

PID 45276441
187 Payzant Drive, Windsor
Development Agreement

Council First Reading
Sept 26, 2023



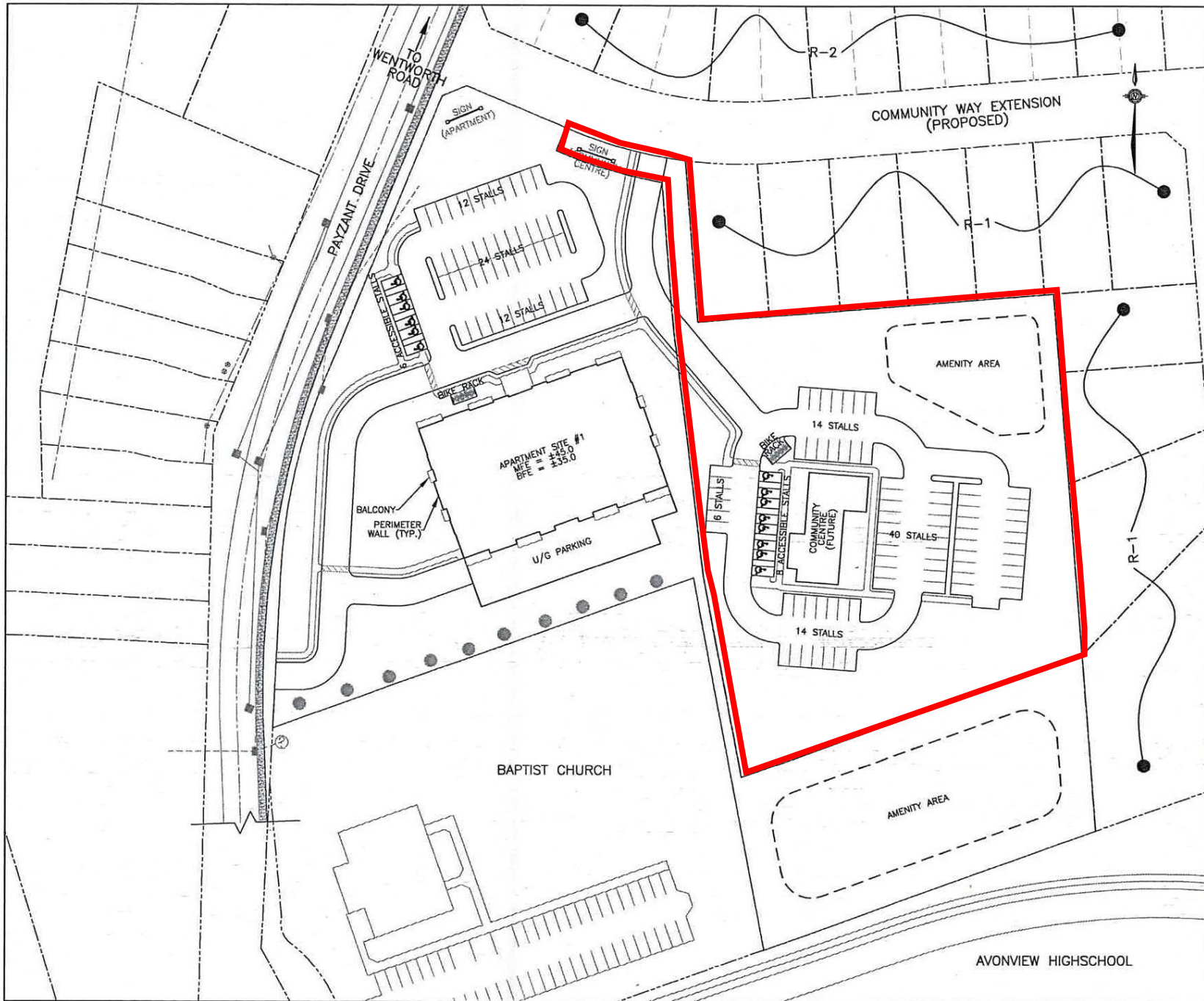
Application

- A complete application was received on May 31, 2023 from Chrystal Fuller (Brighter Community Planning) on behalf of **Brison Developments**.
- Request is to repurpose the existing building at 187 Payzant Drive to permit a **community/recreation centre**.
- Property is proposed to be subdivided and share an access from Community Way.





