



**WEST HANTS REGIONAL MUNICIPALITY**

Information <input type="checkbox"/>	Recommendation <input checked="" type="checkbox"/>	Decision Request <input type="checkbox"/>	Councillor Activity <input type="checkbox"/>
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**To:** Mayor Zebian and Members of the West Hants Regional Municipality Council

**Submitted by:** Derek Robertson, Manager of Development Control Services

**Date:** May 26<sup>th</sup>, 2026

**Subject:** File #26-03A-MPS and LUB amendments to allow approval of Development and Building Permits before Final Subdivision Approval on lots with Tentative Subdivision Approval

**LEGISLATIVE AUTHORITY**

Section 205 of the Municipal Government Act

**RECOMMENDATION**

Staff recommends that Council forward a positive recommendation by passing the following motion:

... that Council give First Reading and hold a Public Hearing to consider amending the Town of Windsor and Municipality of the District of West Hants Municipal Planning Strategies and Land Use By-laws, and WHRM Building Code Act By-law, in a manner substantively the same as proposed in Appendix A of the report #26-03 to the Planning and Heritage Advisory Committee report dated May 14th, 2026.

**BACKGROUND**

Property X	Public Opinion <input type="checkbox"/>	Environment <input type="checkbox"/>	Social <input type="checkbox"/>	Economic <input type="checkbox"/>	Councillor Activity <input type="checkbox"/>
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West Hants Regional Municipality Planning and Development department is currently considering proposed amendments to the Town of Windsor and Municipality of the District of West Hants Municipal Planning Strategies and Land Use By-laws to allow approval of Development and Building Permits before Final Subdivision Approval on lots with Tentative Subdivision Approval. The amendments are general in nature affecting all lands regulated by

the Town of Windsor and Municipality of the District of West Hants Planning Documents. If approved by Council, the intention is to then carry them forward in the WHRM Plan Review documents.

Staff were directed by the CAO to consider amendments to the planning documents following conversation with local developers and the observation of similar amendments being made by other municipalities in the region. They are intended to improve construction timelines and efficiency for development on proposed new roads. They would primarily benefit larger developers who can manage multi-lot developments while meeting the required needs of concurrent infrastructure and building construction.

The Planning and Development Department is considering amendments to the following:

- Town of Windsor Municipal Planning Strategy
- Town of Windsor Land Use By-law
- Municipality of the District of West Hants Municipal Planning Strategy
- Municipality of the District of West Hants Land Use By-law
- WHRM Building Code Act By-law

The proposed amendments are included as Appendix A of this report.

## **DISCUSSION**

The proposed amendments would not relieve the developer of any of the current requirements for approval before buildings can be occupied or sold. They would simply allow some flexibility for the order in which the approvals are required for subdivision development that includes new roads.

The current regulations require Final Subdivision Approval be granted and the lot legally created before Development and Building Permits can be issued. The proposed amendment would allow approval and issuing of Development and Building Permits on lots with Tentative Subdivision Approval, *before* Final Subdivision Approval.

Final Subdivision Approval requires the developer construct all proposed new roads and infrastructure to the necessary standard and convey them to the municipality before approval. This can be a lengthy process. Given Nova Scotia's temperamental climate an entire year's construction season could be spent on roads and infrastructure just to get to Final Subdivision Approval, and to a point where Development and Building Permits can be issued, and construction of the dwellings can begin.

The proposed amendments would allow construction of dwellings up to 4 units to start on up to 12 proposed lots, fronting on and accessed by a proposed new street, shown on an approved Tentative Plan of Subdivision. This would allow for concurrent construction of the new dwellings at the same time as proposed streets and infrastructure, which could reduce start to finish project timelines for the overall development by 6-12 months.

