development moved forward?

Thank you very much for your time,

Melissa Heffernan

Garlands Crossing

September 21, 2022

From: Sara Poirier

To: Melissa Heffernan

Good morning, Melissa,

Thank you for your email. I will ensure your comments are passed along to the Planning and Heritage Advisory Committee when they are considering this application in October.

I have provided responses to your comments/questions below:

1. As per the Municipal Specifications Manual, through the subdivision process a stormwater management plan will be required by the developer to show that pre- and post-construction flows are balanced and that there will be no negative impact on downstream properties.
2. I have attached the developers proposed site plan. Part of the subdivision requirements is to provide 5% parkland allocation for the development. Currently the developer shows an area of parkland with stormwater management ponds in the lower lying area of the property. The adequacy of this land will be determined during the subdivision process.
3. Developers can prepare their land for construction prior to approval however the developer assumes the risk/cost of this as the application is not guaranteed to be

approved. We do advise any applicant that the application follows a public process with the final decision being made by Council.

Please let me know if you have any other questions or comments.

All the best,

Sara

September 21, 2022

From: Harvey Conrad

To: Sara Poirier

At this time I would like to thank Hants West Municipality for the opportunity to express my concerns and comments in relation to the re zoning of PI 45190386 and 45366457. After attending the Zoom meeting and listening to the comments, questions and answers during this meeting, I have several concerns about this project which need to be addressed. The first and one of the most important subjects is infer structure supporting this project, or lack of it. Mr Bryson the contractor for this project stated that it will take between 3 and 5 maybe 6 years to complete this phase of his sub division.. He also said there is about 220 building sights that will be constructed over that time with the opportunity to build two multi-unite structures, one at the south end and one at the north of this property. There were no figures or details about these two or more unites released at this time. IE height , number of apt. etc. There will be another apt complex built on the current Crossing property at the same time. This could add up to over a thousand people moving into a very small are within 5 or six years maybe less. The last population figures I found stated the population of Windsor and area was around 4000 persons. That means in a very short time the town will grow by at least 25%. Lets look at some of the problems that could effect the area due to this very large population growth. As we are all aware there is a shortage of doctors and nurses in Nova Scotia at this time. Our hospital is finding it difficult to cope with these shortages at the present population. People are being forced to use the ER's to get medical attention that should be provide by family doctors. As a result the ER'S are closing on more and more occasions. With the increase of possibly 25% more residents to the area this situation can only get worse. I know that health care is a provincial responsibility but is the municipality doing anything to work with the province to have a plan assisting our hospital or will it be just closed more often. Ambulance service is in the same boat. Instead of waiting two hours for transport to the hospital will the wait be three or four because the number of calls will get larger, especially with an aging population, Are there plans to cover this problem. This is an important issue. Its great to have housing for our citizens but can we take care of the health needs for that many people in such a short time frame. Lets now visit the subject of traffic flow and conditions. Traffic will increase on Underwood, adjacent streets, the Crossing and the Windsor area in general. This will not only include car traffic but during the 5 to 6 year building span large dump trucks, heavy machinery and industrial size delivery trucks. Ask the residence of Underwood about the growth in traffic over the last few years. This traffic

is traveling over roads built when their main use was for mom dad and the kids to harness up the old grey mare and come into Windsor on Sat to go to market or Church on Sunday. Times have changed motor vehicles travel a lot faster than equine power. The roads are narrow with no sidewalks they often turn into bottle necks and are a danger to children and adults trying to walk along these roads. As the matter of fact there is no area designed for pedestrians Speeding is also a problem with vehicles traveling at speeds above the limit for safe passage. Have any thought been put into improving traffic flow, enforcement, and safety. Emergency services will be put to the test in maintaining the current level of service. With the population growth will they have need of additional personal, and the same can be said for the fire service. Has anyone asked them. The RCMP do the best they can but as everyone knows the larger an area gets, the more criminal activity there is. This can be prevented with some future planning by law enforcement in combination with the governing body. There is one other point I would like to make, that is the amount of disruption that this will cause the current residents of the area The noise, the dust, the traffic, etc. At times the construction crews have been working from 6:45 AM to after 5:30 PM, Saturday and Sundays sometime included. Work was done on Natal Day and Labour Day two holidays. When employees from the municipality were contacted I was informed that the municipality can do nothing to help in the matter. I was surprised as that is what I thought ordinances and by laws were meant to cover in most other places. Is there nothing council can do or do they not want to assist the citizen in maintaining a somewhat normal living experience while this work is taking place. Do not get me wrong I know we need more housing, Windsor is not the quiet little rural town anymore, like the ones written about by Stephen Leacock. Time moves on and Windsor is growing up. I just feel that it is better to make sure development is done right, its hard to repair the damage after we discover we made a mistake. Urban sprawl is not what we are looking for or poorly conceived plans that do not take the whole picture into consideration .I fail to see where this development will provide help with the ongoing need for affordable housing. Respectfully submitted, Harvey Conrad,

