

The logo consists of the letters 'WWH' in a bold, sans-serif font. The first 'W' is dark blue, the second 'W' is a lighter blue, and the 'H' is dark blue. The background features abstract geometric shapes in shades of blue and green on the left and right sides.

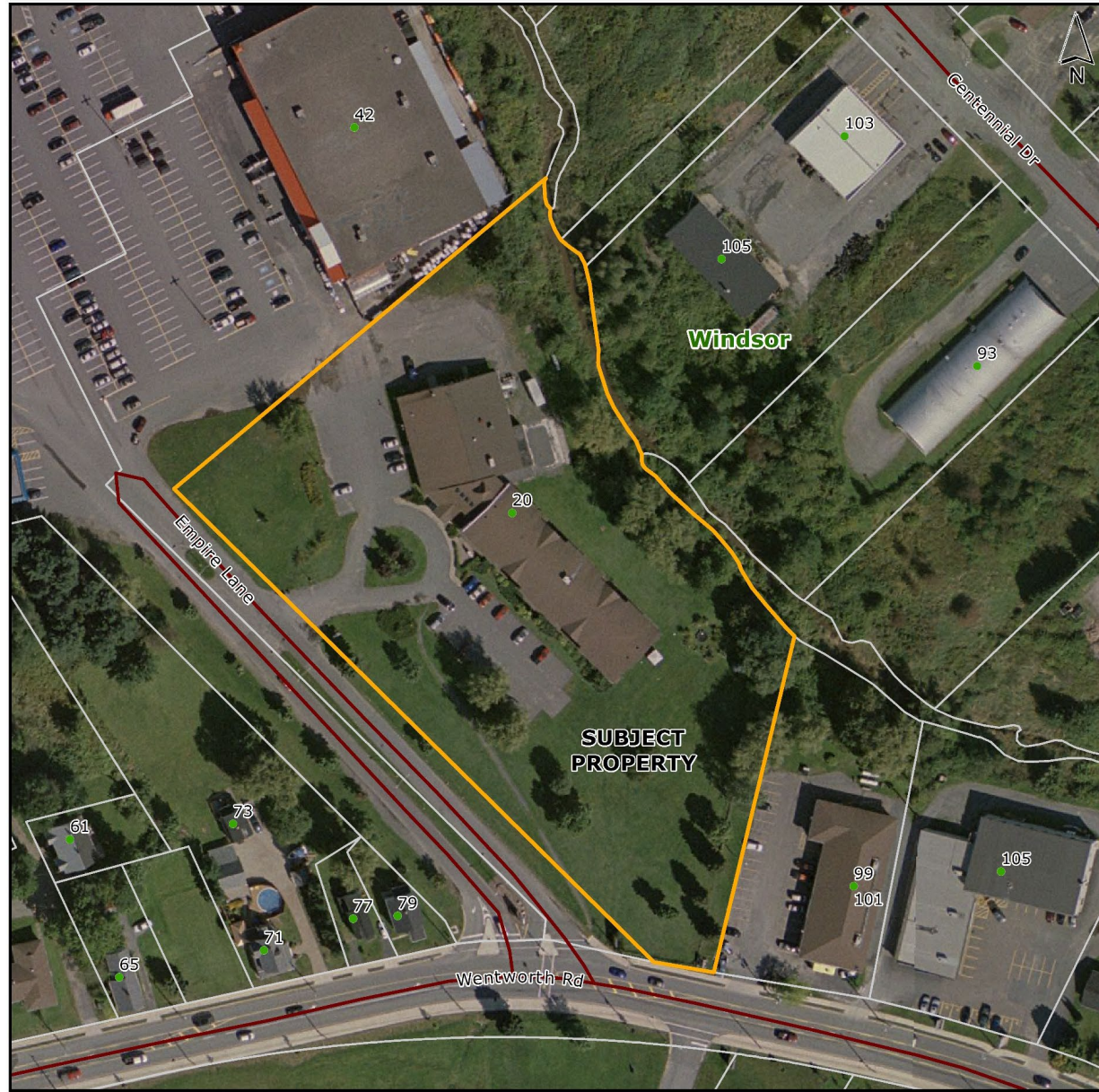
WWH

WINDSOR / WEST HANTS

TOGETHER

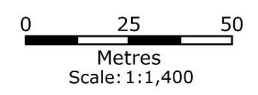


20 Empire Lane, Windsor
Development Agreement Amendment
Council First Reading
June 22, 2021



Base data derived from the Nova Scotia Property Records Database (NSPRD) and the Nova Scotia, Geomatics Centre (NSGC), Copyright Her Majesty The Queen in Right of the Province of Nova Scotia. This map is a graphical representation only. It is not a land survey and is not intended for used for legal descriptions or to calculate exact dimensions or area. Prepared by: West Hants Regional Planning and Development Department March 2021

