



West Hants

## Public Hearing Agenda

1. Intro by Mayor
2. Presentation by Planner (Sara Poirier)
3. Presentation by Applicant (Krista Beeler and Donna Hoar)
4. Comments or Questions from Public
5. Conclusion of Public Hearing



# College Rd, Windsor PID 45336203 Development Agreement

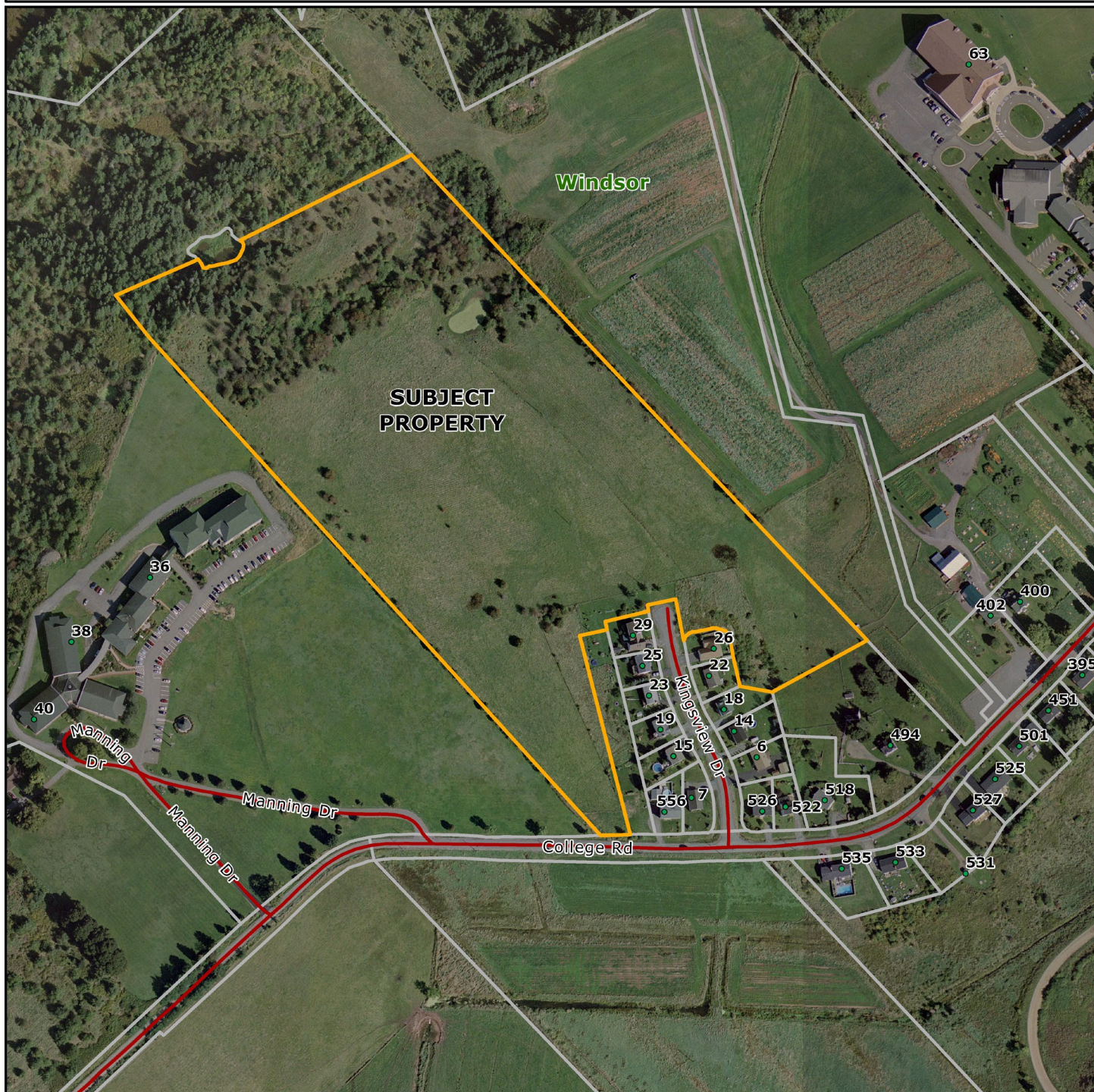
Public Hearing

May 24, 2022

something inspiring awaits



# Orthophoto



# Application

- Application received September 23, 2021 from Krista Beeler and Ed Sherman on behalf of the Hants County Residence for Senior Citizens
  - Dykeland Lodge is operated by their Board of Directors
- Request a variety of uses including affordable and senior housing, long term care, assisted living, independent living, commercial space and a community centre on the subject lot