September 22, 2022

From: Sara Poirier

To: Harvey Conrad

Good morning, Harvey,

Thank you for your email. I will ensure your comments are passed along to the Planning and Heritage Advisory Committee when they are considering this application in October.

All the best,

Sara

September 23, 2022

From: Paul Brown

To: Sara Poirier

Hi, I wanted to send this email to once again to give my thoughts on the extension of the crossing.

I am more concerned about the safety than I am about a sub division behind my home.

There are current safety issues that aren't addressed yet with the current development, those concerns must be dealt with before adding to the existing safety problems. Yes, adding new streets to connect the crossing to the new roads may be part of the solution but we must think about the amount of traffic that will come through underwood road to get to Windsor. People from three mile plains and Ellershouse will not drive their same path as now, they will all be coming through underwood road to get to superstore/liquor store and many other businesses. Underwood road can hardly handle the traffic it currently gets let alone the amount of traffic it will get once the roads open up here.

Underwood road is not a thoroughfare, it's not even up to par for the traffic we get now. Weather it's sidewalks, lights, etc.... Something has to change, and it SHOULD NOT be the taxpayers to cover these costs, it should fall on the developers who want to make these changes.

On another note, I'm concerned as well as others in the area, about the possibility of more mini homes on this land. I took part in the online meeting and know the developer said that wasn't currently the plan but didn't exclude the possibility either.

I think the municipality really needs to do some research and thinking before allowing this to happen as it's done in the past.

Thank you,

Paul Brown

September 26, 2022

From: Sara Poirier

To: Paul Brown

Good morning, Paul,

Thank you for your email. I will ensure your comments are passed along to the Planning and Heritage Advisory Committee when they are considering this application in October.