Orthophoto



- PID 45055746
- Civic
- Parcel
- Road



Background

- ▶ The MacLeod House was permitted through a development agreement between the Town of Windsor and Schaffner Enterprises Ltd in 1998
- ▶ The development agreement permits:
 - ▶ residential development of twenty seven (27) apartments in phase 1 (already constructed) and twenty four (24) apartments in phase 2 (not yet developed);
 - ▶ a multipurpose room for the use of the residents;
 - ▶ a lounge;
 - ▶ a diningroom/restaurant; and
 - ▶ a hair salon.

Application

- ▶ A completed application was received on March 11, 2021 from Ramsay Duff, Chief Executive Officer of MacLeod Group
- ▶ Application to amend the development agreement registered on the property to:
 - ▶ permit an additional three (3) apartments within the existing building;
 - ▶ change of layout of the multipurpose room and lounge to accommodate these three (3) additional units; and
 - ▶ change the style of apartments outlined in the development agreement in both phase 1 and 2 to be more flexible to market demand.

Windsor Land Use By-law

- ▶ Section 6.0, Development Agreements, states “The following developments may be considered only by development agreement in accordance with the Municipal Government Act and the Municipal Planning Strategy:
 - ▶ (j) development proposals in the Wentworth Road Gateway District in accordance with **Policy 8.6.15** of the WMPS for: large format retail stores exceeding 50,000 ft² (4,645 m²) in commercial floor area; regional shopping centres; institutional uses; mixed use; multiple unit residential; or light industrial development; and
 - ▶ (l) mixed use development in the Commercial designation or the Industrial designation outside the industrial parks in accordance with **Policy 9.2.1** of the WMPS;

WMPS Policy

- ▶ Part 8.0 of the WMPS contains the policies for the commercial areas in Windsor
- ▶ **Policy 8.6.15** *establishes Council's intention to "consider within the Wentworth Road Gateway District, mixed use, multiple unit residential, by development agreement"*
- ▶ Part 9.0 of the WMPS contains the policies for mixed use development in Windsor
- ▶ **Policy 9.2.1** *establishes Council's intention to "consider mixed use development by development agreement in the Commercial designation or the Industrial designation outside the industrial parks"*

Development Agreement Details

Applicant Requests

- ▶ permit an additional three (3) apartments within the existing building;
- ▶ change of layout of the multipurpose room and lounge to accommodate these three (3) additional units; and
- ▶ change the style of apartments outlined in the development agreement in both phase 1 and 2 to be more flexible to market demand

Development Agreement Details

Additional Changes

- ▶ change the permitted use from “hair salon” to “personal service shop”;
- ▶ remove the specifications on where the multi-purpose room and residential uses will enter and exit;
- ▶ add maintenance of the pedestrian walkway in general conformance with the site plan;
- ▶ add that the developer should include landscaping within parking areas for Phase 2 to avoid the appearance of large, uninterrupted expanses of asphalt to meet the requirements of criteria 8.6.16 (e);

Development Agreement Details

Additional Changes

- ▶ add more details in accordance with the current regulations for building in the Environmental Constraints Area;
- ▶ prohibit outdoor storage in accordance with Policy 9.2.1 (i);
- ▶ remove the requirement that the architectural style of the building be constructed in conformity with the plans attached to the 1998 agreement;
- ▶ change the list of non-substantive matters to a list of substantive matters; and
- ▶ specify a time limit of sixty (60) months for the development of Phase 2

Specific Criteria for DA

- ▶ ***Policy 8.6.15*** and ***Policy 9.2.1*** establish specific criteria to be considered by Council
- ▶ In summary, the criteria are met since:
 - ✓ the proposed development will not conflict with neighbouring uses;
 - ✓ the proposed development consists of a combination of residential and commercial uses;
 - ✓ adequate landscaping, open space and natural or artificial buffering is provided; and
 - ✓ no outdoor storage is permitted.