An Occupancy Permit is required to legally allow the initial occupancy of all new buildings. To ensure the current stringent standards for development continue to be upheld the Building

Code Act By-law would be amended to provide for withholding Occupancy Permits for any buildings constructed on proposed lots with Tentative Subdivision Approval until the following conditions have been met:

- Final Subdivision Approval has been granted pursuant to the Subdivision By-law;
- the Subdivision has been registered with the NS Land Registry Office;
- a Work Within Highway Right-of-Way Permit has been granted by the relevant authority responsible for public roads; and
- water and sewer service connection approvals have been granted by the Municipality, if applicable.

The proposed amendments to sections 3.7(b) of the Building Code Act By-law and 2.5(d) of the Land Use By-laws clearly state the Occupancy Permit shall be withheld until those conditions are met.

Any excavation, construction, or work of any kind, that occurs under a development or building permit issued for a proposed lot with Tentative Subdivision Approval would be at the risk of the applicant and the issuance of a development permit for said lot would not relieve the applicant of the requirement to meet all conditions set out in the Subdivision By-law before Final Subdivision Approval is granted to the proposed subdivision.

The applicant would be responsible for constructing and maintaining suitable emergency vehicle access to all areas under development, as well as installing signage clearly identifying the proposed lot number or civic address. This includes all maintenance of any proposed public road, including winter snow and ice clearing, which would be the sole responsibility of the applicant until Final Subdivision Approval is granted and road ownership has been transferred to the Municipality.

All applications for Development Permits on proposed lots with Tentative Subdivision approval would be required to submit a location certificate showing the proposed dwelling's location on the proposed lot. This ensures the application would be reviewed to confirm the proposed dwelling would conform with all relevant requirements and regulations when and if Final Subdivision Approval is granted.

In order to ensure that the developer's responsibilities and the conditions for occupancy are clearly communicated, the Development Officer will include them on the Development Permit under the "Conditions" section (see Appendix B).

### **Concerns Identified**

Request for comments were sent out to multiple departments and agencies. Responses highlighted that maintaining all existing processes and requirements before Occupancy Permits can be issued addresses most potential concerns.

Responses from area Fire Chiefs expressed concern regarding emergency access and wayfinding to construction sites accessed only by proposed roads. The Traffic Authority response highlighted the importance of ensuring the developer understands all maintenance of the proposed road was the developer's responsibility. These concerns are valid but in practice are the same as existing as-of-right development on private driveways. As such staff propose to

clearly communicate the developer's responsibility to ensure emergency vehicle access and way finding on the Development and Building Permit (See Appendix B).

The largest concern identified by Planning and Development, Building and Fire Inspection Services, and Municipal Public Works staff was the potential for increased political pressure on staff and/or Councillors coming from developers pushing for Final Subdivision Approval or Occupancy Permits. This increased pressure from developers could result from the increased investment in initial stages of a development, with multiple stages of the project all occurring simultaneously and depending on the Final Subdivision Approval to proceed before dwellings can be sold or occupied. While this can not be avoided entirely staff believe having the conditions for approval clearly communicated on the Development and Building Permit will help mitigate the issue (See Attachment C).

### **PAC/HAC Discussion**

Staff presented a recommendation report to PAC/HAC at the May 14<sup>th</sup> meeting (Appendix C). Following the presentation the proposed amendments were discussed by staff and PAC/HAC at some length. The discussion included:

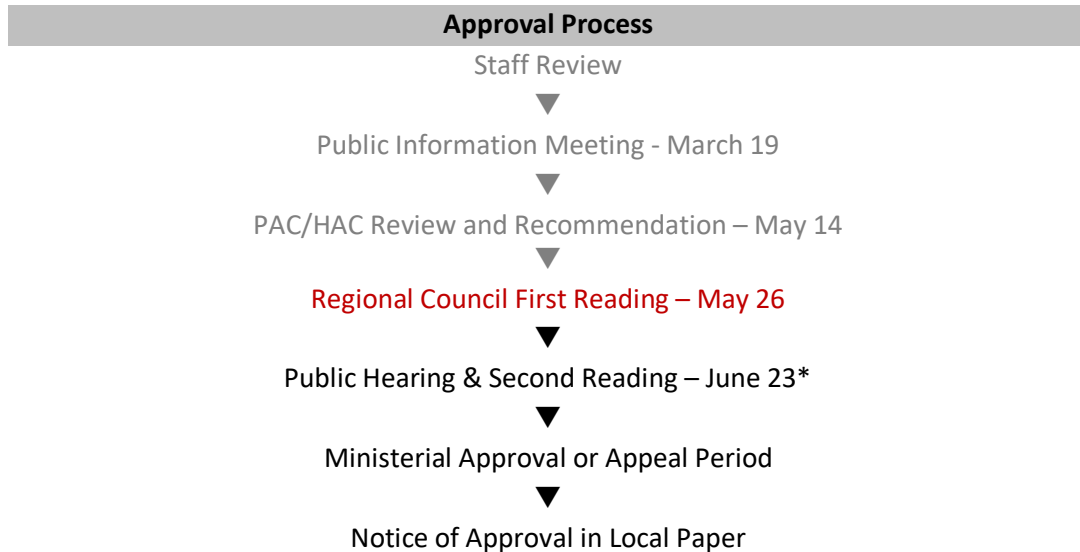
- Clarification on existing Subdivision, and Development and Building Permit requirements and approval process.
- Reassurance all existing approvals would still be required, only the order is changed.
- Reassurance Tentative Subdivision Approval requires the development comply with Land Use By-law requirements, including protections for land with agricultural zoning.
- Discussion of potential risks to municipality, most of which already exist under the current regulations.
- Acknowledgement that increased risk would be on Developer.
- Clarification that the amendments would be included in the WHRM Plan Review Documents if approved.

Following the discussion PAC/HAC made a positive recommendation by passing the following motion:

*...that PAC/HAC recommends that Council give First Reading and hold a Public Hearing to consider amending the Town of Windsor and Municipality of the District of West Hants Municipal Planning Strategies and Land Use By-laws, and WHRM Building Code Act By-law, in a manner substantively the same as proposed in Attachments A and B to the report #26-03 to the Planning and Heritage Advisory Committee dated May 14th, 2026.*

## NEXT STEPS

As noted above, the proposed amendments have been considered within the context of both the specific and general policies of the Town of Windsor and Municipality of the District of West Hants MPSs and are consistent with the intent and objectives. The amendments meet the criteria for amendment to the respective MPS and LUB. As a result, it is reasonable for Council to recommend in favour.



\*Dates shown are earliest possible. Final dates to be set by Council.

## FINANCIAL IMPLICATIONS

N/A

**ALTERNATIVES**

In response to the application, Council may:

- approve First Reading and authorize a Public Hearing to approve the amendments as drafted or as specifically revised by direction of PAC/HAC;
- provide alternative direction such as requesting further information on a specific topic.

**APPENDIX**

APPENDIX A: PAC/HAC Report

**CHIEF ADMINISTRATIVE OFFICER REVIEW**

I support the recommendation and amendments proposed.

Staff have thoroughly reviewed the rationale for the changes proposed and have made drafted policy that will benefit developers from a practical perspective as it relates to the various stages of developing a new housing area, including underground and above ground infrastructure and home construction while mitigating risks associated with the WHRM. Any risks to the municipality have been reviewed by our solicitor and their comments have been incorporated into the changes.

Report Prepared by: \_\_\_\_\_  
Derek Robertson, Manager of Development Control Services

Report Reviewed by: \_\_\_\_\_  
Kari Fougere, Acting Director of Planning and Development

Report Approved by:  \_\_\_\_\_  
Mark Phillips, Chief Administrative Officer



**WEST HANTS REGIONAL MUNICIPALITY**

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**To:** Members of Planning and Heritage Advisory Committee (PAC/HAC)

**Submitted by:** Derek Robertson, Manager of Development Control Services

**Date:** May 14<sup>th</sup>, 2026

**Subject:** File #26-03-MPS and LUB amendments to allow approval of Development and Building Permits before Final Subdivision Approval on lots with Tentative Subdivision Approval