View of existing building from Payzant Drive



Proposed
property

2.3 acre
portion

Proposal

- **Community Center** intended to provide social and recreational opportunities for members
- Venue for special events – weddings or other celebrations
- Potential for:
 - Meeting rooms
 - Pool
 - Gym
 - Accessory commercial uses
 - Indoor/Outdoor recreation uses



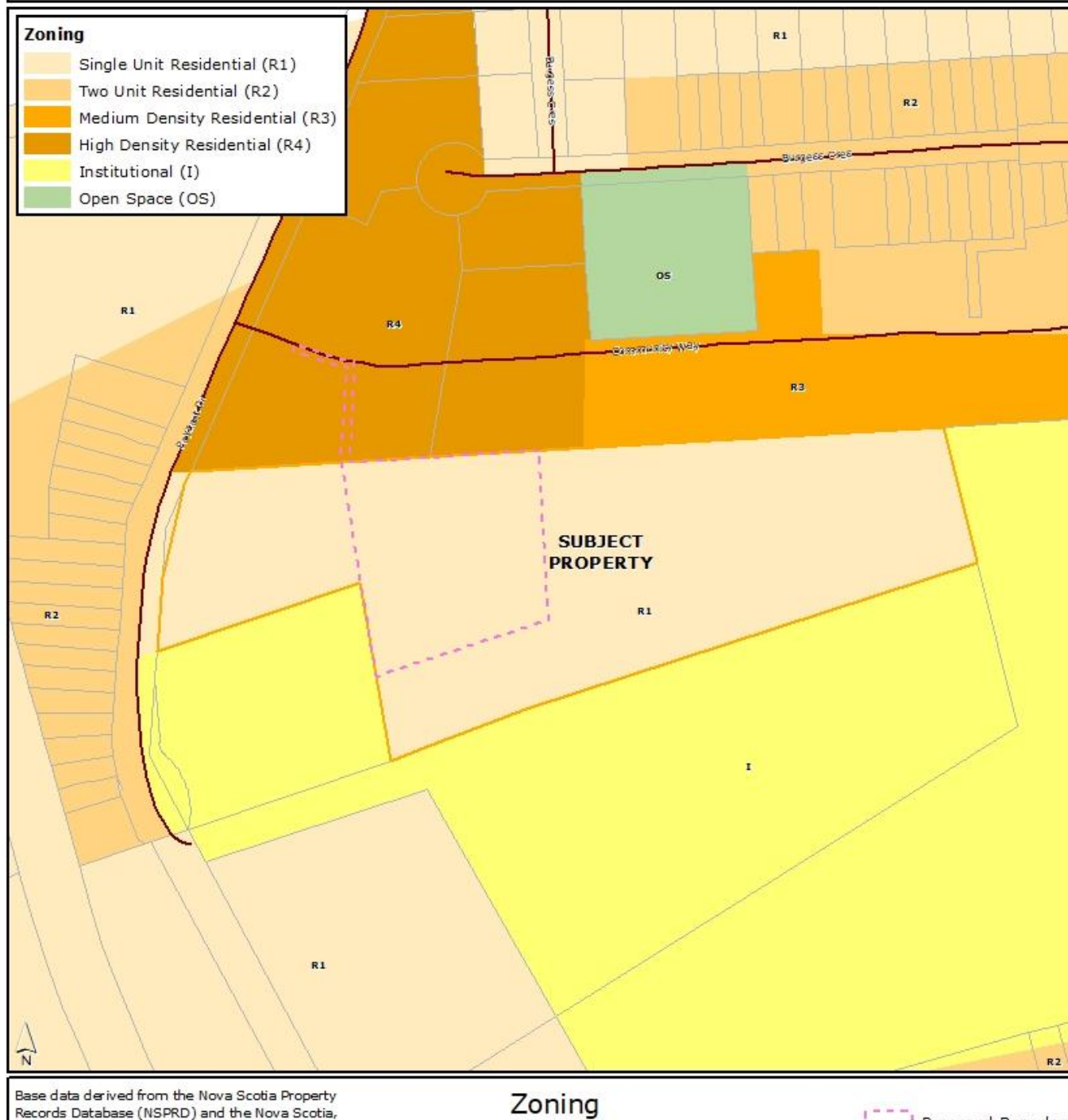
Development Agreements

- A development agreement is a legal contract between the Municipality and a property owner to permit a use that is not usually permitted in the underlying zone.
- **Institutional uses** and **Recreation Commercial uses** can be considered by development agreement in Windsor.



