

# Wentworth Road and Cole Drive, Windsor

## Portions of PID 45190386 and 45366457

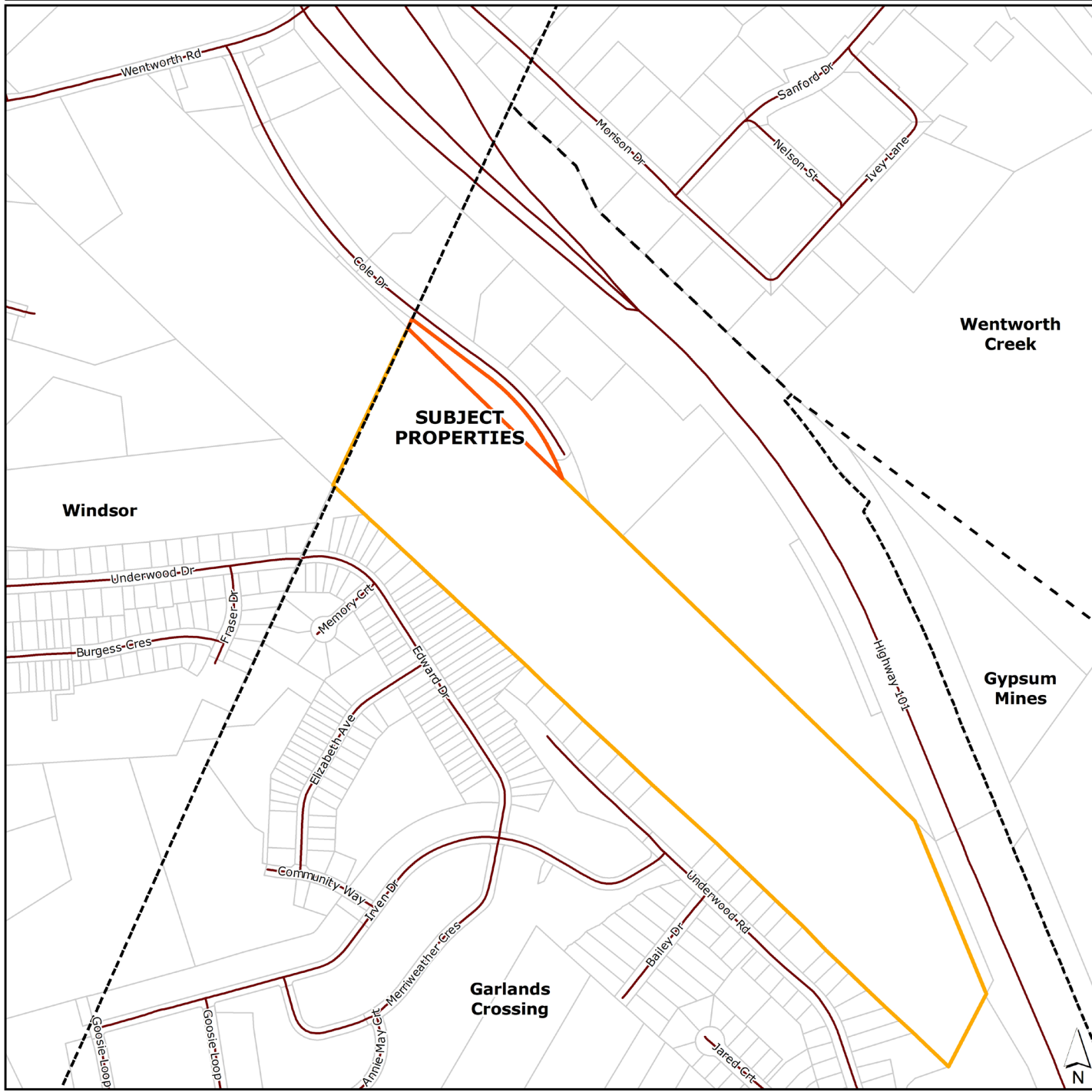
### Land Use By-law Amendments

Planning and Heritage Advisory Committee (PAC/HAC)