**LEGISLATIVE AUTHORITY**

Section 205 of the Municipal Government Act

**RECOMMENDATION**

Staff recommends that the PAC/HAC forward a positive recommendation to Council by passing the following motion:

...that PAC/HAC recommends that Council give First Reading and hold a Public Hearing to consider amending the Town of Windsor and Municipality of the District of West Hants Municipal Planning Strategies and Land Use By-laws, and WHRM Building Code Act By-law, in a manner substantively the same as proposed in Attachments A and B to the report #26-03 to the Planning and Heritage Advisory Committee dated May 14th, 2026.

**BACKGROUND**

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approved by Council, the intention is to then carry them forward in the WHRM Plan Review documents.

Staff were directed by the CAO to consider amendments to the planning documents following conversation with local developers and the observation of similar amendments being made by other municipalities in the region. They are intended to improve construction timelines and efficiency for development on proposed new roads. They would primarily benefit larger developers who can manage multi-lot developments while meeting the required needs of concurrent infrastructure and building construction.

The Planning and Development Department is considering amendments to the following:

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- Town of Windsor Land Use By-law
- Municipality of the District of West Hants Municipal Planning Strategy
- Municipality of the District of West Hants Land Use By-law
- WHRM Building Code Act By-law

The proposed amendments are included as Attachments A and B of this report.

#### **ABBREVIATIONS**

- West Hants Regional Municipality – WHRM
- Town of Windsor – ToW
- Municipality of the District of West Hants – WH
- Municipal Planning Strategy – MPS
- Land Use By-law – LUB
- Subdivision By-law - SBL

#### **DISCUSSION**

The proposed amendments are general in nature and would affect all lands within the municipality. The proposed amendments would allow construction of dwellings up to 4 units to start on up to 12 proposed lots, fronting on and accessed by a proposed new street, shown on an approved Tentative Plan of Subdivision. This would allow for concurrent construction of the new dwellings at the same time as proposed streets and infrastructure, which could reduce start to finish project timelines for the overall development by 6-12 months.

Any excavation, construction, or work of any kind, that occurs under a development or building permit issued for a proposed lot with Tentative Subdivision Approval would be at the risk of the applicant and the issuance of a development permit for said lot would not relieve the applicant of the requirement to meet all conditions set out in the Subdivision By-law before Final Subdivision Approval is granted to the proposed subdivision.

## **Subdivision Process**

Lots created through the municipal subdivision process do not exist until the plan Final Plan of Subdivision is approved by the Development Officer and sent to the Nova Scotia Land Registration Office to be registered. For subdivisions that include a proposed new public road a Concept Plan of Subdivision, and Tentative Plan of Subdivision must be approved by the Development Officer before the Final Plan of Subdivision can be submitted. Below is a high-level summary of the process as it relates specifically to requirements subdivisions with new proposed streets.

### ***Concept Plan of Subdivision:***

- Required where an area of land is being subdivided in phases or will contain new public streets (ToW SBL 43, WH SBL 52)
- Where a Concept Plan is required no Tentative or Final Plan can be approved unless it is consistent with an approved Concept Plan (ToW SBL 47, WH SBL 56)
- May include proposed lot layout or just estimated lot yield (ToW SBL 44(a), WH SBL 53(a))
- Must show any internal street network being proposed including any connection to an existing street (ToW SBL 44(d), WH SBL 53(d))
- Must be accompanied by a traffic impact study prepared by a qualified Professional Engineer unless the requirement is waived by the authority responsible for the roads (ToW SBL 45, WH SBL 54)
- Sent to all appropriate departments and authorities for comment (ToW SBL 48, WH SBL 57)
- Reviewed based on level of detail provided and approved if no issues identified (ToW SBL 48, WH SBL 57)

