

Fairfield Court Development Agreement

Public Hearing
December 16th, 2021

something inspiring awaits



Application

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



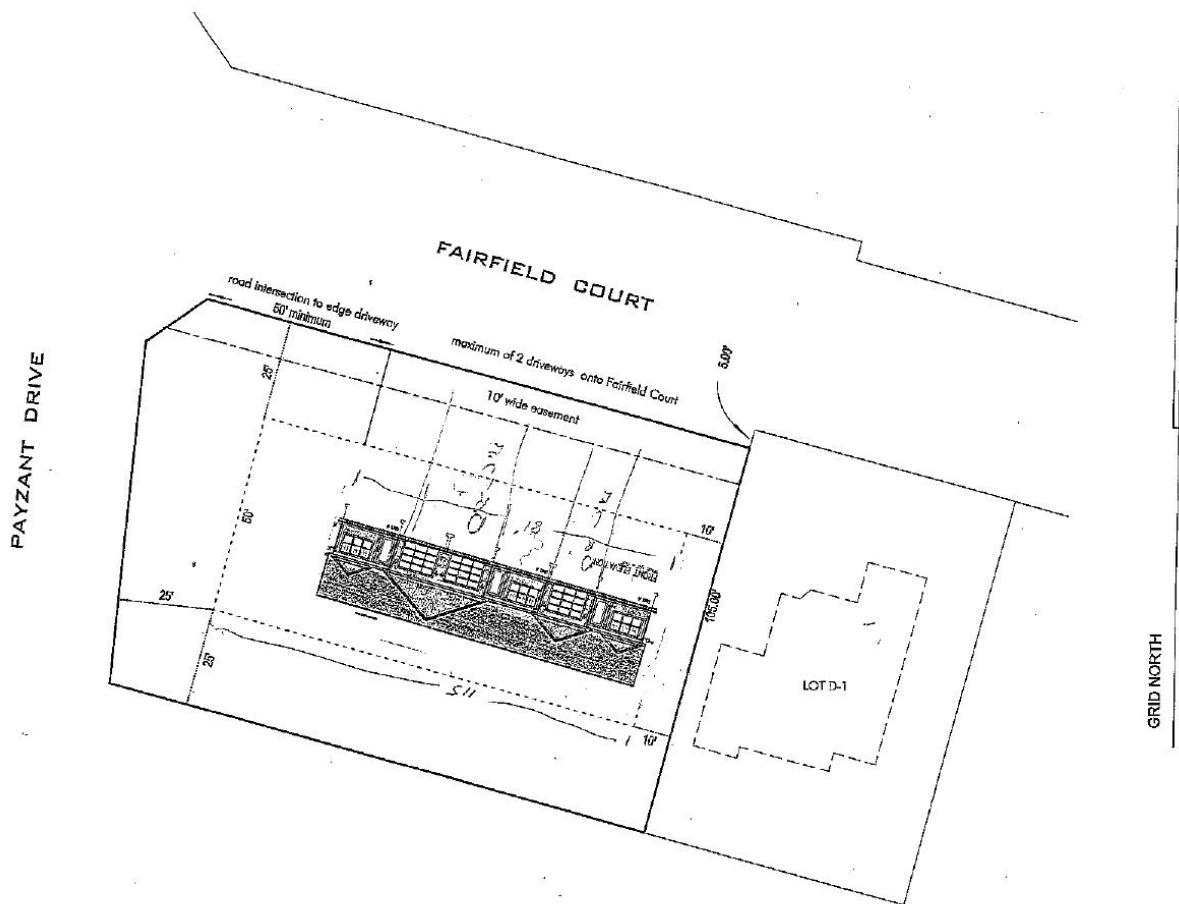


Orthophoto

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



Site Plan



- Proposal is for a one storey, three (3) unit residential dwelling
- Facing onto Fairfield Court



