



West Hants

Public Hearing Agenda

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



Windsor Back Road Development Agreement

Public Hearing and Second Reading

September 24, 2024

something inspiring awaits



Application

- A completed application was received from the Chrystal Fuller on behalf of the owners Marchand Homes on October 13, 2023.
- The application is for a development agreement to permit Grouped Dwellings on the vacant property.
 - 3 multi-unit buildings
 - 29 units/ building
 - 87 total units



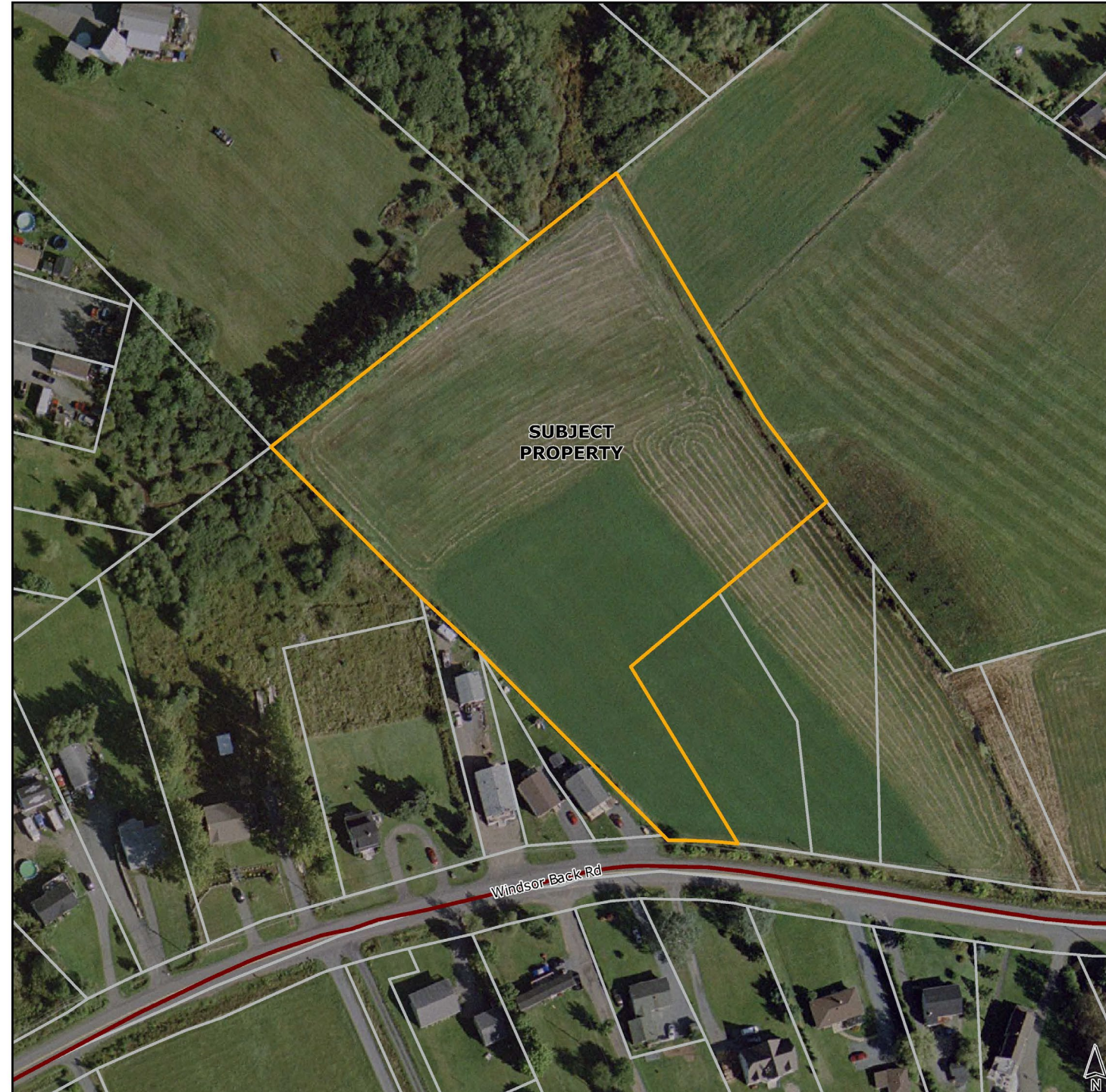
Proposed Development

- Development Agreement
- Three multi-unit buildings
- 29 units per building
- 1 bedroom and 2 bedroom units
- Three floors
- Parking – underground and surface +EV
- Shared open space (approx. 46%)
- Landscaped internally and along edges



