



West Hants

## Public Hearing Agenda

1. Intro by Mayor
2. Presentation by Planner (Alex Dunphy)
3. Presentation by Applicant (From Applicant)
4. Comments or Questions from Public
5. Conclusion of Public Hearing



# PID 45366432 Cole Drive Development Agreement Part 2

Public Hearing and Second Reading

October 24, 2023

something inspiring awaits



# Application

- An updated application was received from Darren Shupe of Brighter Community Planning on behalf of Mainland South Investments on March 31, 2023
- Request a 4-storey mixed-use building by development agreement
- This is the second of two buildings in this area submitted by this applicant



# 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
- Multiple unit, mixed-use developments of more than three units and greater than three storeys in height are considered in the Residential designation only by development agreement





# Orthophoto

- Property is currently vacant
- Abuts a grocery store, Highway 101, and Part 1 of the application





View of Subject Lot from Cole Drive

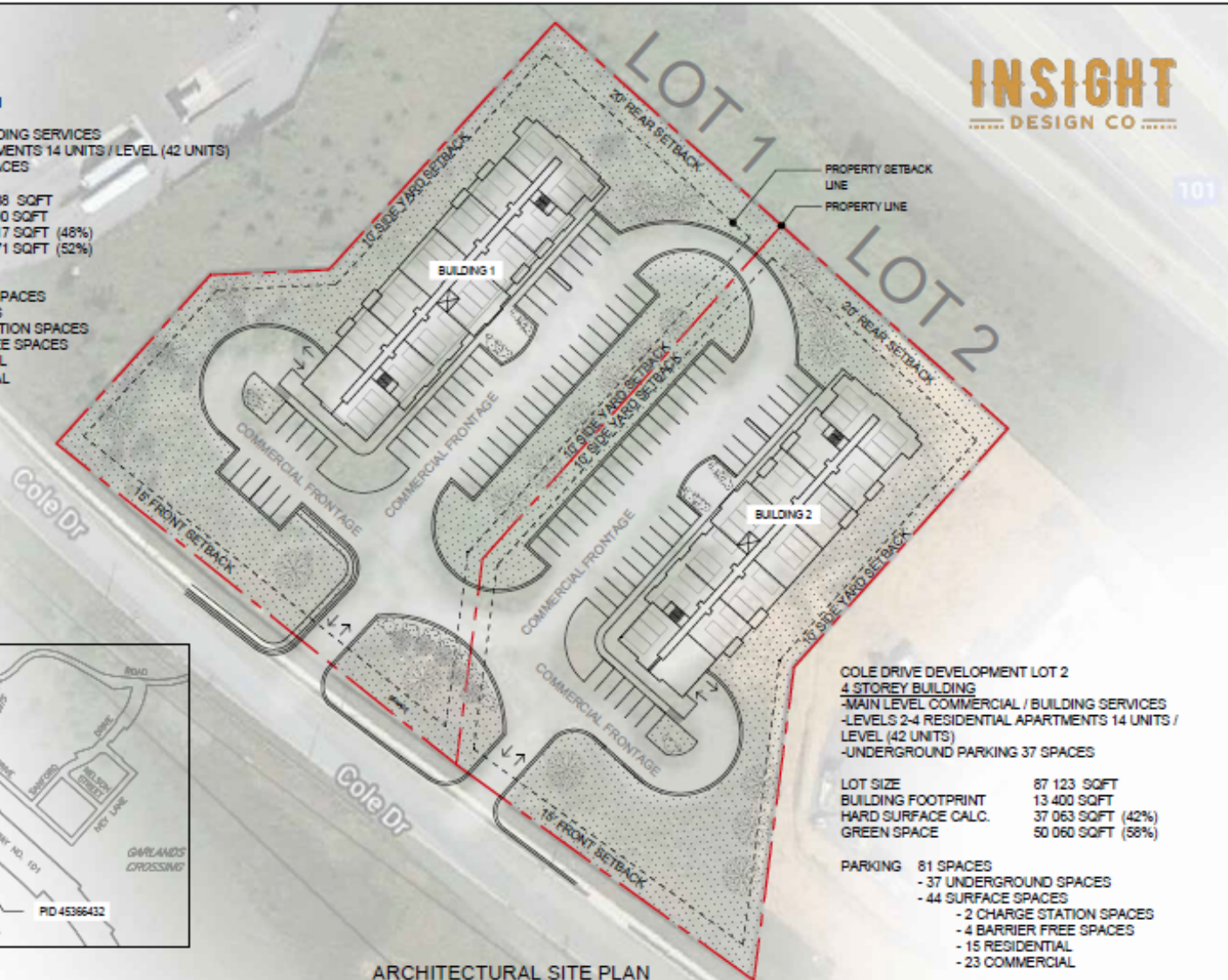
# Development Proposal – LOT 1

**INSIGHT**  
DESIGN CO

COLE DRIVE DEVELOPMENT LOT 1  
4 STOREY BUILDING  
-MAIN LEVEL COMMERCIAL / BUILDING SERVICES  
-LEVELS 2-4 RESIDENTIAL APARTMENTS 14 UNITS / LEVEL (42 UNITS)  
-UNDERGROUND PARKING 37 SPACES

LOT SIZE	99 788 SQFT
BUILDING FOOTPRINT	13 400 SQFT
HARD SURFACE CALC.	47 017 SQFT (48%)
GREEN SPACE	52 771 SQFT (52%)

PARKING 86 SPACES  
- 37 UNDERGROUND SPACES  
- 49 SURFACE SPACES  
- 2 CHARGE STATION SPACES  
- 4 BARRIER FREE SPACES  
- 15 RESIDENTIAL  
- 28 COMMERCIAL



COLE DRIVE DEVELOPMENT LOT 2  
4 STOREY BUILDING  
-MAIN LEVEL COMMERCIAL / BUILDING SERVICES  
-LEVELS 2-4 RESIDENTIAL APARTMENTS 14 UNITS / LEVEL (42 UNITS)  
-UNDERGROUND PARKING 37 SPACES

LOT SIZE	87 123 SQFT
BUILDING FOOTPRINT	13 400 SQFT
HARD SURFACE CALC.	37 063 SQFT (42%)
GREEN SPACE	50 060 SQFT (58%)

PARKING 81 SPACES  
- 37 UNDERGROUND SPACES  
- 44 SURFACE SPACES  
- 2 CHARGE STATION SPACES  
- 4 BARRIER FREE SPACES  
- 15 RESIDENTIAL  
- 23 COMMERCIAL