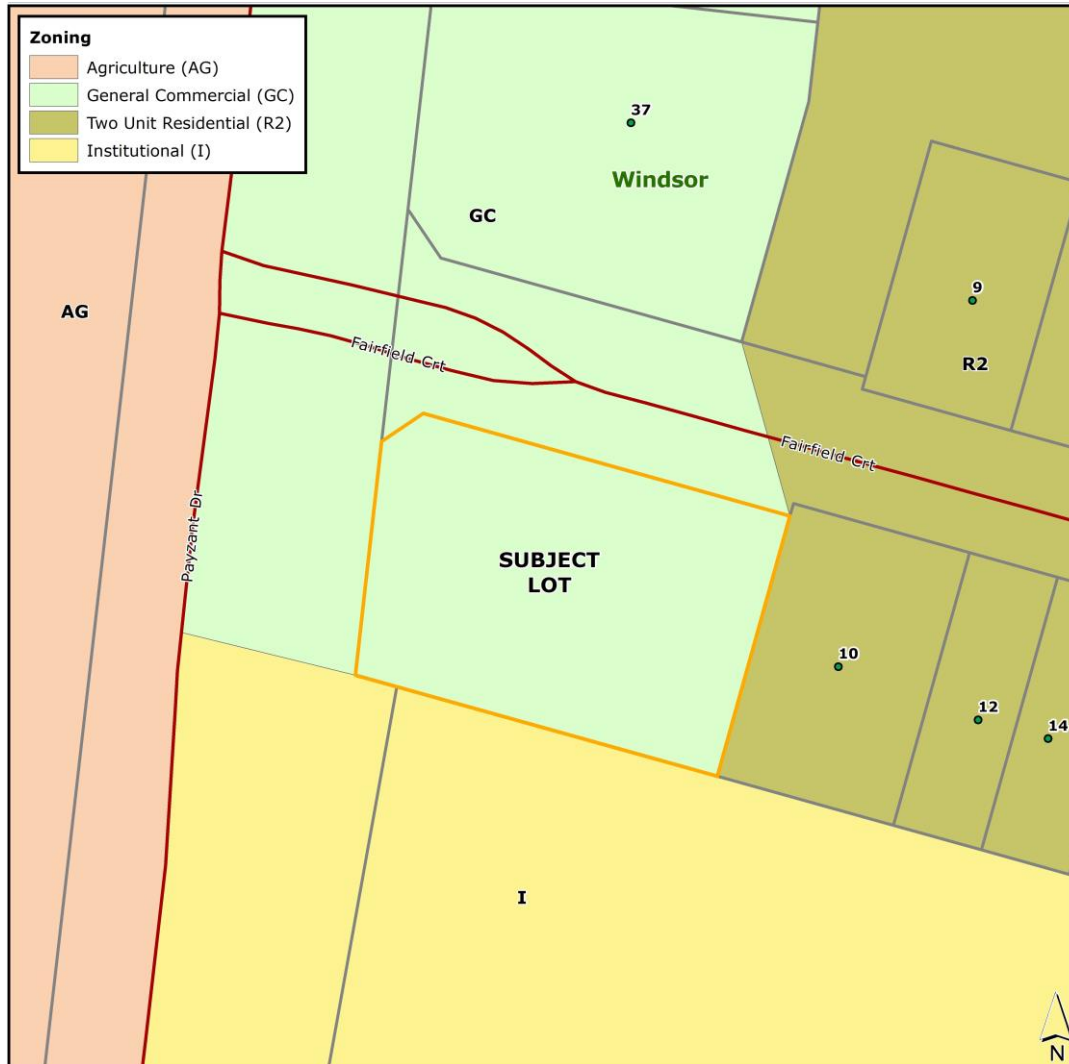


GFLUM

- Designation: Residential



Zoning



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





View of Subject Lot from Fairfield Court

Windsor Land Use By-law

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



Windsor Municipal Planning Strategy

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



Specific Criteria for Development Agreement

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



General Criteria for Development Agreement

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



Development Agreement Details

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