# Application Cont.

- This application has been considered by Planning staff in two parts:
  1. an amendment to the text and map of the Windsor Municipal Planning Strategy and Windsor Land Use By-law to amend the designation and zoning of the subject lot to College Road Comprehensive Development District (approved by Council Dec 16, 2021); and
  2. consider the proposed uses by development agreement as per Policy 5.7.4 of the WMPS



# Development Agreements

- 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
- The College Road Comprehensive Development District (CR-CDD) only permits developments by development agreement



# Original Proposal

- Dykeland Lodge originally proposed a multi-phase development that would include:
  - a long term care facility with 128 rooms;
  - an assisted living facility with up to 42 units;
  - up to 10 units for residents with disabilities;
  - up to 44 independent living units;
  - a mix of affordable and seniors housing to a maximum of 80 units;
  - plus an 11,000 sq. ft. community centre; and
  - 8,000 sq. ft. of commercial space which may include a pharmacy, corner store, café, and medical centre



# Updated Proposal

- Following the feedback received during the Public Information Meeting comment period, Dykeland Lodge requested their application be paused
- On March 1, Dykeland Lodge updated their application to only include:
  - a long term care facility with 128 rooms;
  - up to 10 units for residents with disabilities;
  - up to 28 independent living units; and
  - up to 88 residential units.

