

Pesaquid Comprehensive Development District – Windsor MPS/LUB Text Amendment

Council First Reading

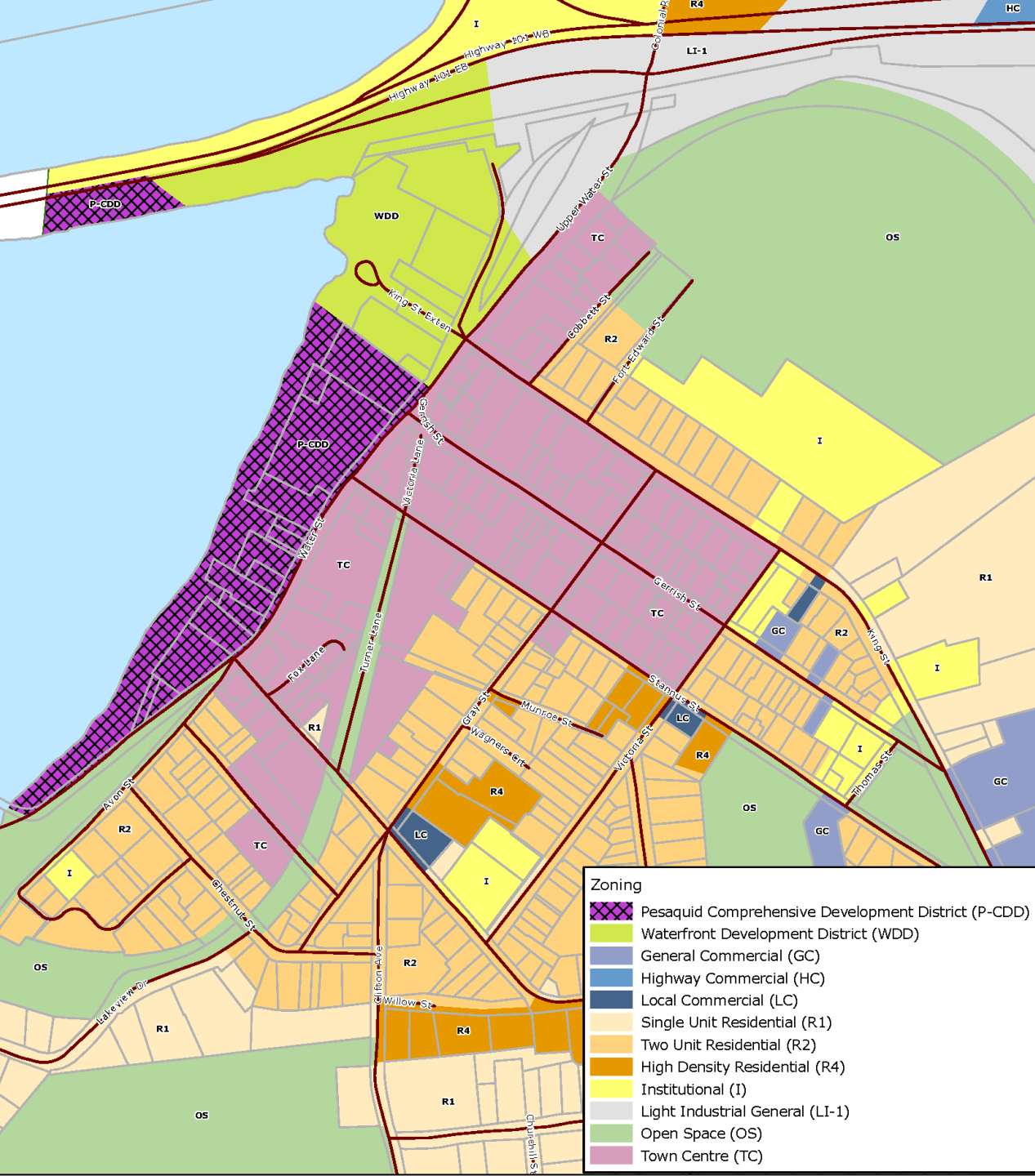
January 23, 2024

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Application

- A completed application was received from Chad and Mandy Singleton on October 19, 2023.
- The application was to amend the Windsor Municipal Planning Strategy and Land Use By-law to permit a rear-facing residential unit apartment unit on the ground floor of an existing business.