### ***Tentative Plan of Subdivision:***

- Required where an area of land is being subdivided in phases or will contain new public streets (ToW SBL 50, WH SBL 59)
- Detailed plan, preferably but not necessarily surveyed, showing all proposed lots and streets and other required information (ToW SBL 51, WH SBL 61)
- Where a new street is proposed the area of land must be surveyed and detailed design plans for the road and any proposed infrastructure must be included for review and approval by the Municipal Engineer (ToW SBL 52, WH SBL 62)
- Sent to all appropriate departments and authorities for comment as per general subdivision procedure (ToW SBL 53, WH SBL 63)
- Reviewed for compliance with all relevant regulations and by-laws, primarily for compliance with the Subdivision By-law itself and the applicable minimum lot standards of the Land Use By-law.

***Final Plan of Subdivision:***

- In addition to requirements for Tentative Plans all lots must be surveyed (ToW SBL 56, WH SBL 66)
- Before Final Subdivision Approval any proposed roads must be constructed to specification as approved by the Municipal Engineer (ToW SBL 30, WH SBL 38)
- Before Final Subdivision Approval any proposed central sewer or water systems must be constructed to specification as approved by the Municipal Engineer (ToW SBL 33, WH SBL 41)

See Attachment D for referenced Subdivision By-law Sections.

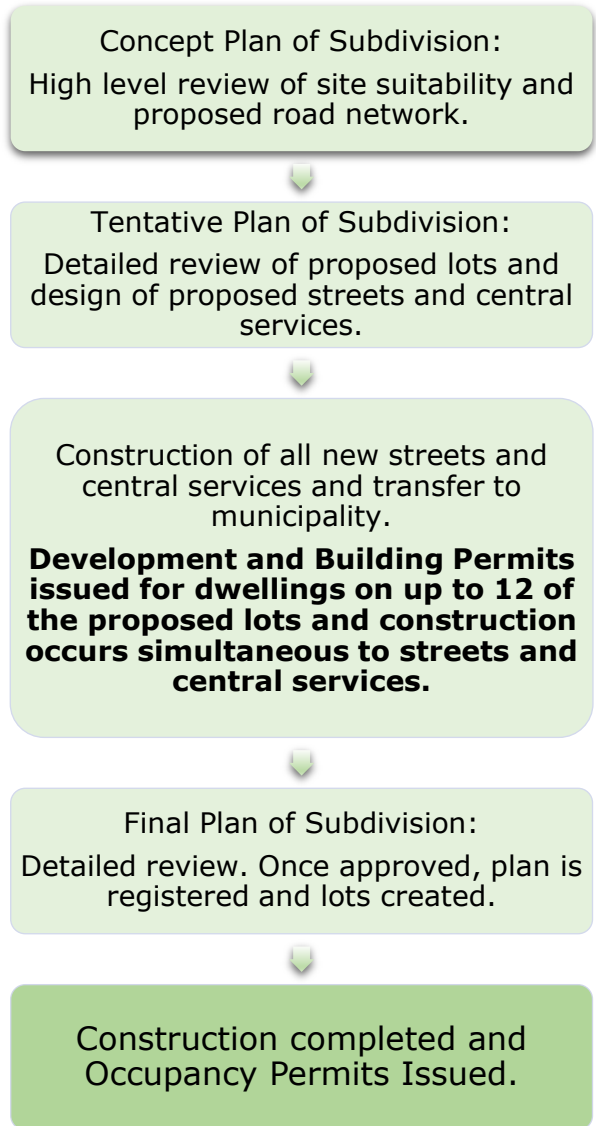
## Development and Building Permits

The current regulations require Final Subdivision Approval be granted and the lot legally created before a Development Permit can be issued. Constructing the roads and infrastructure to the necessary standard and conveying them to the municipality is a lengthy process. Given Nova Scotia's temperamental climate an entire year's construction season could be spent on roads and infrastructure just to get to Final Subdivision Approval and to a point where Development and Building Permits can be issued, and construction of the dwellings can begin.