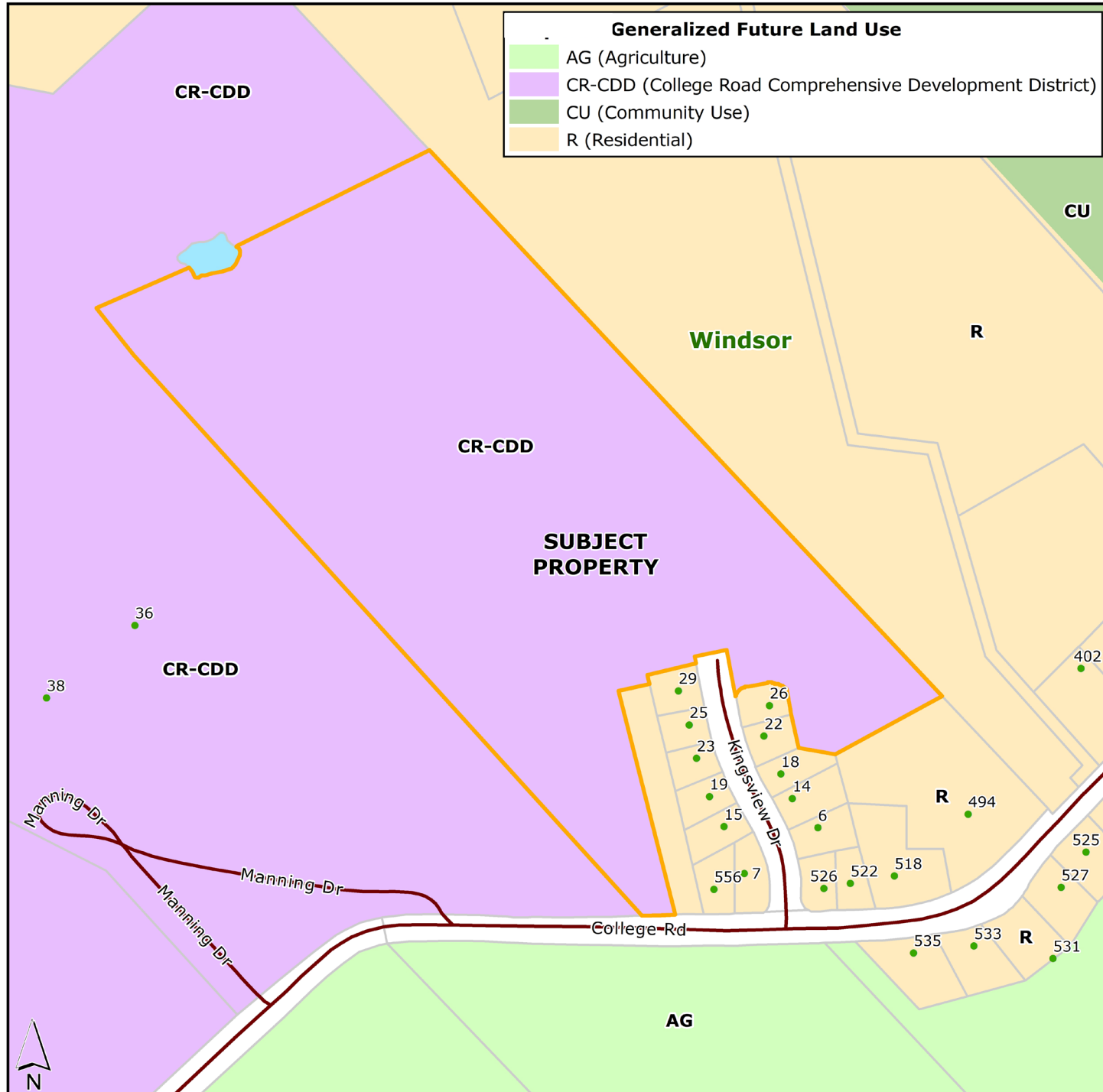
# Proposal Update





bird

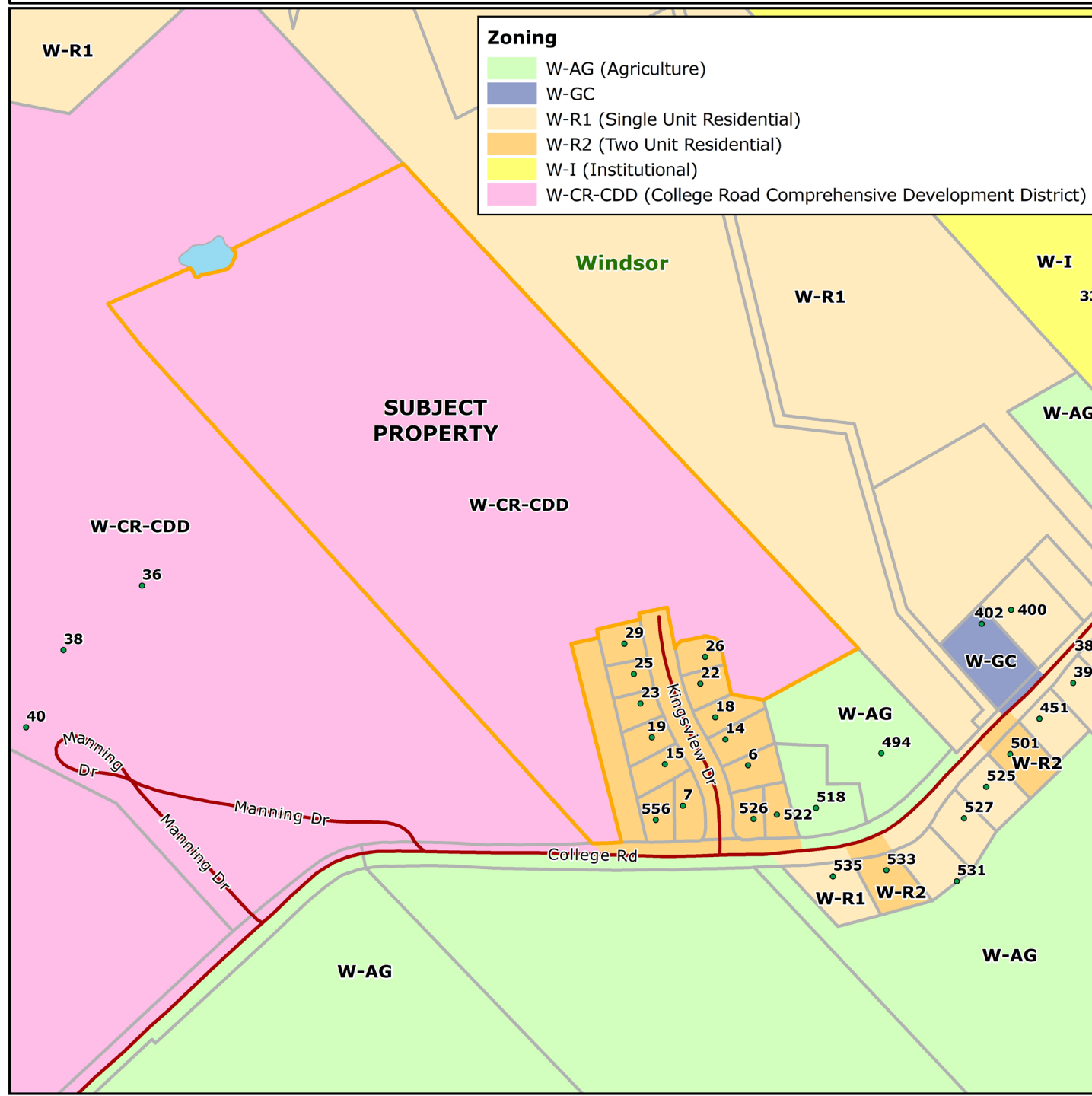
Proposal Cont.



