



West Hants

Public Hearing Agenda

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



Payzant Drive, Windsor Development Agreement

Postponed Public Hearing

June 25, 2024

something inspiring awaits



Application

- A completed application was received from Noel Taiani of Parsons Green Developments on behalf of Abraham Zebian on March 15, 2023.
- The application was to allow a proposed development including a total of 280 apartment units, across 4 multiple-unit apartment buildings and 18 townhouse units grouped on the subject lots by development agreement.



Site Plan



4 Apartment Buildings with 70 units in each building

18 Townhouse Dwellings

Locations determined by setbacks in the Development Agreement



Orthophoto

- Located at the end of Payzant Drive
- Adjacent properties include:
 - Avon View High School;
 - Windsor Baptist Church,
 - residential dwellings; and
 - commercial uses.



Generalized Future Land Use

- Commercial (C)
- Community Use (CU)
- Residential (R)

GFLUM

- Residential Designation

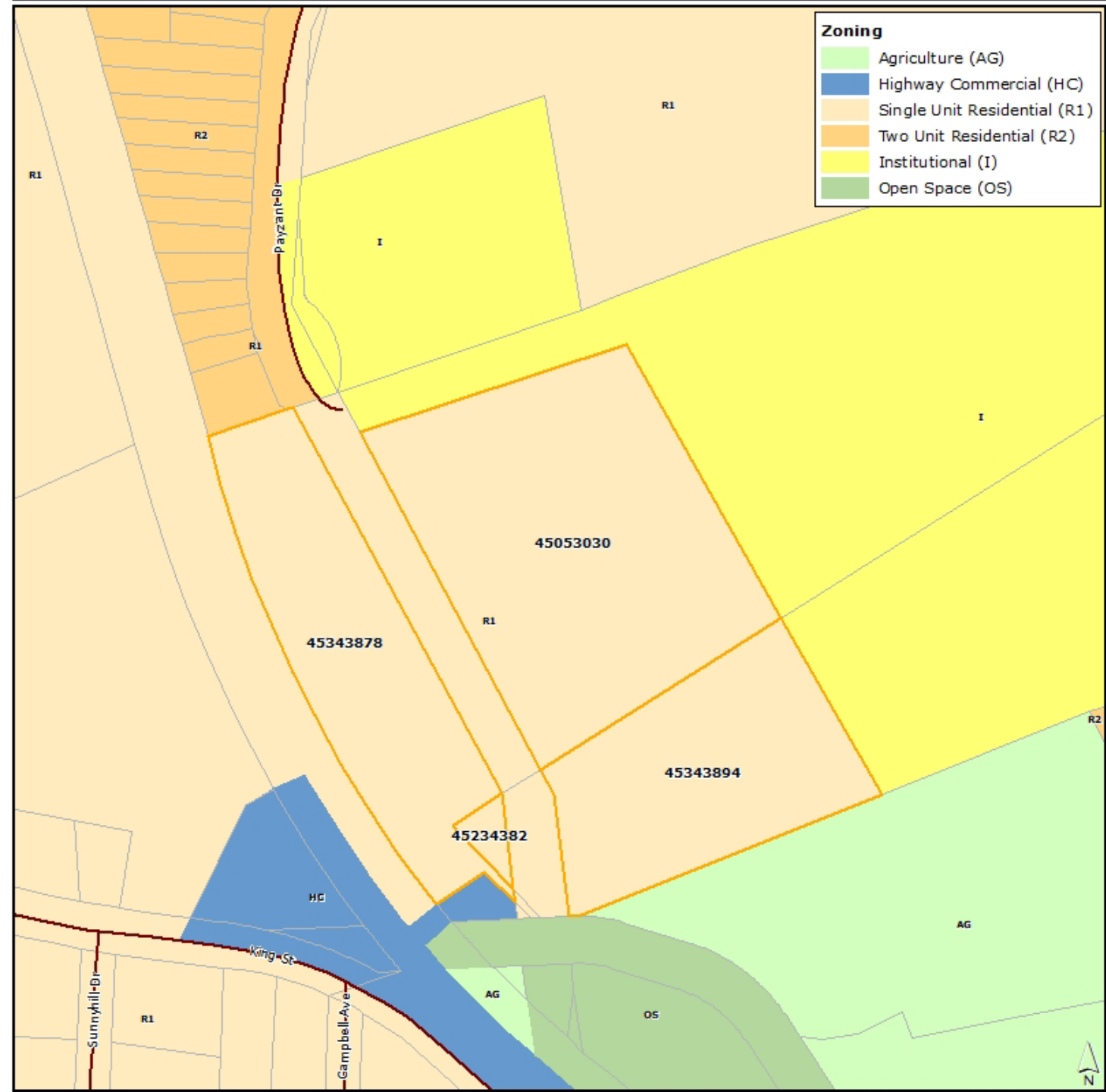


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Zoning

- Single Unit Residential (R-1) zone



Development Agreement Details

- Permits: up to 280 apartment units and 18 townhouse units
- Setback requirements generally consistent with the High Density Residential (R-4) zone, except the front and rear yards which have been reduced and deemed appropriate by the Development Officer
- Maximum height: 5 storeys
- A minimum ratio of 1 parking space to dwelling unit
- A Road Reserve to allow a future Municipal connection from the Payzant Drive Extension to the King Street Connection
- Completion of the Payzant Drive Extension by the earlier of 2030 or the completion of the King Street Connection



Development Agreement Details

Substantive Matters

- the maximum number of units permitted;
- the maximum height and storeys of the apartment buildings; and
- the fire safety requirements;
- the landscaping requirements; and
- the stormwater management plan requirements.

Public Information Meeting Notes

- A Public Information Meeting was held on May 11, 2023. The meeting was broadcast live on the Municipal Facebook page.
- 15 members of the public attended the Public Information Meeting
- The deadline for comments was May 25, 2023
- Comments from the public included:
 - Nearby sewer line, concerns with traffic, blocked views, property values, introduction of additional traffic and waste, and concerns regarding access



Windsor MPS - Specific Criteria for DA

Policy 5.4.6 allows Council to consider entering into a development agreement to permit new multiple unit residential development.

- In summary, the criteria are met since:
 - ✓ the proposed development is generally consistent with the High Density Residential (R-4) zone standards;