### Current Process



### Proposed Process



The applicant would be responsible for constructing and maintaining suitable emergency vehicle access to all areas under development, as well as installing signage clearly identifying the proposed lot number or civic address. This includes all maintenance of any proposed public road, including winter snow and ice clearing, which would be the sole responsibility of the applicant until Final Subdivision Approval is granted and road ownership has been transferred to the Municipality.

All applications for Development Permits on proposed lots with Tentative Subdivision approval would be required to submit a location certificate showing the proposed dwelling's location on the proposed lot. This ensures the application would be reviewed to confirm the proposed dwelling would conform with all relevant requirements and regulations when and if Final Subdivision Approval is granted.

### **Occupancy Permits**

An Occupancy Permit is required to legally allow the initial occupancy of all new buildings. To ensure the current stringent standards for development continue to be upheld the Building Code Act By-law would be amended to provide for withholding Occupancy Permits for any buildings constructed on proposed lots with Tentative Subdivision Approval until the following conditions have been met:

- Final Subdivision Approval has been granted pursuant to the Subdivision By-law;
- the Subdivision has been registered with the NS Land Registry Office;
- a Work Within Highway Right-of-Way Permit has been granted by the relevant authority responsible for public roads; and
- water and sewer service connection approvals have been granted by the Municipality, if applicable.

The proposed amendments to sections 3.7(b) of the Building Code Act By-law and 2.5(d) of the Land Use By-laws clearly state the Occupancy Permit shall be withheld until those conditions are met.

In order to ensure that the developer's responsibilities and the conditions for occupancy are clearly communicated, the Development Officer will include them on the Development Permit under the "Conditions" section (see Attachment C).

### **Municipal Planning Strategy**

The intent of the proposed amendments is to permit the construction of dwellings simultaneously to the construction of new streets and infrastructure while still ending up with the same end result when development is completed. This is achieved by withholding Occupancy Permits until Final Subdivision Approval.

The intent of the MPS is to provide the guiding vision for development, not the framework for the permitting process. In requiring all the same approvals as before the amendment, but allowing them to occur in a different order, the end result will still be consistent with the MPS vision for development. However, due to the specific language used Policy 4.9.1 of the ToW MPS and Policy 4.17.1 of the WH MPS will require amendments. These policies limit permitting

to only one main building on a lot except for specific exceptions. Since the proposed lots will not exist before Final Subdivision Approval the Development Permits will be issued while the proposed dwellings are all on one lot. As such these policies have been amended to add “Residential dwellings on proposed lots contained on an Approved Tentative Plan of Subdivision” to the list of exemptions (Attachment A).

MPS policies focus on the vision for completed development which will be unaffected by these amendments. However, both the ToW and WH MPSs generally support encouraging certain types of development which these amendments would do.

Town of Windsor MPS:

- Policy 4.18.3 – Encourage flexible development standards and innovative housing development. The amendments allow for a condensed timeline for housing development.
- Policy 15.1.3 – Council intends to extend water and sewer services in specific areas where appropriate. The amendments accommodate and encourage development which includes new water and sewer services by allowing for a reduced timeline for these types of developments.

Municipality of the District of West Hants MPS:

- Section 3.2 – General goals include encouraging within the servicing boundaries of the designated growth centres and allowing flexibility in development standards to provide alternate solutions. The amendments are limited to the Growth Centres which encourages development within them by allowing flexibility in the development process.
- Section 5.1/Policies 5.1.1-5.1.4 – Encourage residential development within the Growth Centres on new streets with central services. The amendments encourage this by reducing the timeline to construct these types of developments.

See Attachment E for specifically referenced MPS sections.

### **Concerns Identified**

Request for comments were sent out to multiple departments and agencies. Responses highlighted that maintaining all existing processes and requirements before Occupancy Permits can be issued addresses most potential concerns.

Responses from area Fire Chiefs expressed concern regarding emergency access and wayfinding to construction sites accessed only by proposed roads. The Traffic Authority response highlighted the importance of ensuring the developer understands all maintenance of the proposed road was the developer’s responsibility. These concerns are valid but in practice are the same as existing as-of-right development on private driveways. As such staff propose to clearly communicate the developer’s responsibility to ensure emergency vehicle access and way finding on the Development and Building Permit (See Attachment C).