# GFLUM



# Zoning



# Windsor Land Use By-law

- Part 6.0 of the WLUB, Development Agreements, states that “The following developments may be considered only by development agreement in accordance with the Municipal Government Act and the Municipal Planning Strategy:  
  
(d) residential, institutional or recreational development in the College Road CDD in accordance with Section 5.7 of the Municipal Planning Strategy;



# Windsor Municipal Planning Strategy

- Part 5.7 of the WMPS contains the overall intention for properties designated College Road CDD in Windsor
- *Policy 5.7.4* states that “It shall be the policy of Council that a development agreement for the development of the College Road CDD shall only be approved when the following conditions have been satisfied”



# Development Agreement Details

## *Permitted Uses*

- Retirement community consisting of:
  - buildings operated as homes for special care;
  - residential uses consisting of single unit, two unit or multiple unit dwellings some or all of which may be used as part of the homes for special care or as assisted living units;
  - outdoor recreation uses;
  - secondary suites within any of the single or two unit dwellings on the lot; and
  - accessory uses to any of the permitted uses.



# Development Agreement Details

## *Phased Development*

- Phase 1:
  - a home for special care limited to a maximum of 128 beds; may include accessory uses such as a café, offices and/or pharmacy located within the building;
  - outdoor recreation uses including but not limited to a public trail system; and
  - any accessory uses.



# Development Agreement Details

## *Phased Development Cont.*

- Phase 2:
  - single unit, two unit or multiple unit dwellings which may be used as part of the homes for special care or as assisted living units, limited to a maximum of 126 units;
  - any secondary suites; and
  - any accessory uses.

# Development Agreement Details

## *Timelines*

- Development to commence within 24 months (2 years) of the DA being signed
  - Phase 1 to be completed within 48 months (4 years) of commencement
  - Phase 2 to be completed within 96 months (8 years) of commencement
- *Note: It is not anticipated that development would take this long to complete*



# Development Agreement Details

## *Requirements*

- 1 parking space for every 400 sq. ft. (37.16 sq. m.) of floor area of the long-term care facility;
- 1 parking space per dwelling unit;
- Min. 41,000 sq. ft. (3,809 sq. m.) of usable recreation space;
- Construction hours to be within 7 a.m. – 7 p.m., Mon - Sat;
- Private snow plowing and garbage collection;
- 20 ft (6.09 m) wide buffer strip along the south lot line abutting properties fronting on Kingsview Dr.;



# Development Agreement Details

## *Requirements Cont.*

- Stormwater management plan that satisfies the Municipal Engineer that historical flooding patterns and area drainage systems have been considered and that storm water discharge will not have a negative impact on downstream properties, prior to a development permit being issued;
- Design plans of the water and sewer servicing connections and layout including location and connection design of any fire hydrant(s); and
- Archeological resource impact assessment (ARIA), as recommended by Glooscap First Nation, prior to a development permit being issued.



# Development Agreement Details

## *Access and Egress*

- Main access must be directly from College Road
- Any other connection will be a secondary access/egress to the lot mainly used for emergency purposes
- Sidewalk from College Road to the building entrances



# Development Agreement Details

## *Substantive Matters*

- the uses permitted on the Property;
- the maximum number of beds in the homes for special care and maximum number of residential dwelling units permitted on the lot;
- the fire safety requirements;
- the requirements for a stormwater management plan to be submitted prior to a development permit being issued
- the hours of construction; and
- the requirements for an archeological resource impact assessment (ARIA) to be submitted prior to a development permit being issued.