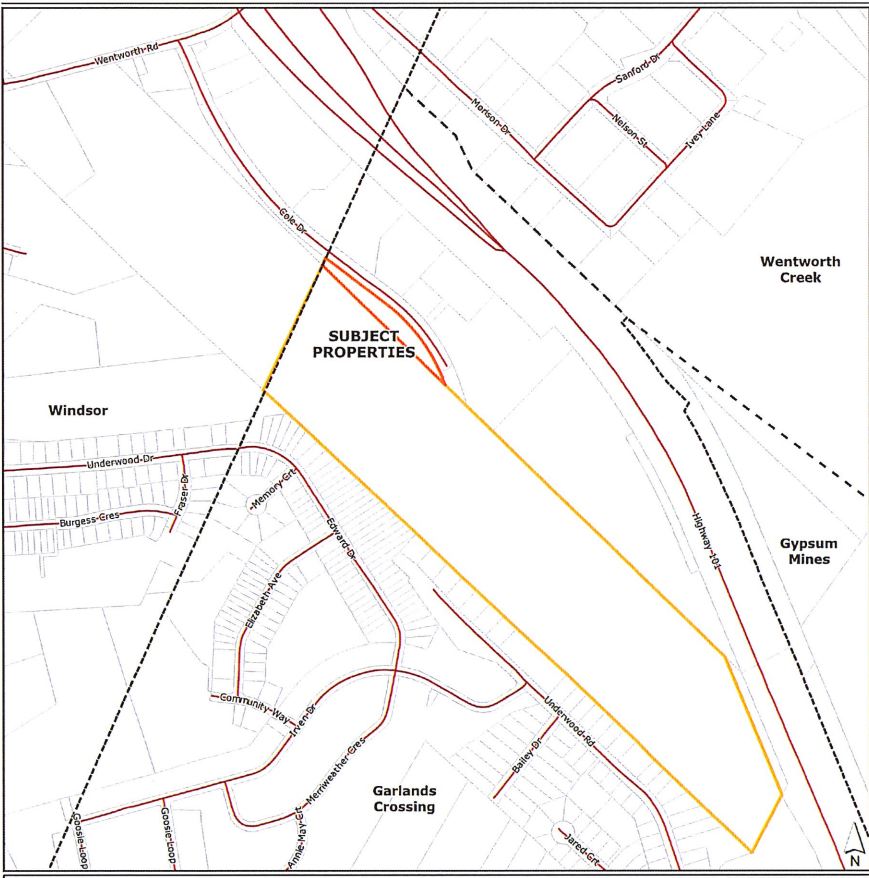
All the best,



**Wentworth Road and Cole Drive, Windsor
Portions of PID 45190386 and 45366457
Land Use By-law Amendments**

Public Hearing
November 22, 2022

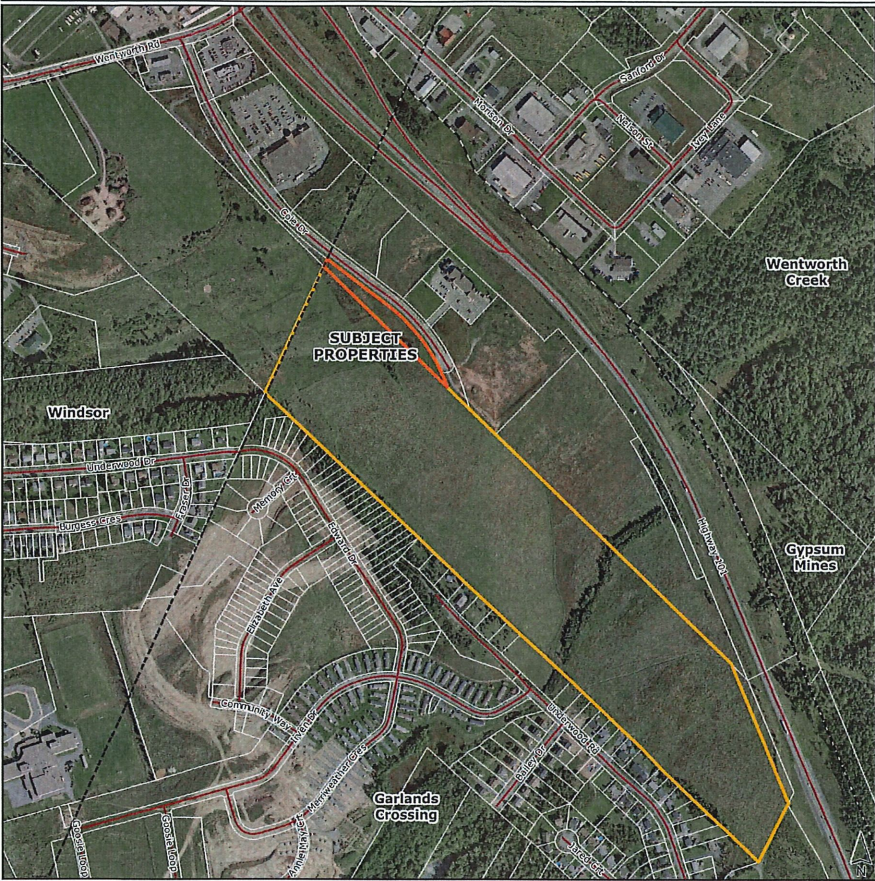




Site

Parcel 1 - Portion of PID 45190386 = approximately 56 acres

Parcel 2 - Portion of 45366457 = approximately 1.5 acres