The largest concern identified by Planning and Development, Building and Fire Inspection Services, and Municipal Public Works staff was the potential for increased political pressure on staff and/or Councillors coming from developers pushing for Final Subdivision Approval or

Occupancy Permits. This increased pressure from developers could result from the increased investment in initial stages of a development, with multiple stages of the project all occurring simultaneously and depending on the Final Subdivision Approval to proceed before dwellings can be sold or occupied. While this can not be avoided entirely staff believe having the conditions for approval clearly communicated on the Development and Building Permit will help mitigate the issue (See Attachment C).

### Public Information Meeting

A Public Information Meeting was advertised in the March 6<sup>th</sup> edition of the Valley Journal as well as on the municipal website. The meeting was held March 19<sup>th</sup> with no members of the public in attendance. There was some discussion between staff and Gallery Members surrounding how the process would be applied (see Attachment F Meeting Notes for details).

Comments from the public were also accepted up to April 2<sup>nd</sup>, 2026 by phone call or in writing via email or physical letter. No comments were received.

### NEXT STEPS

As noted above, the proposed amendments have been considered within the context of both the specific and general policies of the ToW and WH MPSs and are consistent with the intent and objectives. The amendments meet the criteria for amendment to the respective MPS and LUB. As a result, it is reasonable for the Committee to recommend in favour.



\*Dates shown are earliest possible. Final dates to be set by Council.

### FINANCIAL IMPLICATIONS

N/A

**ALTERNATIVES**

In response to the application, PAC/HAC may recommend that Council:

- recommend that Council hold First Reading and authorize a Public Hearing to approve the amendments as drafted or as specifically revised by direction of PAC/HAC;
- provide alternative direction such as requesting further information on a specific topic.

**ATTACHMENTS**

ATTACHMENT A: Proposed Planning Document Amendments


ATTACHMENT B: Proposed Building Code Act By-law Amendments

ATTACHMENT C: Development Permit Conditions

ATTACHMENT D: Subdivision By-law References

ATTACHMENT E: Municipal Planning Strategy References

ATTACHMENT F: Public Information Meeting Notes

Report Prepared by:  \_\_\_\_\_  
Derek Robertson, Manager of Development Control Services

Report Reviewed by: \_\_\_\_\_  
Kari Fougere, Acting Director of Planning and Development

## **ATTACHMENT A: Proposed Planning Document Amendments**

Existing Text

Added Text

~~Deleted Text~~

### Town of Windsor Municipal Planning Strategy

#### 4.9 One Main Building on a Lot

The general intent of the Municipal Planning Strategy is to allow one main building on a lot with accessory buildings and structures. In certain instances, however, more than one main building may be necessary to accommodate certain types of development. For example, industrial and agricultural uses may require several main buildings. The Fairground zone also supports a number of buildings on one lot. Grouped dwellings, by their very nature, involve several main buildings on a lot.

As a result, it shall be the policy of Council to:

**Policy 4.9.1** It shall be the policy of Council to allow only one main building on a lot with accessory buildings and structures except for the following zones or uses:

- a) Industrial zones, except the Joint Industrial Type Three (LI-3) zone;  
Grouped dwellings;
- b) Fairground zone;
- c) Shopping Centre zone;
- d) Pesaquid CDD;
- e) College Road CDD;
- f) Agriculture zone;
- g) mixed use development permitted under Policies 9.1.1 and 9.2.1;
- h) grouped dwellings;
- i) Wentworth Road Commercial Zone (*WMPS 12-01 effective August 23, 2012*);
- j) in the Mixed Use (MU) zone (*WMPS 23-02 effective September 3, 2024*);  
and
- k) Residential dwellings on proposed lots contained on an Approved Tentative Plan of Subdivision.