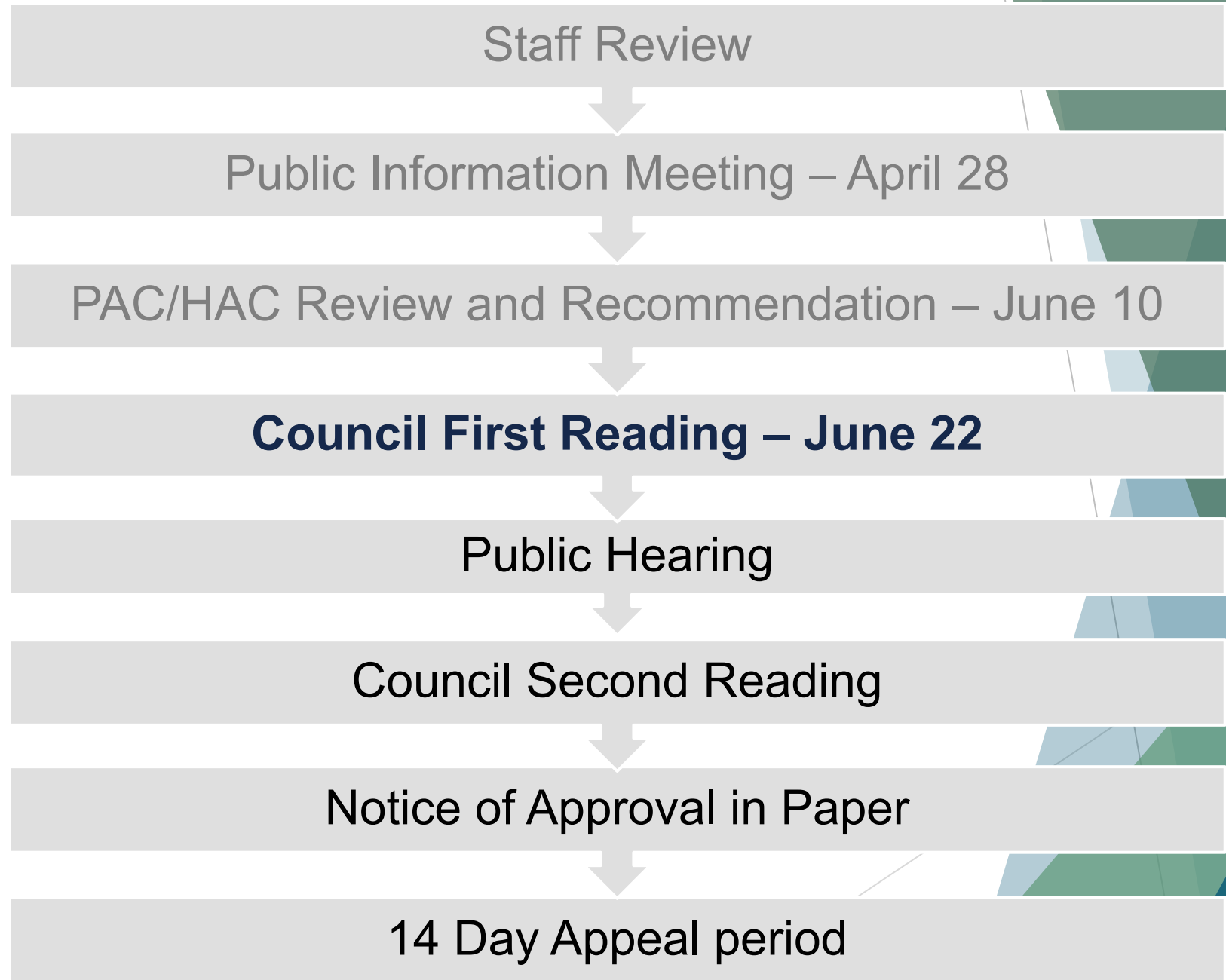
General Criteria for DA

- ▶ **Policy 16.3.1** states the general criteria to be considered by Council
- ▶ 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, Manager of Building and Fire Inspection Services, Development Officer, Director of Public Works and Traffic Authority have no major concerns.

Public Information Meeting Notes

- ▶ A virtual Public Information Meeting was held on April 28. The meeting was broadcast live on the Municipal Facebook page.
- ▶ The deadline for comments was May 11
- ▶ No comments or questions were received

Process



Recommendation

- ▶ **...that Council give First Reading and hold a Public Hearing to consider entering into a development agreement which replaces the original development agreements at 20 Empire Lane, PID 45055746, and allows interior changes to the existing building to accommodate an additional three (3) dwelling units in a manner substantively the same as the draft set out in Attachment C of the report #21-05 to the Planning and Heritage Advisory Committee dated June 10, 2021, taking note that this development agreement will discharge and replace the development agreements recorded at the Registry of Deeds on March 10, 1998 and June 24, 1998 as documents 900 and 2485.**



WWH
WINDSOR / WEST HANTS

TOGETHER