Orthophoto

- Located on Windsor Back Rd.
- 3.9 acres in size
- Subdivided recently
- Mix of low density residential dwellings



Generalized Future Land Use
Residential (R)



GFLUM

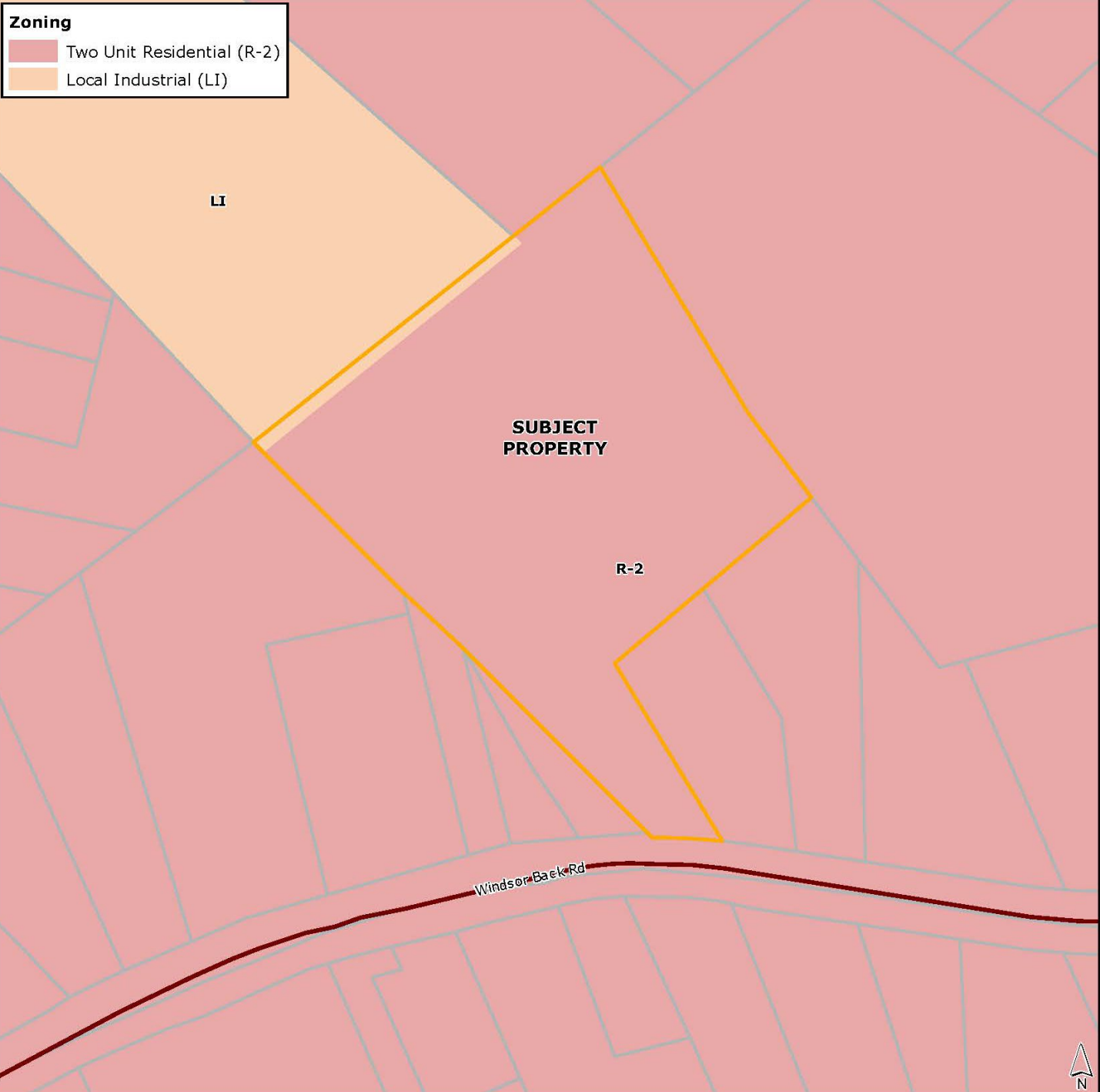
- Residential Designation

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Zoning

| | |
|---|----------------------------|
|  | Two Unit Residential (R-2) |
|  | Local Industrial (LI) |