Orthophoto

something inspiring awaits



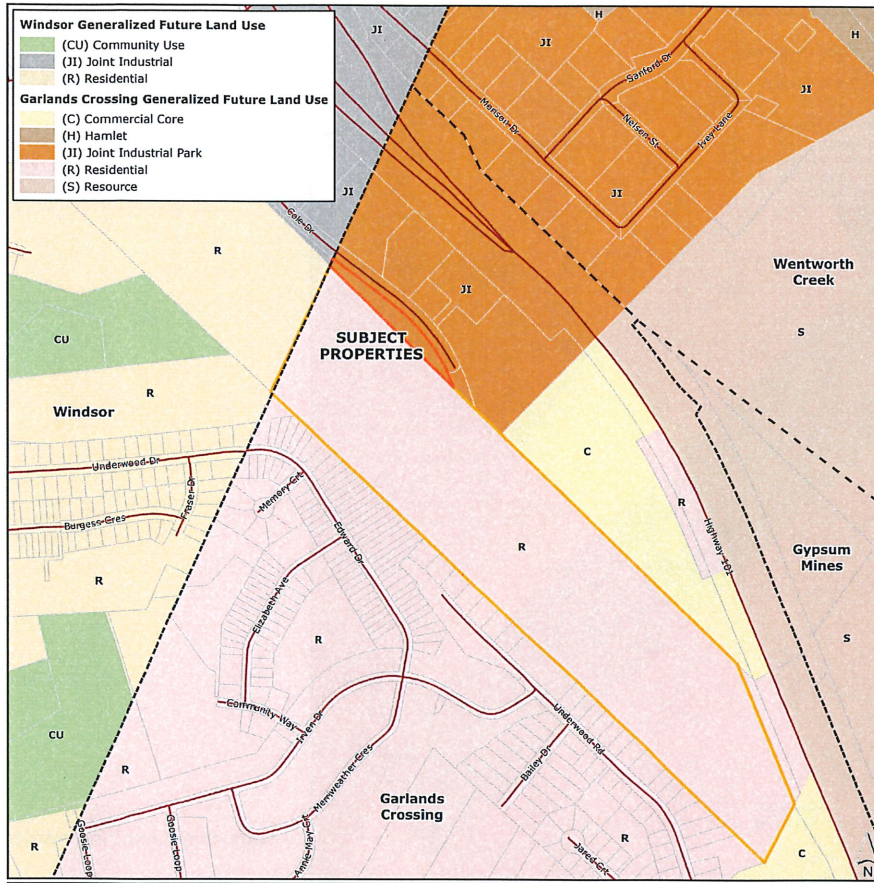


Application

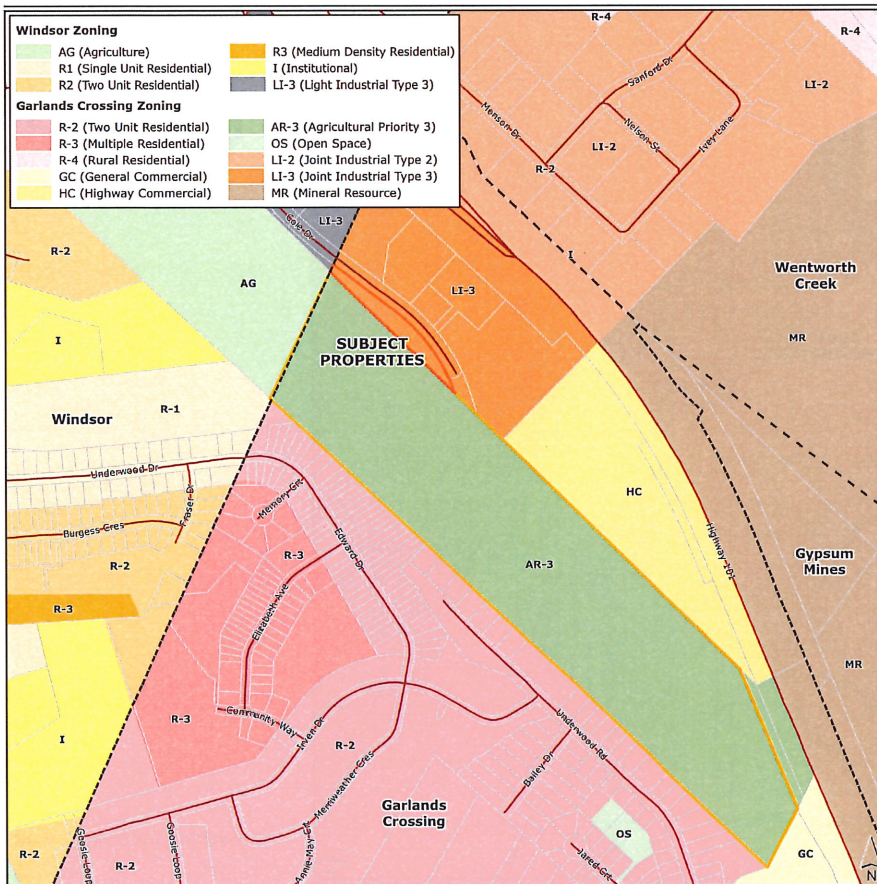
- A completed application was received on August 10, 2022 from Chrystal Fuller of Brighter Community Planning & Consulting on behalf of Mitch Brison of Brison Developments with authorization from Nick Valcour on behalf of the property owner J. D. Irving Limited
- Request:
 - map amendments (rezoning) to consider residential development on the subject lots, and
 - text amendments to consider reduced minimum lot specification requirements in the Single Unit Residential (R-1) and Two Unit Residential (R-2) zones in West Hants for the subject lots