Pesaquid Comprehensive Development District Zone

As-of-right development:

- change in use based on the Town Centre (TC) zone;
- additions of up to 1,000 sq. ft. (92.90 sq. m.), alterations, repairs and renovations, subject to Town Centre (TC) zone requirements;
- accessory structures up to 500 sq. ft. (46.45 sq. m.), subject to Town Centre (TC) zone requirements; and



Windsor MPS – General Criteria Policy

Policy 16.1.1 provides the ability for Council to consider amendments to the Municipal Planning Strategy. In summary, the proposal meets the criteria as:

- The request for a ground level residential use within a commercial district is not permitted within the current planning documents and provides Council with the option to consider the proposal as a change in the development environment. The proposal also aligns with the Statement of Provincial Interest Regarding Housing as the amendment will provide additional opportunities for residential development which would not have otherwise been permitted.



Windsor MPS – General Criteria Policy

Policy 16.3.1 states general criteria for amendments to the Land Use By-law. In summary, the proposal meets the criteria as:

- 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, Traffic Authority, and Public Works Engineering Division have no concerns which have not been otherwise addressed in this report.



Draft WMPS Amendments (Policy 7.5.3)

- Policy 7.5.3** *It shall be the policy of Council that within the Pesaquid CDD, Council will consider a mix of uses including:*
- (a) commercial development including retail, service, office and entertainment uses;*
 - (b) recreational facilities to accommodate passive and active recreational activities or special events;*
 - (c) residential development as a secondary focus, located **behind the commercial uses on the ground floor or on the upper floors of existing commercial buildings;** other types of residential development, such as apartment buildings or town houses, will be considered, but will not be the dominant feature of the development.*



Draft WMPS Amendments (Policy 7.5.5)

Policy 7.5.5 *It shall be the policy of Council that within the Pesaquid CDD, minor development such as a change in use in an existing building, a small addition or accessory building, and repairs or renovations, in accordance with the provisions of the Town Centre (TC) zone, as well as residential units located behind the commercial uses on the ground floor of existing buildings shall be permitted as-of-right.*



Draft WLUB Amendments (Section 15.1)

As-of-Right Development

- 15.1 The following categories of development shall be permitted in the Pesaquid Comprehensive Development District (P-CDD) zone as-of-right:
- (a) change in use in an existing building, provided the use is permitted in the Town Centre (TC) zone;
 - (b) additions not exceeding 1,000 ft² (92.90 m²) in floor area, alterations, repairs and renovations to existing buildings, subject to Town Centre (TC) zone requirements;
 - (c) accessory structures not exceeding 500 ft² (46.45 m²) in floor area, subject to Town Centre (TC) zone requirements;
 - (d) temporary retail sales and food service kiosks subject to Section 15.2;
 - (e) residential uses on the ground floor of existing buildings in accordance with 15.1.1.



Draft WLUB Amendments (Section 15.1.1)

Requirements for Ground Floor Residential Uses

15.1.1 Residential uses on the ground floor of existing buildings shall occupy no more than 50% of the ground floor area of the structure and be located behind or below a commercial use. The commercial use must have frontage on the street.

- Amendments would affect all properties zoned Pesaquid Comprehensive Development District (P-CDD) in Windsor.



Public Information Meeting Notes

Comments and concerns received from a member of the public and the applicant:

- possibility for development agreement process; and
- how the wording for the text amendment would be determined.



Public Information Meeting –
December 7, 2023

Staff Review

PAC/HAC Review and
Recommendation – January 11, 2024

Council First Reading – January 23

Public Hearing & Second Reading –
February 27*

Ministerial Review/Approval

Notice of Approval placed in paper

Process

*anticipated date



Recommendation

...that Council gives First Reading and will hold a Public Hearing to consider amending the Windsor Municipal Planning Strategy and Land Use By-law to allow residential units at the rear of commercial uses on the ground floor of existing buildings in the Pesaquid Comprehensive Development District (P-CDD) zone in a manner substantively the same as Attachment B of the staff report to the Planning and Heritage Advisory Committee report dated January 11, 2024.





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