



West Hants

## Public Hearing Agenda

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



# Wagners Court Development Agreement

Public Hearing and Second Reading

February 27, 2024

something inspiring awaits



# Application

- An application was received from Edward Edelstein of Ecogreen Homes on October 11, 2023.
- The application is to allow the conversion from single unit residential dwellings into two-unit residential dwellings for 172, 179, 180, 187, and 188 Wagners Court by development agreement.



# Development Proposal



- Addition of 5 units across 5 existing dwellings
- 11 units total on both lots
- 12 parking spaces provided



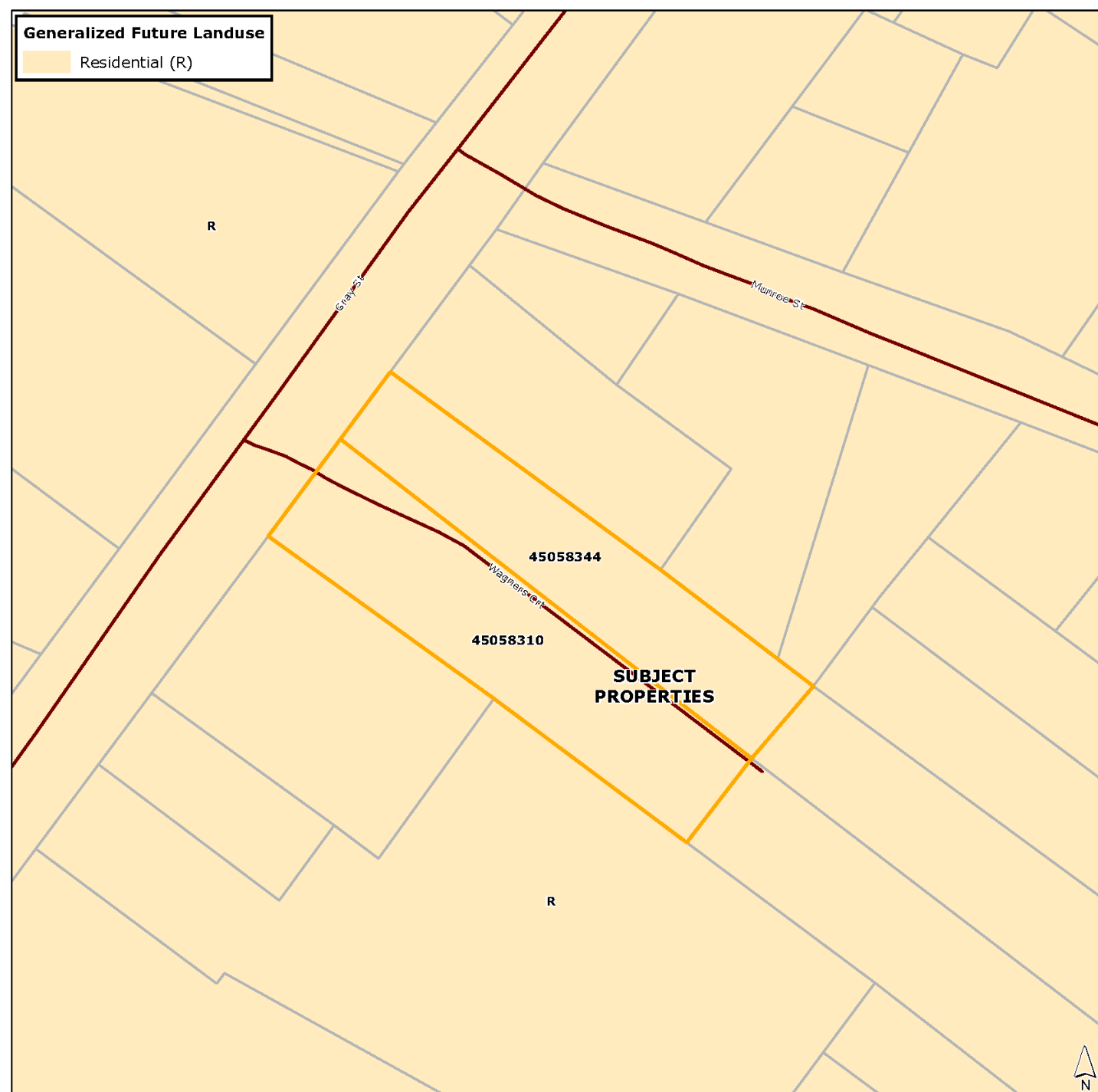
# Orthophoto

- The properties currently have 3 single unit dwellings located mirroring each other on each lot
- Abuts a number of residential uses and is located across Gray Street from the Windsor Curling Club
- Residential Designation



**Generalized Future Landuse**

Residential (R)



# GFLUM

- Residential Designation

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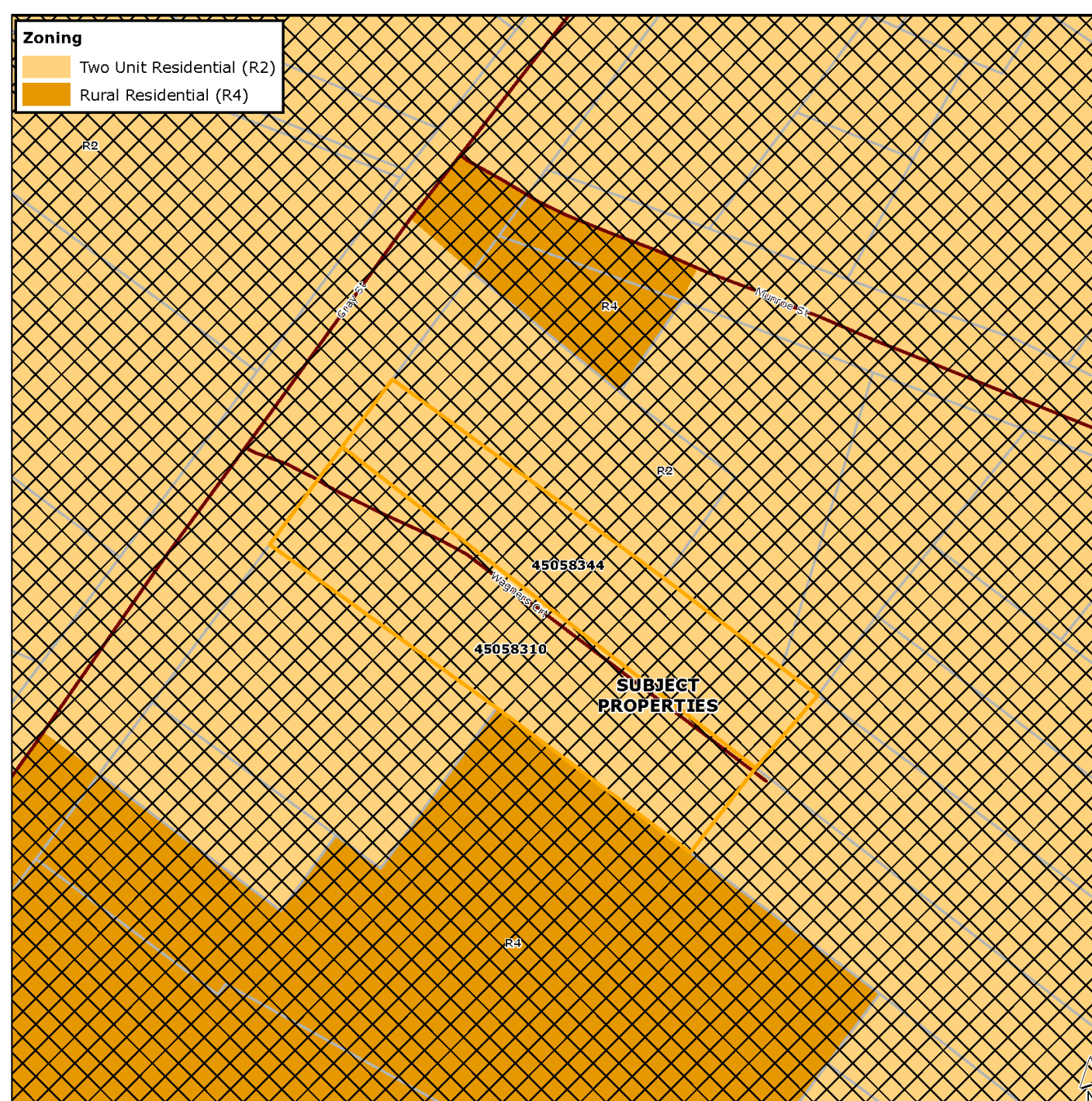