Designation

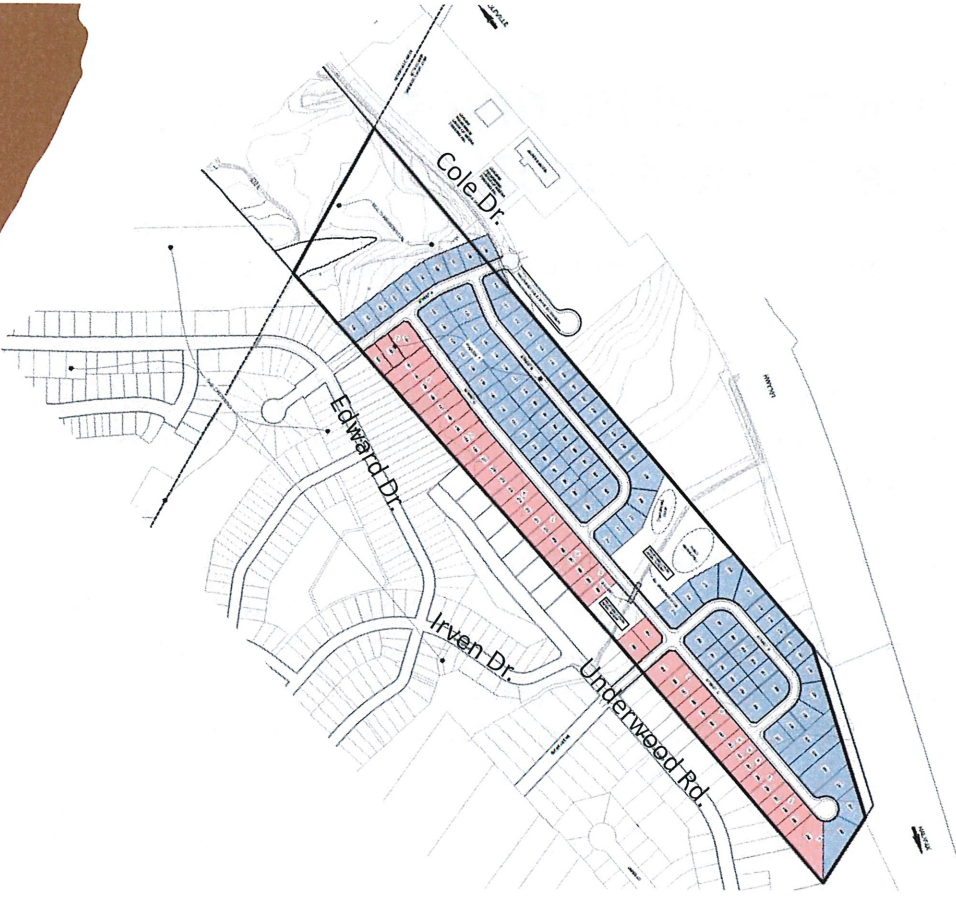


Current Zoning



Proposal

- Single Unit Residential
- Two Unit Residential



something inspiring awaits





West Hants Municipal Planning Strategy

Parcel 1 - PID 45190386

- Section 5.9 of the WHMPS contains the policies for agriculturally zoned lots within the Growth Centres
 - **Policy 5.9.2** It shall be the policy of Council that the provisions of Policy 8.10.3 shall apply to any application for non-agricultural development on land zoned agriculture within the Growth Centres
 - **Policy 8.10.3** Land zoned AR-3 in the Growth Centre, Village and Hamlet designations may be considered for non-agricultural development subject to the relevant Growth Centre, Village or Hamlet policies, provided that no development agreement or rezoning shall be approved where the development will adversely affect adjacent existing agricultural operations





West Hants Municipal Planning Strategy Parcel 1 - PID 45190386 Cont.

- Section 5.3 of the WHMPS contains the overall intention for properties designated Residential within the Growth Centres
 - **Policy 5.3.7** It shall be the policy of Council to consider rezoning land within the Three Mile Plains Growth Centre to R-3





West Hants Municipal Planning Strategy

Parcel 2 - PID 45366457

- **Policy 16.1.3** enables Council to consider a Land Use By-law amendment to zone any area immediately adjacent to a given land use designation on the Generalized Future Land Use Map (Map 1) to a zone permitted in the adjacent designation without requiring a Strategy amendment, provided that all policies of the Strategy are satisfied
- **Policy 16.3.1** states the general criteria to be considered



Multiple Residential (R-3) Zone

10.0 MULTIPLE RESIDENTIAL (R-3)

Permitted Uses

10.1 The following uses shall be permitted in the Multiple Residential (R-3) zone:

- Dwellings with more than two units;
- Boarding or rooming houses;
- Residential care facilities providing care for five or fewer persons;
- Uses permitted in the R-1 zone subject to the R-1 zone requirements;
- Uses permitted in the R-2 zone subject to the R-2 zone requirements;





Additional Amendments

- The applicant is proposing to develop single- and two-unit dwellings on the majority of subject lots which would be permitted as-of-right as per the requested zoning to Multiple Residential (R-3)
- The applicant is also proposing that this residential development be connected to the Crossing via a new public street
- Therefore, the applicant is requesting Council to consider amending the West Hants Land Use By-law to permit the same minimum lot specifications for single- and two-unit dwellings as is permitted in the mixed residential area of the Crossing development agreement (2019)



Single Unit Residential (R-1) Zone

Current West Hants Land Use By-law			Proposed Exception for PID 45190386 and 45366457
	with municipal services	with on-site services	
Minimum lot area	6,000 ft ² (557.40 m ²) 7,000 ft ² (650.30 m ²) for corner lots	29,000 ft ² (2,694.10 m ²)	4,000 ft ² (371.60 m ²) 5,000 ft ² (464.5 m ²) for corner lots
Minimum lot frontage	60 ft (18.29 m)	100 ft (30.48 m)	40 ft (12.19 m)
Minimum front yard	25 ft (7.62 m)		15 ft (4.57 m)
Minimum flankage yard	-		15 ft (4.57 m)
Minimum rear yard	25 ft (7.62 m)		25 ft (7.62 m)
Minimum side yard	one side	6 ft (1.83 m)	4 ft (1.22 m)
	other side	10 ft (3.05 m)	4 ft (1.22 m)
Maximum height of main building	35 ft (10.67 m)		35 ft (10.67 m)
Maximum height of accessory building	-		15 ft (4.57 m)