October 13, 2022

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# Site

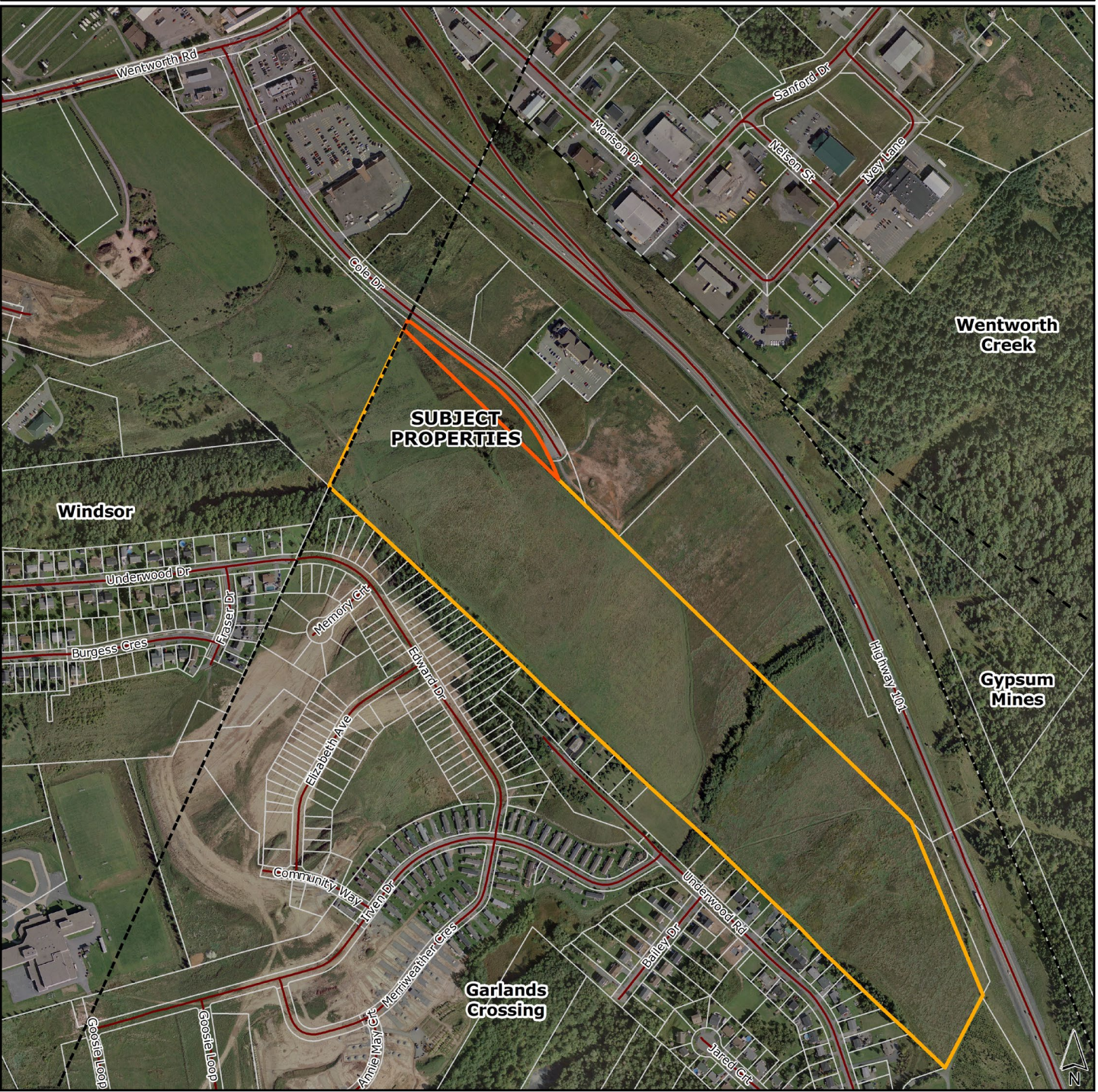
Parcel 1 - Portion of PID  
45190386 = approximately  
56 acres