 - ✓ the future Municipal road, constructed at the cost of the developer, will provide adequate access to the proposed development;
 - ✓ adequate on-site parking, amenity space, and buffering will be required for the proposal as per the draft development agreement; and
 - ✓ the Development Officer and the Municipal Traffic Authority have no concerns which have not been addressed in this report.



Windsor MPS - Specific Criteria for DA

Policy 5.5.1 allows Council to consider permitting dwellings in excess of three storeys by development agreement.

- In summary, the criteria are met since:
 - ✓ the draft development agreement requires side yards to be at least one-half the height of the buildings above 3 storeys;
 - ✓ the draft development agreement restricts the apartment buildings to 5 storeys in height and in no instance are they to exceed 80 ft (24.38 m) in height; and
 - ✓ the proposal building is compatible with the surrounding area in terms of design, height and scale.



Windsor MPS - General Criteria for DA

Policy 16.3.1 states general criteria for development agreements.

- In summary, the criteria are met since:
 - ✓ the proposal is not considered premature or inappropriate for the area;
 - ✓ the costs relating directly to the development will not impact the Municipality.; 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 this report.

Process

All statutory requirements have now been met.

Public Information Meeting – May 11, 2023

Staff Review

PAC/HAC Review and Recommendation –
February 8, 2024

Council First Reading – February 27, 2024

Public Hearing Opening – March 26, 2024

Postponed Public Hearing – April 23, 2024

Postponed Public Hearing – May 28, 2024

**Postponed Public Hearing & Second Reading –
June 25, 2024**

Notice Placed in Paper

14 Day Appeal period

Presentation from Applicant



Comments or Questions from Public



Questions from Council



Public Hearing Comment Period

- The Public Hearing was advertised:
 - in the paper June 4 and 11;
 - 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, June 21.
- Staff received 4 pieces of written correspondence for previous Public Hearings. 1 piece was submitted for this Public Hearing and will now be read aloud.



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Recommendation (1 of 2)

...that Council gives Second Reading and approves entering into a development agreement to allow up to 280 units within grouped multi-unit apartment buildings and 18 townhouse units on PIDs 45053030, 45343878, 45343894, and 45234382 on Payzant Drive in Windsor which is substantively the same as the draft set out in Appendix A of the report File #23-04B to Council dated June 25, 2024.



Recommendation (2 of 2)

...that Council requires that the development agreement with Abraham Zebian on behalf of 3324482 NOVA SCOTIA LIMITED for PIDs 45053030, 45343878, 45343894, and 45234382 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.