**brighter**  
community  
PLANNING & CONSULTING



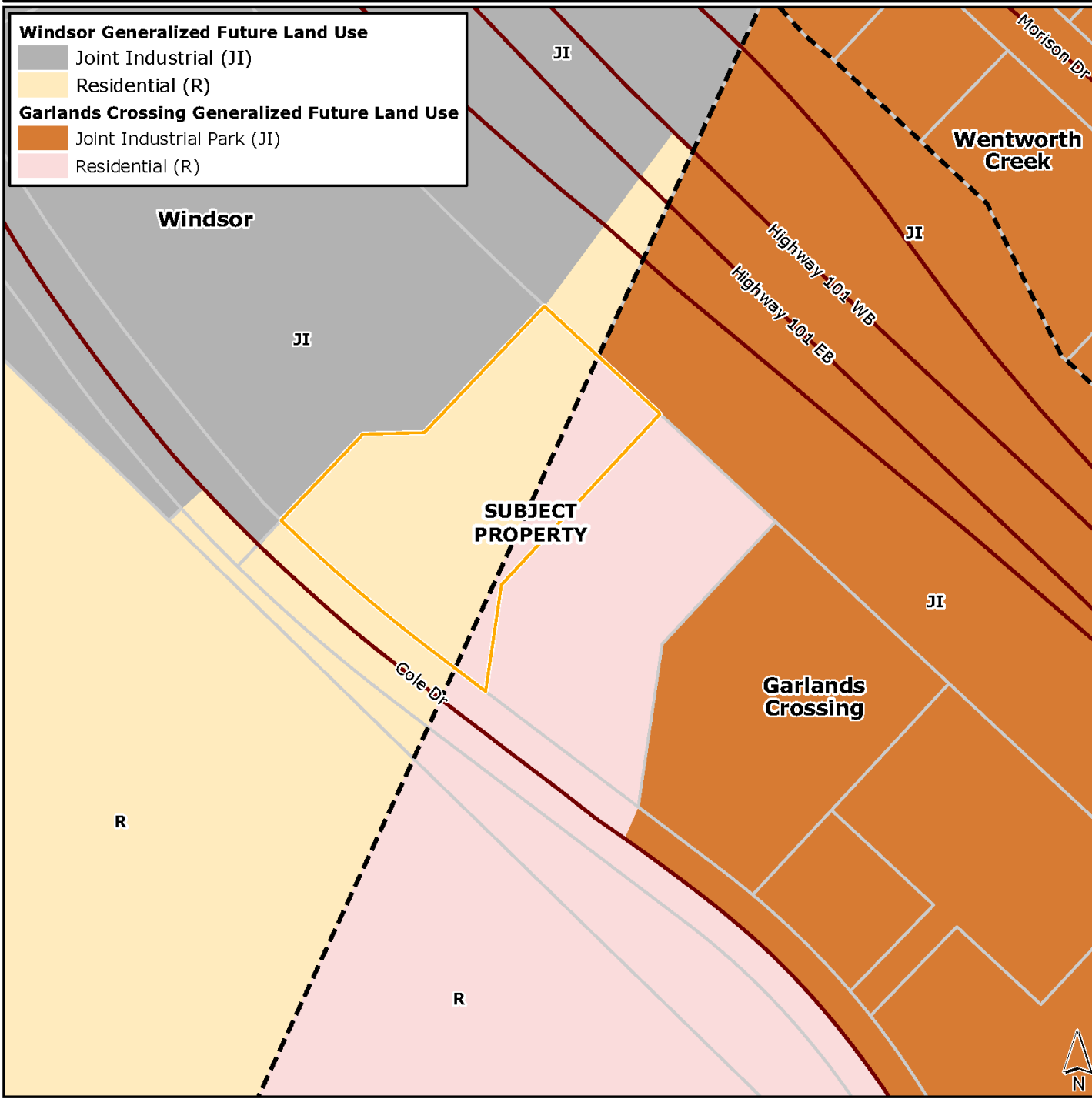
KEYPLAN  
NTS

ARCHITECTURAL SITE PLAN  
1/64" = 1'-0"

- 4-storey building (1<sup>st</sup> floor commercial, floors 2-4 residential)
- 42 total apartment units
- 13 400 sq. ft. of total commercial space
- 86 parking spaces (37 underground, 49 surface)

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# GFLUM

Windsor:

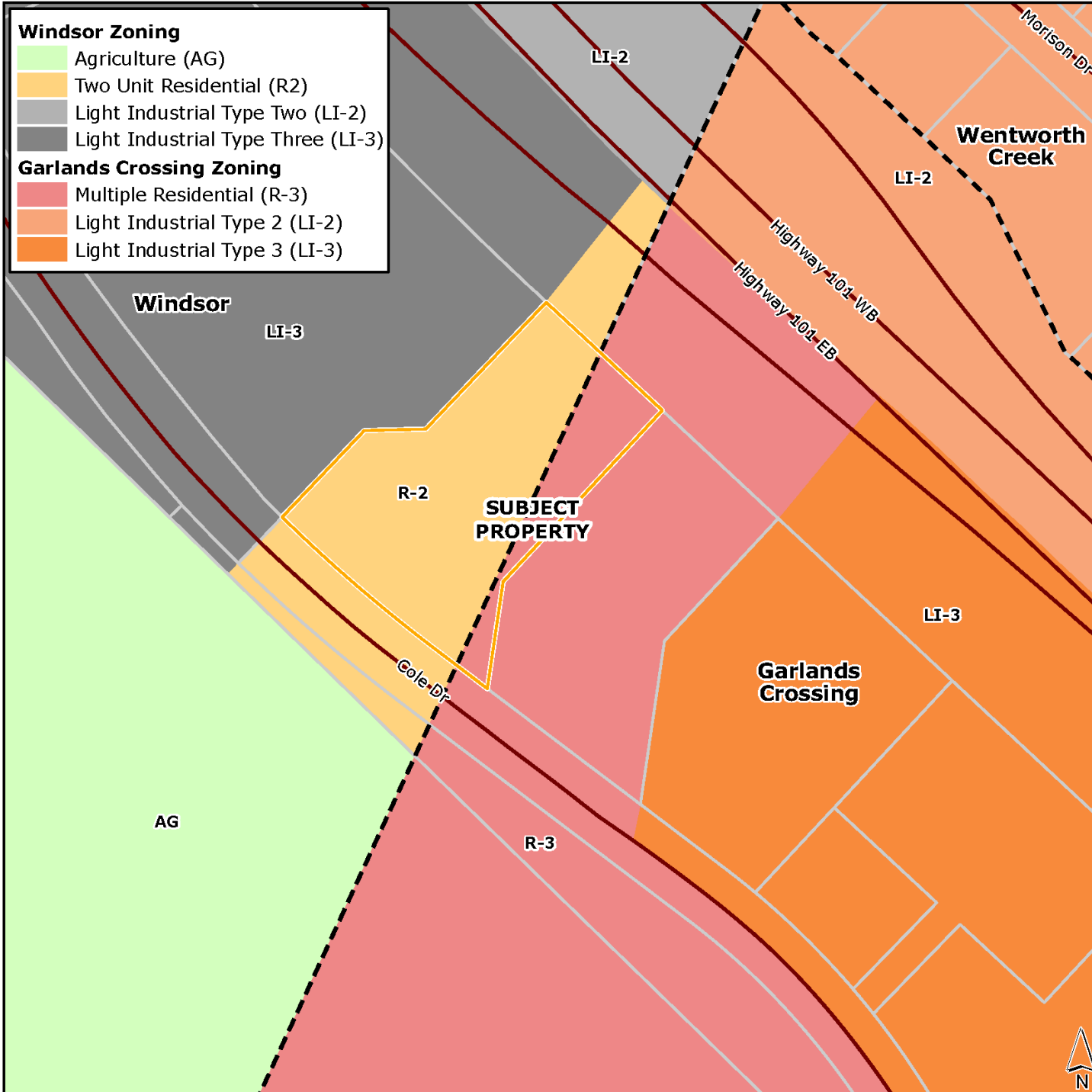
- Residential Designation

West Hants:

- Residential Designation and Three Mile Plains Growth Centre



# Zoning



Windsor:

- Two Unit Residential (R-2) zone

West Hants:

- Multiple Unit Residential (R-3) zone



# Windsor Municipal Planning Strategy

- **Policy 5.4.6** enables Council to consider multiple unit residential development consisting of three or more units in the Residential Designation by development agreement
- **Policy 5.5.1** enables Council to consider multiple unit residential development greater than three storeys in height in any residential zone by development agreement
- **Policy 9.1.1** enables Council to consider mixed use developments in the Residential Designation by development agreement



# Specific Criteria for DA

- **Policy 5.4.6, 5.5.1 and 9.1.1** establish specific criteria to be considered by Council
- In summary, the criteria are met since:
  - ✓ the amount of recreational space provided in the proposal exceeds the amount of recreational space required by the WLUB;
  - ✓ the proposed development has side yards that are at least one half the height of the main building;
  - ✓ the proposed building is limited to a maximum height of 50 ft.; and
  - ✓ the proposed development is of a similar size and design to surrounding buildings.



# 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 Details

## *Requirements*

- Permits: residential apartment building with up to 42 apartment units, and up to 13,400 sq. ft. (1,244.9 sq. m.) of commercial floor area on the ground floor
- Side yards: one-half the height of the building
- Maximum height: 4 storeys
- Driveway access from Cole Drive
- 1 parking space provided for each dwelling unit and 1 parking space per 500 sq. ft. of commercial floor area



# Development Agreement Details

## *Substantive Matters*

- the number of units permitted within the apartment building;