Parcel 2 - Portion of  
45366457 = approximately  
1.5 acres

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# Orthophoto



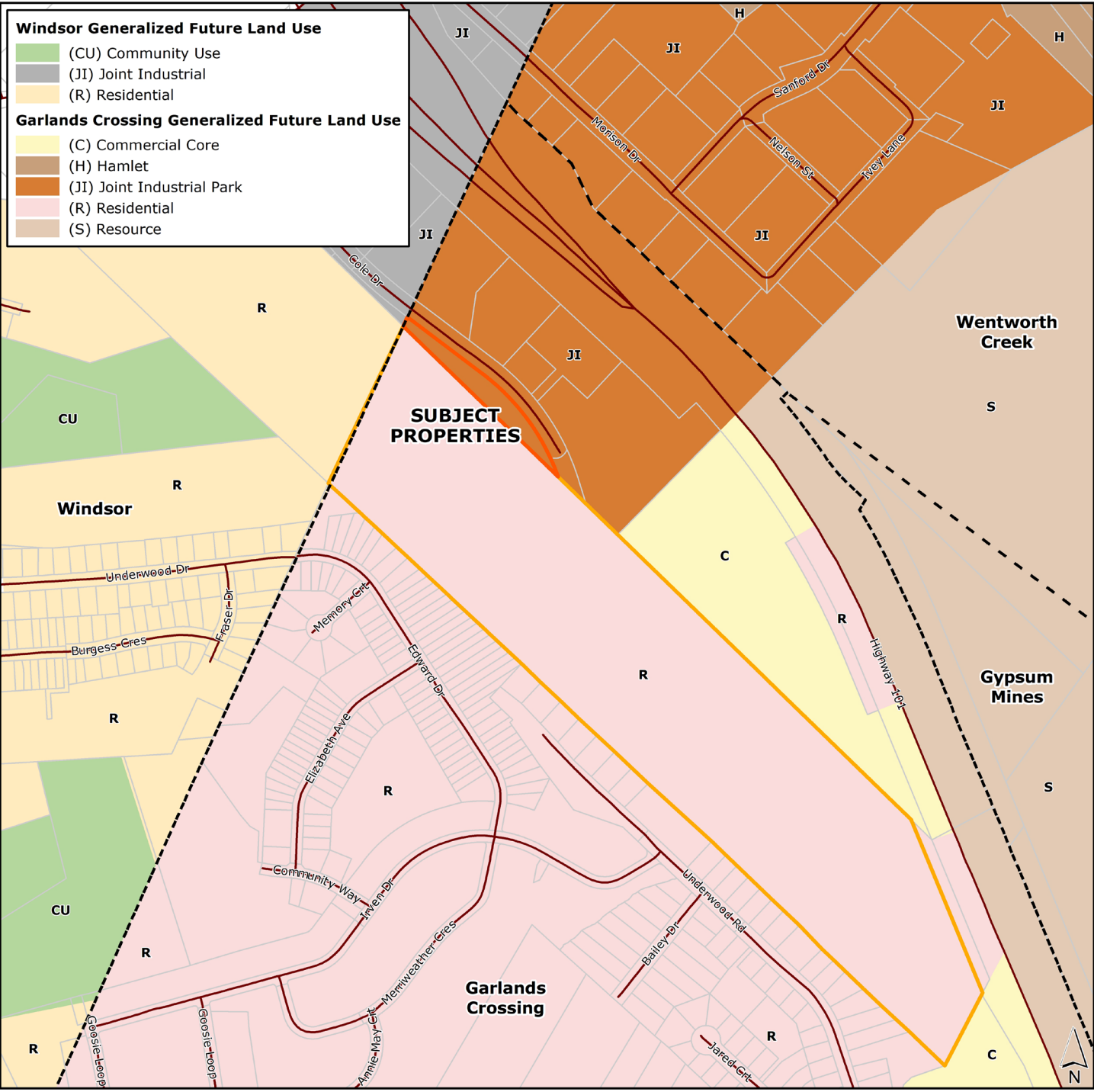
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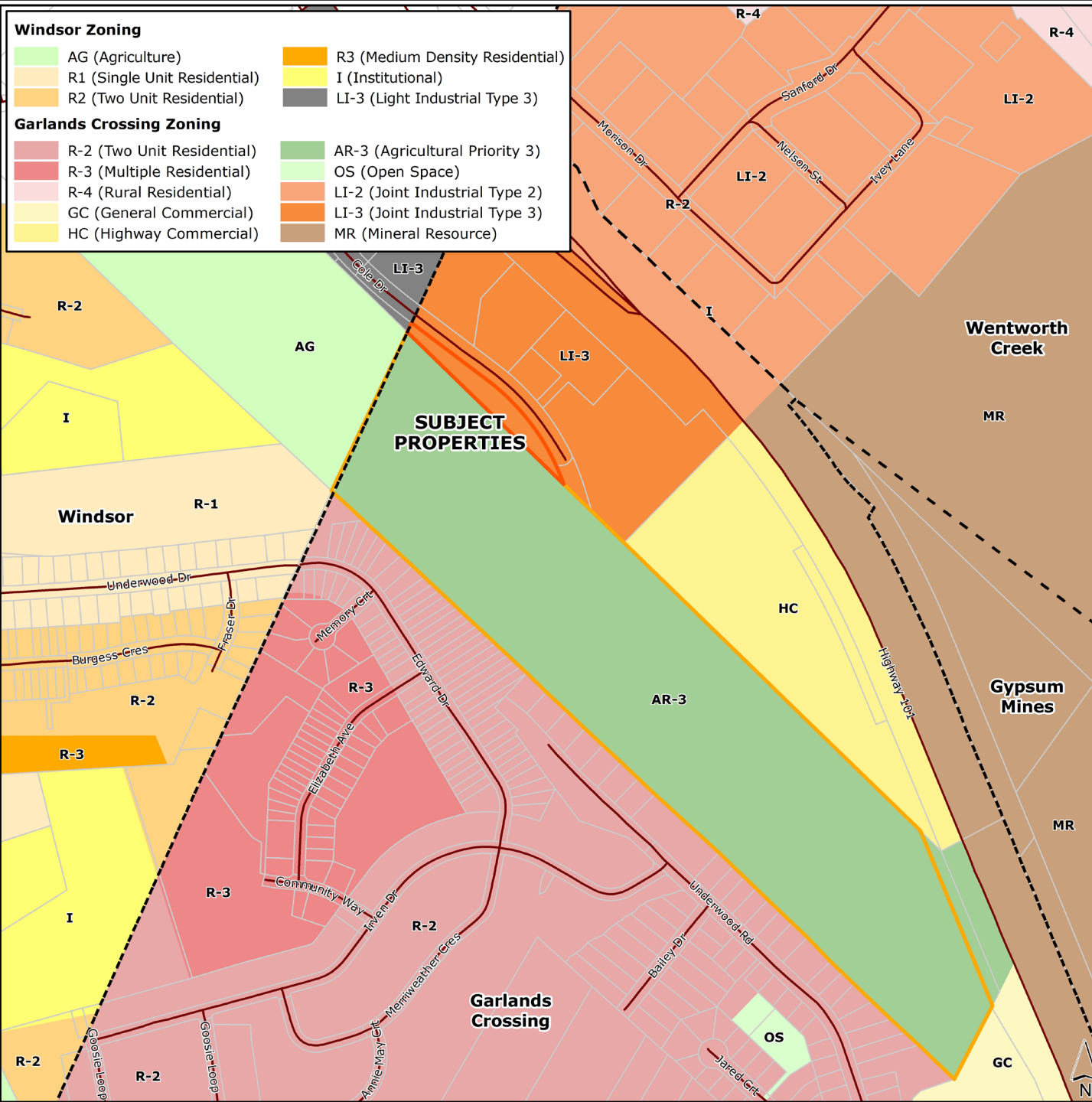
# Application