Two Unit Residential (R-2) Zone

Current West Hants Land Use By-law			Proposed Exception for PID 45190386 and 45366457
	Two-unit dwellings		
	with municipal services	with on-site services	
Minimum lot area	3,500 ft ² (325.15 m ²)/unit	29,000 ft ² (2,694.10 m ²) / unit	2,000 ft ² (185.80 m ²) / unit 3,000 ft ² (278.7 m ²) / unit for corner lots
Minimum lot frontage	30 ft (9.14 m)/unit	100 ft (30.48 m)/unit	20 ft (6.1 m) / unit
Minimum front yard	15 ft (4.57 m)		15 ft (4.57 m)
Minimum flankage yard	-		15 ft (4.57 m)
Minimum rear yard	25 ft (7.62 m)		25 ft (7.62 m)
Minimum side yard	one side	6 ft (1.83 m)	4 ft (1.22 m)
	other side	6 ft (1.83 m)	4 ft (1.22 m)
Maximum height of main building	35 ft (10.67 m)		35 ft (10.67 m)
Maximum height of accessory building	-		15 ft (4.57 m)



Additional Amendments Cont.

- If approved this amendment would only apply to the specific PIDs listed, not every property zoned Single Unit Residential (R-1) or Two Unit Residential (R-2) in West Hants
- These are minimum lot specification requirements
- The National Building Code takes precedence over the Land Use By-law, therefore if this amendment is approved and added to the West Hants Land Use By-law the developer will still have to follow the National Building Code requirements for those reduced lot specifications





Additional Amendments

- There is no specific policy to amend the minimum lot specification requirements in the Single Unit Residential (R-1) and Two Unit Residential (R-2) zones in West Hants; however, Council may consider amending its documents as it deems necessary
- **Policy 16.3.1** states general criteria for any West Hants Land Use By-law amendment



Public Information Meeting Notes

- A Public Information Meeting was held on September 8. The meeting was broadcast live on the Municipal Facebook page.
- 17 members of the public requested invites to the PIM
- The deadline for comments was September 23
- 2 phone calls and 7 written comments received via email

something inspiring awaits





Public Information Meeting Notes Cont.

- Transportation infrastructure (additional connections)
- Safety and Active Transportation infrastructure
- Housing (type and price)
- Healthcare (doctors, EHS, hospital)
- Timeline (how long for full build-out)
- Construction activities (dust, traffic, noise)
- Stormwater management
- Side yard specifications reduction
- Greenspace (5% provided at time of subdivision)



Specific Criteria for Amendments

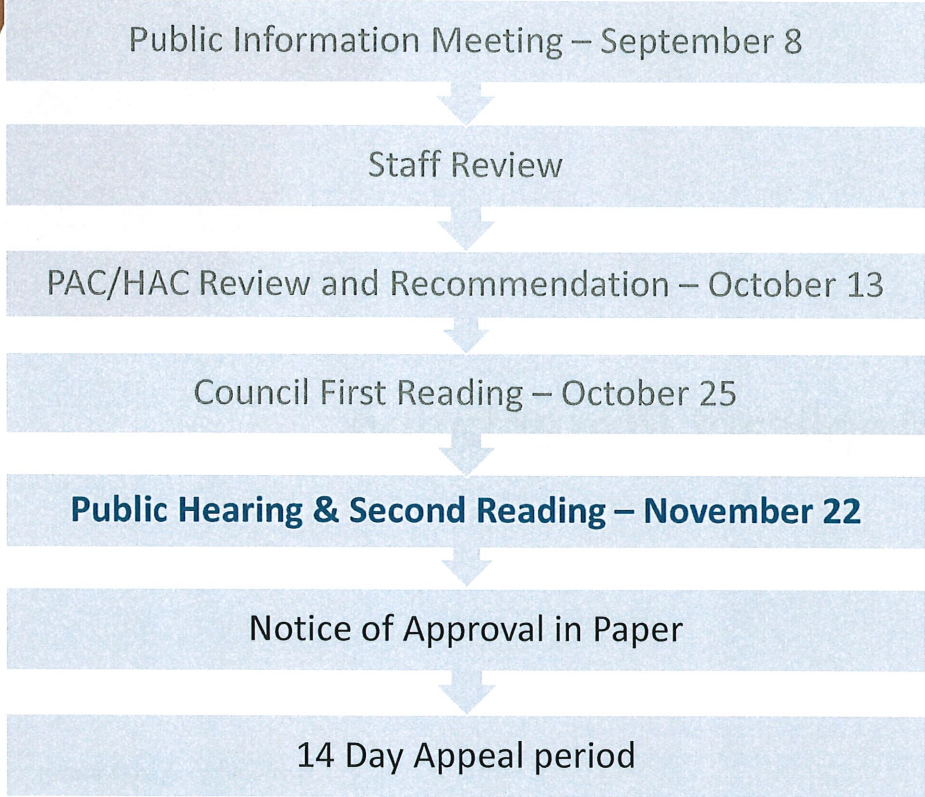
- Policy 5.3.7 establishes specific criteria to be considered by Council
- In summary, the criteria are met since the development:
 - ✓ will have frontage on a collector street as identified on the Future Streets Map of the West Hants Subdivision By-law;
 - ✓ will be serviced with Municipal water and sewer;
 - ✓ is compatible with the character of the area; and
 - ✓ will provide adequate on-site parkland and parking.