# Zoning

- Two Unit Residential (R-2) zone

- Architectural Control District

Requires developments to meet the Architectural Design Manual



# Development Agreement Details

## *Requirements*

- Permits: up to 11 grouped dwelling units on Wagners Court
- Setback requirements consistent with the High Density Residential (R-4) zone, except the side and rear yards which shall be reduced based on the footprint of the existing buildings
- Maximum height: 3 storeys
- Driveway access from Gray Street
- A minimum ratio of 1 vehicle parking space to dwelling unit is to be provided



# Development Agreement Details

## *Substantive Matters*

- the uses permitted on the property;
- a reduction of the minimum setbacks; and
- the fire safety requirements.

# Public Information Meeting Comments

Comments and concerns received from 4 members of the public:

- the development agreement process;
- density of the proposal;
- housing grants;
- traffic and parking;
- surrounding property values; and
- if the proposal would be a new build.



# Specific Criteria for DA

**Policy 5.4.6** establishes specific criteria to be considered by Council.

- In summary, the criteria are met since:
  - ✓ the proposal does not further reduce the setbacks of the existing non-conforming buildings;
  - ✓ the proposal is considered compatible with adjacent land uses;
  - ✓ the architectural design of the proposal meets the requirements of the Central Residential District of the Architectural Design Manual;
  - ✓ the Development Officer, Public Works Engineering Division, Fire Chief, Manager of Building and Fire Inspection Services, and the Municipal Traffic Authority have no concerns which have not otherwise been addressed in the report.



# Specific Criteria for DA

**Policy 13.0.3** establishes the requirement for comments and recommendation from the PAC/HAC on the design review of applications for development agreements within the Architectural Control Districts.

- With consultation from the Development Officer, planning staff have reviewed the proposed design of the buildings and have determined that it conforms to the requirements of the Architectural Design Manual.
- The aspects reviewed by staff include:
  - architectural style and façade design, height, proportion, and orientation, front yard setback, roof pitch and style, windows and dormers, cladding and trim, porches, porticos, and verandas, exterior staircases and fences, and barrier-free access.



# 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 report.



Public Information Meeting – Nov. 2

Staff Review

PAC/HAC Review and Recommendation –  
Dec. 14

Council First Reading – Jan. 23

**Public Hearing & Second Reading – Feb. 27**

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 February 6 and 13;
  - 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, February 23.
- Staff received no written correspondence.





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# Recommendations (1 of 2)

... that Council gives Second Reading and approves entering into a development agreement to allow grouped dwellings, consisting of 11 dwelling units, on PIDs 45058310 and 45058344 on Wagners Court in Windsor which is substantively the same as the draft set out in Attachment B of the report File #23-35 to the Planning and Heritage Advisory Committee dated December 14, 2023.



# Recommendations (2 of 2)

... that Council requires that the development agreement with Edward Edelstein which permits grouped dwellings, consisting of 11 dwelling units, on PIDs 45058310 and 45058344 on Wagners Court 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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