- the minimum side yard requirements and maximum building height of the building;
- the fire safety requirements;
- the hours of operation for the commercial



# Public Information Meeting Notes

- A Public Information Meeting was held on June 6. The meeting was broadcast live on the Municipal Facebook page.
- No members of the public attended the Public Information Meeting
- The deadline for comments was June 20, 2023
- No comments from the public were received



Public Information Meeting – June 6

Staff Review

PAC/HAC Review and Recommendation –  
September 14

Regional Council First Reading – September 26

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

Notice of Approval

14 Day Appeal Period

# Process

All statutory requirements have  
now been met



# Comments or Questions from Public



# Public Hearing Comment Period

- The Public Hearing was advertised:
  - in the paper October 3 and 10;
  - letters were sent to property owners within 500 ft of the subject lot; and
  - a sign was posted on the lot.
- The deadline for comments was Friday, October 20.
- Staff received no written correspondence.





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# Recommendations (1 of 2)

... that Council gives Second Reading to and approves entering into a development agreement to permit a four storey, mixed-use apartment building on PID 45366432 on Cole Drive in Windsor which is substantively the same as the draft set out in Attachment B of the report File #23-09 to the Planning and Heritage Advisory Committee dated July 13, 2023.



# Recommendations (2 of 2)

... that Council requires that the development agreement with Shawn Foote & Mark Hartlin which permits a four storey, mixed-use apartment building on PID 45366432 on Cole 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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