Current Zoning

Two Unit Residential (R-2)

Permitted uses include:

- Single unit dwellings
- Two-unit dwellings
- Manufactured homes
- Mobile homes





View of Subject Lot and Posted Signage



West Hants MPS – Enabling Policy

Policy 5.3.10 enables Council to consider grouped dwellings of six or more units in the Three Mile Plains Growth Centre by development agreement:

In summary, the criteria are met since:

- road frontage on a public street is required in the development agreement;
- buildings are grouped and located to conserve the existing natural features of the site;
- the development is reasonably compatible with the character of the area with respect to building scale and traffic generation; and
- clauses (b) to (h) of Policy 5.3.7 are considered met.



West Hants MPS – General Criteria Policy

Policy 16.3.1 states general criteria for development agreements.

In summary, the criteria are met since:

- the proposal is not premature or inappropriate for the area:
- municipal costs related to the proposal would benefit the surrounding area; and
- the Fire Chief, Development Officer, Manager of Building and Fire Inspection Services, Public Works Engineering Division, and Provincial Department of Public Works have no concerns which have not been addressed in the development agreement.



Development Agreement Details

Requirements

- Permits: up to 87 total dwelling units among 3 buildings
- Setback requirements consistent with the Two Unit Residential (R-2) zone
- Maximum height: 3 storeys
- Driveway access from Windsor Back Road, with access to be shared if required by the Provincial Public Works Department
- A minimum ratio of 1.3 vehicle parking space per dwelling unit is to be provided



Development Agreement Details

Substantive Matters

- the uses permitted on the property;
- a reduction of the minimum side yard setbacks or maximum height;
- the fire safety requirements;
- the stormwater management plan requirements; and
- the water and sewer servicing infrastructure.



Public Information Meeting Notes

- A Public Information Meeting was held on November 2. The meeting was broadcast live on the Municipal Facebook page.
- Approximately 30 members of the public attended the Public Information Meeting.
- The deadline for comments was November 16, 2023.
- Staff received 12 written submissions during the public comment period.



Public Comments Summary

- Previous flooding on subject lot
- Value of the previous use
- Wildlife and species at risk
- Significant density change
- Road access and pedestrian safety
- Property value impacts
- Conflict with nearby farms
- Underground parking concern
- Cost of rent
- Inadequate servicing in the area
- Stormwater management concerns
- Limited nearby amenities
- School capacity
- Rural setting



Staff Response to Public Comments (1 of 2)

- A Watercourse Assessment and Species at Risk Screening letter was prepared by a qualified person to address the concerns regarding potential watercourses and species at risk on the subject property.
- A Traffic Impact Study was approved by Nova Scotia Department of Public Works to address the road network and access concerns.
- Upgrades to municipal services have been agreed upon with the Municipal Public Works Department.



Staff Response to Public Comments (2 of 2)

- A stormwater management plan will be required at the permitting stage to ensure that pre- and post-development flows are neutral or better.
- The subject lot is located in the Growth Centre Designation, which incentivizes residential density.
- The Annapolis Valley Regional Centre for Education confirmed sufficient student capacity to accommodate the proposal.



Public Information Meeting –
November 2, 2023

Staff Review

PAC/HAC Review and Recommendation –
June 13, 2024

Council First Reading – June 25, 2024

Postponed First Reading – July 23, 2024

**Public Hearing & Second Reading –
September 24, 2024**

Notice Placed in Paper

14 Day Appeal period

Process

All statutory requirements
have now been met.



Presentation by Applicant



Comments or Questions from Public



Questions from Council



Public Hearing Comment Period

- The Public Hearing was advertised:
 - in the paper September 3 and 10;
 - letters were sent to property owners within 300 ft of the subject lot; and
 - a sign was posted on the lot.
- The deadline for comments was Friday, September 20.
- Staff received two pieces of written correspondence, which have been included as Appendix B of the Staff Report.
- Contained similar concerns received during initial Public Comment Period.





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Recommendations (1 of 2)

...that Council gives Second Reading and approves entering into a development agreement to allow grouped multi-unit buildings on PID 45402831 on Windsor Back Road in Three Mile Plains which is substantively the same as the draft set out in Attachment C of the report File #22-33 to the Planning and Heritage Advisory Committee dated June 13, 2024.



Recommendations (2 of 2)

...that Council requires that the development agreement with Jeff Marchand of Marchand Developments Ltd. for PID 45402831 on Windsor Back Road in Three Mile Plains 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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