# Specific Criteria for DA

- Policy 5.7.1 establishes specific criteria to be considered by Council
- In summary, the criteria are met since:
  - ✓ the development agreement is consistent with the intent of Policy 5.7.3 and other relevant policies of the Municipal Planning Strategy; and
  - ✓ the development is compatible with existing development within and adjacent to the College Road CDD.



# General Criteria for DA

- 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;
  - ✓ the Fire Chief, Development Officer, Manager of Building and Fire Inspection Services, Director of Public Works, and Manager of Public Works Operations have no concerns which have not been addressed in the development agreement.



# Public Information Meeting Notes

- A virtual Public Information Meeting was held on January 13. The meeting was broadcast live on the Municipal Facebook page.
- 6 members of the public spoke at the Public Information Meeting
- The deadline for comments was January 28
- 11 written comments were received via email and 8 verbal comments by phone, plus a “Community Response” document



# Process

Public Information Meeting – January 13

Staff Review

PAC/HAC Review and Recommendation – April 14

Council First Reading – April 26

**Public Hearing & Second Reading – May 24**

Notice of Approval in Paper

14 Day Appeal period

All statutory requirements have been met



# Applicant Presentation



# Public Hearing Comments / Questions



# Public Hearing Comments / Questions

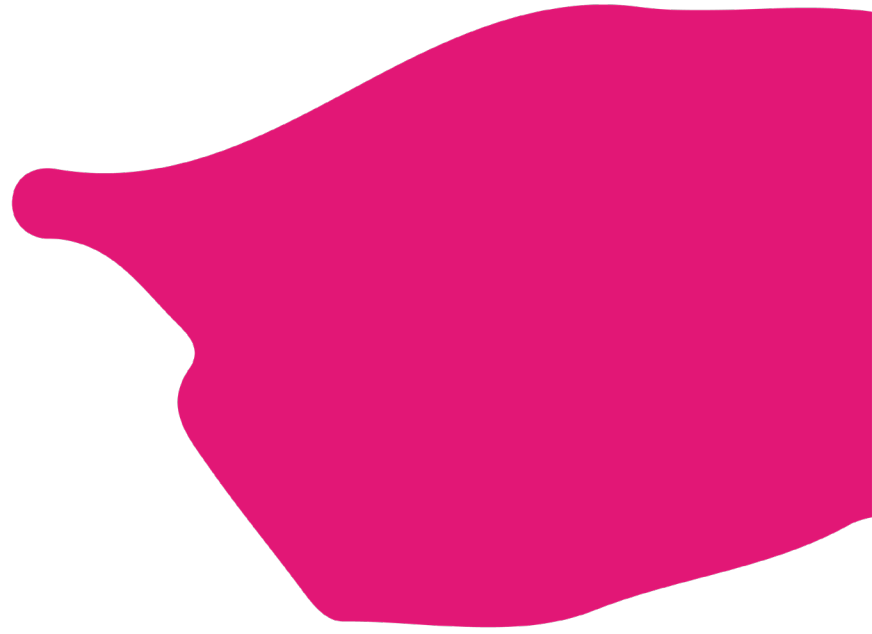
- The Public Hearing was advertised:
  - in the paper on both May 3 and May 10;
  - letters to property owners within 300 ft of the subject lot; and
  - signs placed on site.
- Four emails were received from residents; Clerk Snair will read them to Council



# Staff Response to Comments / Questions

- Use of Kingsview Dr.: Main access/egress from College Road; any other access/egress shall be secondary and only used for emergency purposes.
- Buffer: Dykeland Lodge on Cottage St. is zoned Institutional (I) which does not require buffering from abutting uses. A 20 ft. wide buffer strip is proposed in the DA based on previous discussions with the PAC/HAC on the size of buffers proposed for the Regional planning documents.
- Definitions: development agreement > Land Use By-law > Zoning Dictionary





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# Recommendations (1 of 2)

...that Council gives Second Reading to and approves entering into a development agreement to permit a variety of residential and institutional uses on PID 45336203 on College Road in a manner substantively the same as the draft set out in Attachment C of the report to the Planning and Heritage Advisory Committee #21-20 dated April 14, 2022.



# Recommendations (2 of 2)

...that Council requires that the development agreement with Hants County Residence for Senior Citizens be signed within 120 days from the date of final approval by Council or the date that any appeals have been disposed of; otherwise this approval will be void and obligations arising hereunder shall be at an end.



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[westhants.ca](http://westhants.ca)