Zoning

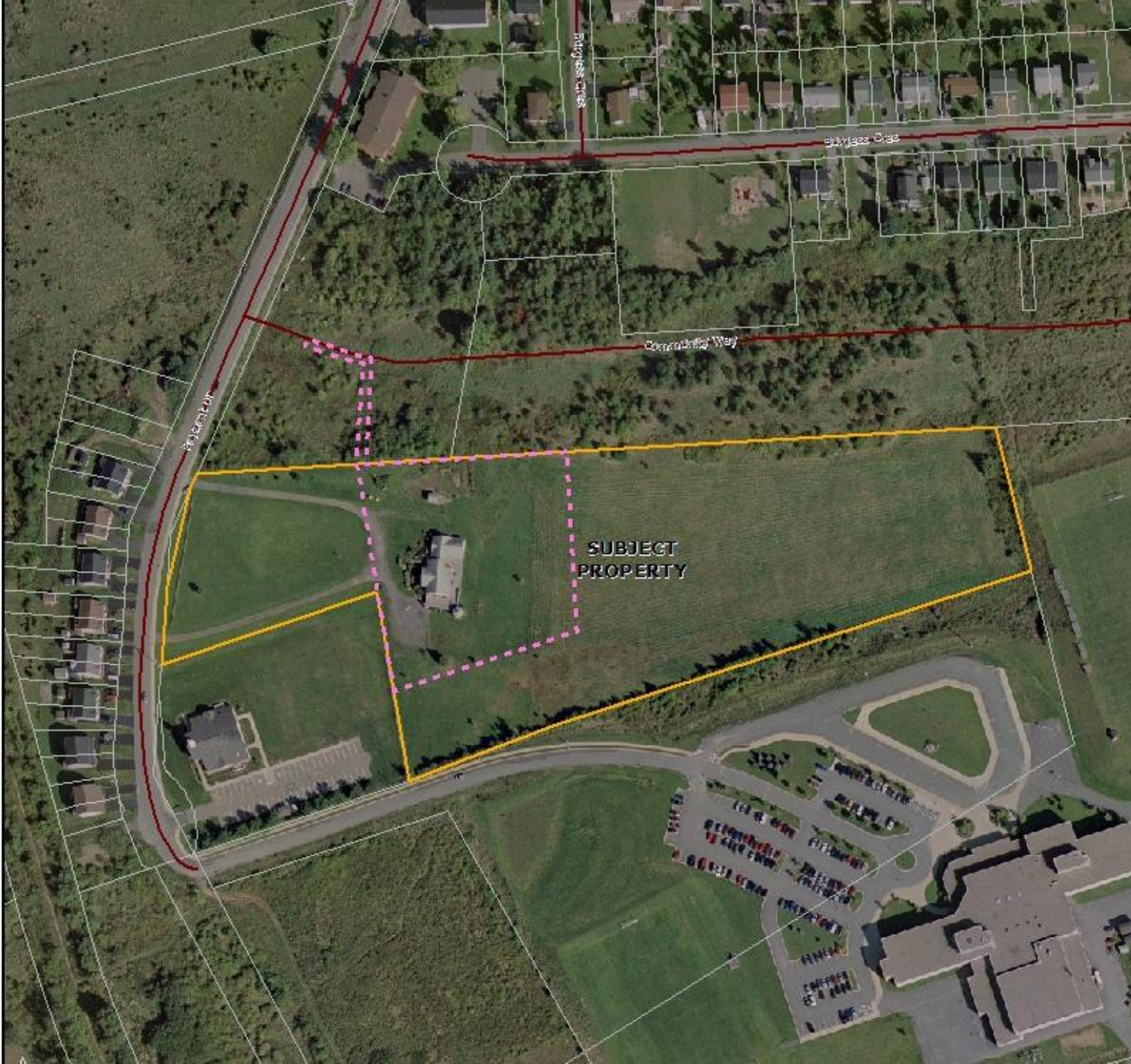
(Single Unit Residential R1 and Medium Density Residential R3)