Public Information Meeting Notes

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



Helipad Consideration

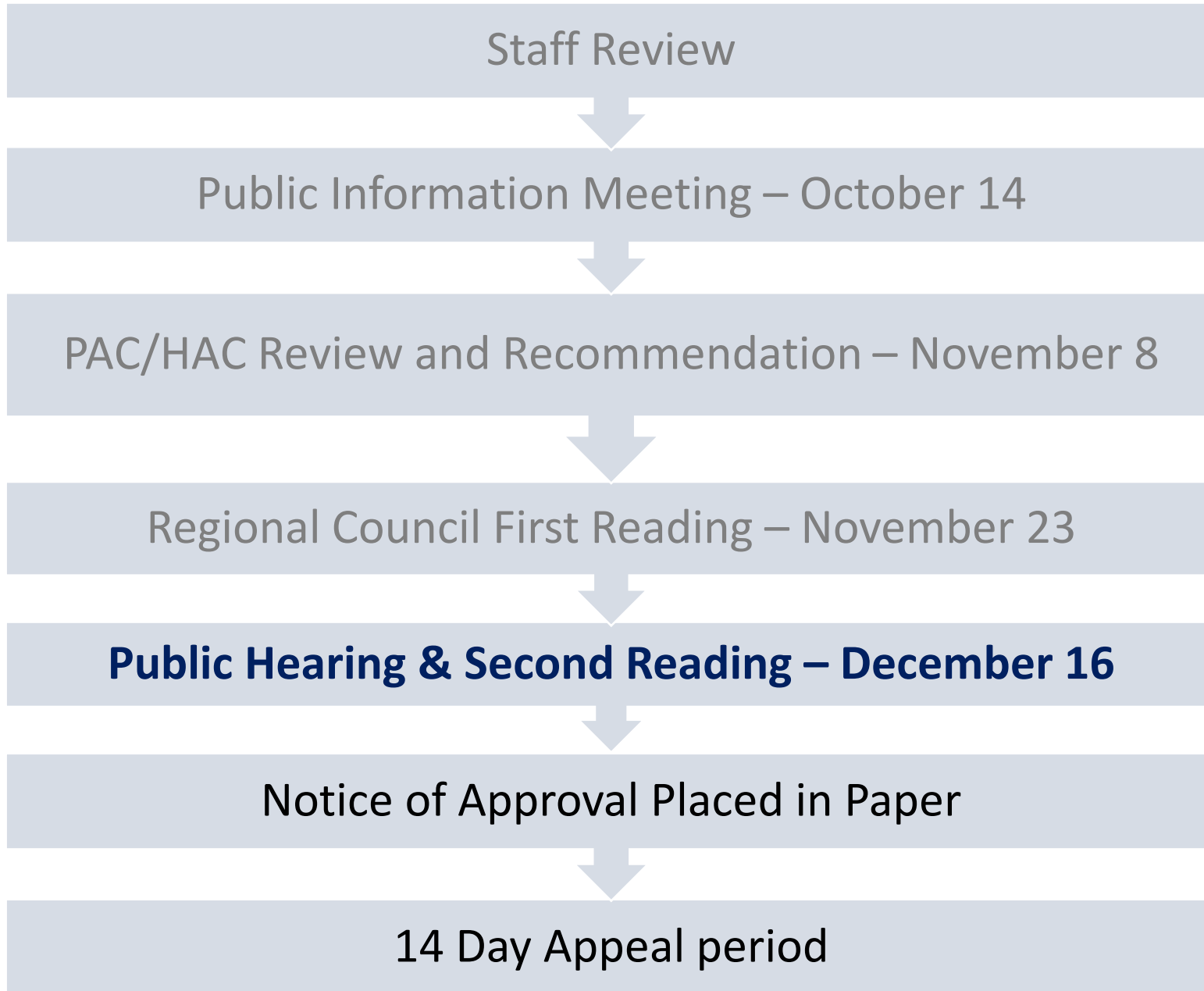
- During First Reading, Council asked if there would be any issues with the adjacent landing pad for the Hants Community Hospital.
- Staff contacted EHS Life Flight and met with one of their representatives on December 14th to discuss the proposed development.
- The representative from EHS Life Flight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

Public Hearing Comments

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



Process



Recommendation

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