- 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



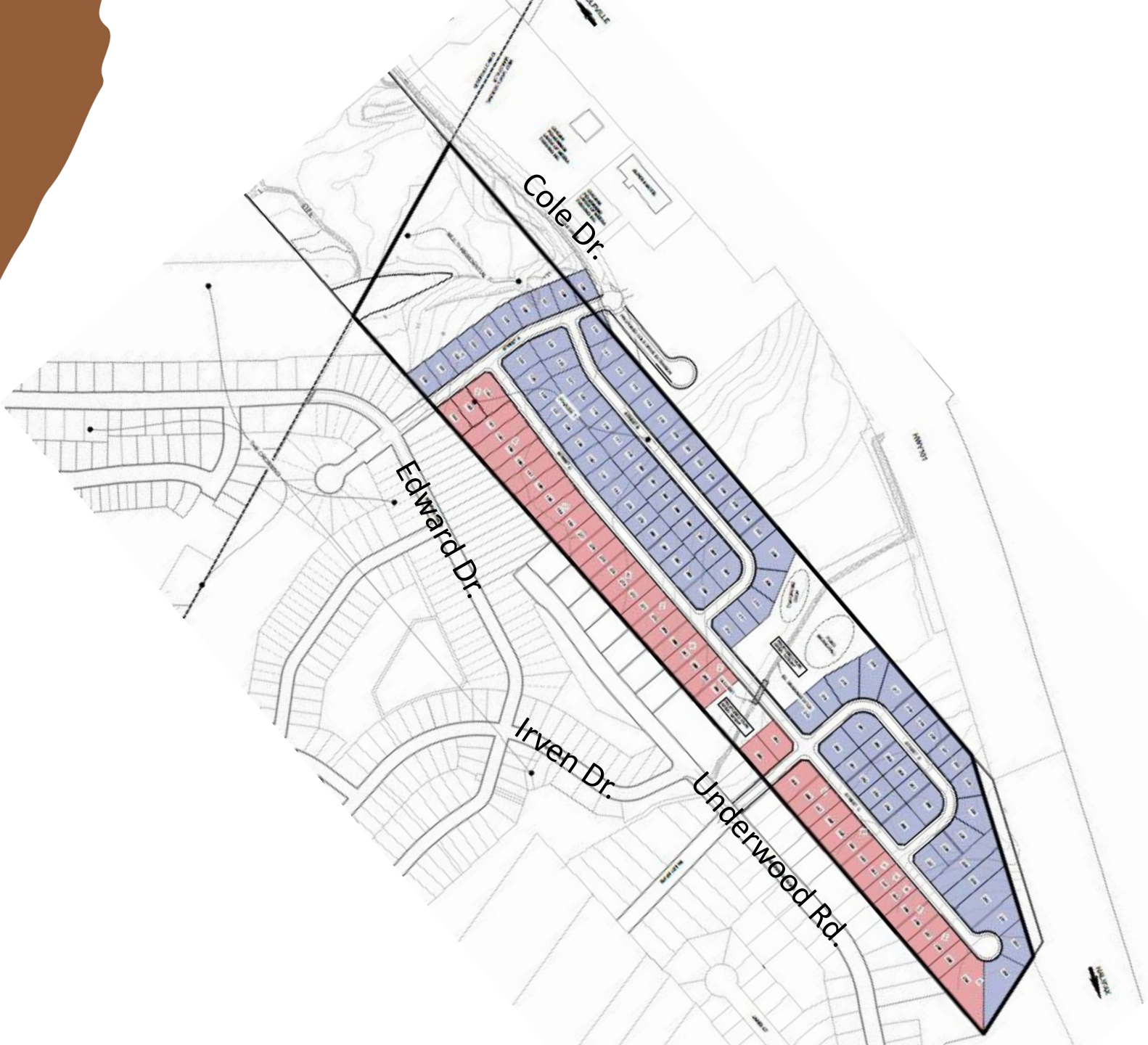
# Current Zoning



# Proposal

 Single Unit Residential

 Two Unit Residential



# 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	
<b>Minimum lot area</b>	6,000 ft <sup>2</sup> (557.40 m <sup>2</sup> ) 7,000 ft <sup>2</sup> (650.30 m <sup>2</sup> ) for corner lots	29,000 ft <sup>2</sup> (2,694.10 m <sup>2</sup> )	4,000 ft <sup>2</sup> (371.60 m <sup>2</sup> ) 5,000 ft <sup>2</sup> (464.5 m <sup>2</sup> ) for corner lots
<b>Minimum lot frontage</b>	60 ft (18.29 m)	100 ft (30.48 m)	40 ft (12.19 m)
<b>Minimum front yard</b>	25 ft (7.62 m)		15 ft (4.57 m)
<b>Minimum flankage yard</b>	-		15 ft (4.57 m)
<b>Minimum rear yard</b>	25 ft (7.62 m)		25 ft (7.62 m)
<b>Minimum side yard</b>	<b>one side</b>	6 ft (1.83 m)	4 ft (1.22 m)
	<b>other side</b>	10 ft (3.05 m)	4 ft (1.22 m)
<b>Maximum height of main building</b>	35 ft (10.67 m)		35 ft (10.67 m)
<b>Maximum height of accessory building</b>	-		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
<b>Minimum lot area</b>		3,500 ft <sup>2</sup> (325.15 m <sup>2</sup> )/unit	29,000 ft <sup>2</sup> (2,694.10 m <sup>2</sup> ) / unit	2,000 ft <sup>2</sup> (185.80 m <sup>2</sup> ) / unit 3,000 ft <sup>2</sup> (278.7 m <sup>2</sup> ) / unit for corner lots
<b>Minimum lot frontage</b>		30 ft (9.14 m)/unit	100 ft (30.48 m)/unit	20 ft (6.1 m) / unit
<b>Minimum front yard</b>		15 ft (4.57 m)		15 ft (4.57 m)
<b>Minimum flankage yard</b>		-		15 ft (4.57 m)
<b>Minimum rear yard</b>		25 ft (7.62 m)		25 ft (7.62 m)
<b>Minimum side yard</b>	<b>one side</b>	6 ft (1.83 m)		4 ft (1.22 m)
	<b>other side</b>	6 ft (1.83 m)		4 ft (1.22 m)
<b>Maximum height of main building</b>		35 ft (10.67 m)		35 ft (10.67 m)
<b>Maximum height of accessory building</b>		-		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



# 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

Public Information Meeting – September 8

Staff Review

**PAC/HAC Review and Recommendation – October 13**

Council First Reading – October 25\*

Public Hearing & Second Reading – November 22\*

Notice of Approval in Paper

14 Day Appeal period

\*anticipated dates;  
final dates set by  
Council



# Recommendation

...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.





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