GFLUM

Residential Designation



Orthophoto

'Community Way' - future
Existing and future res.
Church
High School



Consideration

- Ability to have a development agreement for a specific purpose must be established in the LUB
- Requests for development agreements are “measured” against the policies of the MPS

Windsor Land Use By-law

- Part 6.1 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:*
 - (n) new **institutional uses** in any designation in accordance with Policy 11.1.4 of the Municipal Planning Strategy;*
 - (o) new **Recreation Commercial uses** in any designation in accordance with Policy 11.3.1 of the Municipal Planning Strategy;*



Windsor Municipal Planning Strategy

- Part 11.0 of the WMPS contains the overall intention for Community Uses including **Institutional** uses including community centers, recreation spaces in any designation.
- *Policy 11.1.4* establishes Council's intention to consider new **institutional uses** by development agreement.
- Part 11.3 of the WMPS contains the overall intention for **Recreation Commercial** Uses including indoor/outdoor rec facilities.
- *Policy 11.3.1* establishes Council's intention to consider new **Recreation Commercial uses** by development agreement in any designation.



Specific Criteria for DA

- **MPS Policy 11.1.4, 11.3.1** establish specific criteria to be considered by Council for new institutional uses and recreation commercial uses
- In summary, the criteria are met since:
 - ✓ The use is complimentary to existing and future residential development surrounding the site
 - ✓ Traffic generation was not considered excessive by road authority
 - ✓ Road access is considered adequate by road authority (future collector streets)
 - ✓ Architecturally compatible
 - ✓ Serviced by central sewer and water



General Criteria for DA

- **Policy 16.3.1** states general criteria to be considered by Council
- In summary, the criteria are met since:
 - ✓ the proposal is not considered 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, Public Works Engineering Division, and Municipal Traffic Authority have no concerns which have not been addressed in the development agreement



Development Agreement *Requirements*

*Combined DA with previously approved apartment building (same PIDs)

- Draft DA permits: Community/Recreation Centre
 - May include: classrooms, meeting rooms, institutional uses, indoor and outdoor recreation (gym, pool, walking track, tennis courts etc)
- Setbacks 25 feet from property lines, 35 ft height max, 100ft road frontage, 2 acres minimum lot area.
- Sidewalks provided to entrances of all main buildings
- 1 parking space provided per 300 sq. ft. of commercial floor area



Public Information Meeting Notes

- A Public Information Meeting was held on July 5, 2023. The meeting was broadcast live on the Municipal Facebook page. The deadline for comments was June 20, 2023
- Two members of the public attended the Public Information Meeting
- No comments from the public were received



Planning Advisory Committee

- September 14 Committee discussion:
 - Water/sewer laterals – required to meet PW standards
 - Process – DA required to permit a community centre in Residential designation

Process

Public Information Meeting – July 5

Staff Review

PAC/HAC Review and Recommendation – Sept 14

Council First Reading – September 26

Public Hearing & Second Reading – October 24*

Notice of Approval in Paper

14 Day Appeal period

*anticipated dates;
final dates set by
Council



Recommendations (1 of 2)

...that Council gives First Reading and will hold a Public Hearing to consider entering into a development agreement to permit a Community/Recreation Centre on PIDs 45276441 and 45366986 and 45055167 on Payzant Drive in Windsor, in a manner substantively the same as the draft set out in Attachment B of the report File # 23-13 to the Planning and Heritage Advisory Committee dated September 14, 2023.

Recommendations (2 of 2)

...that Council requires that the development agreement with Mitch Brison which permits a Community/Recreation Centre on PIDs 45276441 and 45366986 and 45055167 on Payzant Drive in Windsor 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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