General Criteria for Amendments

- Policy 16.3.1 states the general criteria to be considered by Council
- In summary, the criteria are met since:
 - ✓ the proposal is not 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, Municipal Project Engineer, and Manager of Public Works Operations have no concerns.



Process

All statutory requirements have been met

Applicant Presentation



Public Hearing Comments / Questions

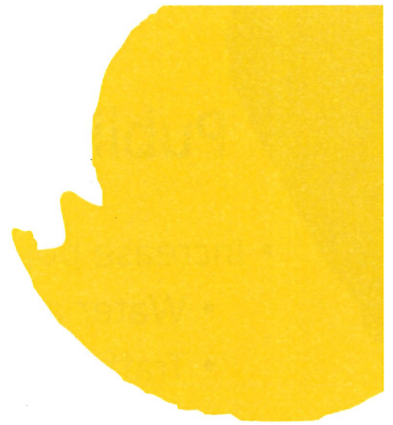
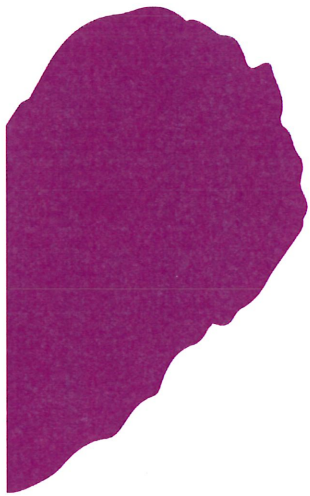


Public Hearing Comments / Questions

- The Public Hearing was advertised:
 - in the paper on both November 1 and November 8;
 - letters to property owners within 300 ft of the subject lot; and
 - a sign placed on site.
- 2 emails and 1 phone call were received from residents; Clerk Snair will read the emails to Council
 - Dorothy Blakely
 - Mike Hackett
 - Beth McCarthy

Public Hearing Comments / Questions Cont.

- Increase population with respect to:
 - Water and sewer service
 - Traffic
 - Lighting



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Recommendation

...that Council gives Second Reading to and approves amending the zoning map of the West Hants Land Use By-law to rezone a portion of the lot located at PID 45190386, Wentworth Road, Garlands Crossing from the Agricultural Priority Three (AR-3) Zone to the Multiple Residential (R-3) Zone and rezone a portion of the lot located at PID 45366457, Cole Drive, Garlands Crossing from the Joint Industrial Type Three (LI-3) zone to the Multiple Residential (R-3) zone, as shown on Figure 3, and amends the text of the West Hants Land Use By-law to reduce the minimum lot specification requirements for PID 45190386 and 45366457 owned by J. D. Irving Limited on Wentworth Road and Cole Drive, in a manner substantively the same as the draft set out in Attachment A of the report File #22-17 to the Planning and Heritage Advisory Committee dated October 13, 2022.