#### **4.17 One Main Building on a Lot**

The general intent of the Municipal Planning Strategy is to allow one main building on a lot with accessory buildings and structures. For certain types of development, however, more than one main building may be necessary. For example, industrial and agricultural uses often require several main buildings. Grouped dwellings and manufactured home parks, by their very nature, involve more than one main building on a lot. Furthermore, it has been the practice in West Hants to allow a second dwelling on a lot without subdividing, provided it can be shown that the lot is large enough to subdivide and all other requirements can be met.

**Policy 4.17.1** It shall be the policy of Council to allow only one main building on a lot with accessory buildings and structures except for the following zones or uses:

- a) farm buildings, or where an additional dwelling is to be used by a farm employee, farm owner or family member involved in the farm operation;
- b) industrial zones;
- c) regional shopping centres;
- d) grouped dwellings;
- e) institutional uses;
- f) manufactured home parks; and
- g) a second dwelling on a lot where it can be shown that a second lot could be created and the building can be shown to meet all other requirements.
- h) Residential dwellings on proposed lots contained on an Approved Tentative Plan of Subdivision.

## Town of Windsor Land Use By-law

New Subsection under Section 2 Administration. Insert as section 2.5 and renumber subsequent sections accordingly.

### **Development Prior to Final Subdivision Approval**

#### **2.5**

- a) Notwithstanding the provisions of this Land Use Bylaw, a Development Officer may issue a development permit for proposed residential dwellings up to 4 units on no more than 12 proposed lots contained on an Approved Tentative Plan of Subdivision provided that:
  - i. if granted Final Subdivision approval the proposed development would comply with all applicable provisions of this Land Use By-law;
  - ii. the proposed development has been reviewed and approved by the Municipal Engineer for compliance with all relevant requirements and specifications of Municipal Public Works, including driveway access, and central servicing; and
  - iii. all lots to be approved are owned by the applicant;
- b) Any application for a development permit on a proposed lot shall include a Site Plan stamped by a Nova Scotia Land Surveyor showing the location of the proposed development on the proposed lot and meeting all requirements of section 2.6 of this Land Use By-law as they relate to the proposed lot.
- c) Any excavation, construction, or work of any kind, that occurs under a development or building permit issued for lands pursuant to clause 2.5(a) shall be at the risk of the applicant and the issuance of a development permit for lots contained in an Approved Tentative Plan of Subdivision shall not relieve the applicant of the requirement to meet all conditions set out in the Subdivision By-law before Final Approval of Subdivision is granted to the proposed subdivision.
- d) Occupancy shall not be permitted for any development issued a development or building permit on a proposed lot pursuant to this section of the Land Use By-law until;
  - i. Final Subdivision Approval has been granted pursuant to the Subdivision By-law;
  - ii. the Subdivision has been registered with the NS Land Registry Office;
  - iii. a Work Within Highway Right-of-Way Permit has been granted by the relevant authority responsible for public roads; and
  - iv. water and sewer service connection approvals have been granted by the Municipality, if applicable.

## Municipality of the District of West Hants Land Use By-law

New Subsection under Section 2 Administration. Insert as section 2.5 and renumber subsequent sections accordingly.

### **Development Prior to Final Subdivision Approval**

#### **2.5**

- a) Notwithstanding the provisions of this Land Use Bylaw, within Growth Centres, a Development Officer may issue a development permit for proposed residential dwellings up to 4 units on no more than 12 proposed lots contained on an Approved Tentative Plan of Subdivision provided that:
  - i. if granted Final Subdivision approval the proposed development would comply with all applicable provisions of this Land Use By-law;
  - ii. the proposed development has been reviewed and approved by the Municipal Engineer for compliance with all relevant requirements and specifications of Municipal Public Works, including driveway access, and central servicing; and
  - iii. all lots to be approved are owned by the applicant;
- b) Any application for a development permit on a proposed lot shall include a Site Plan stamped by a Nova Scotia Land Surveyor showing the location of the proposed development on the proposed lot and meeting all requirements of section 2.6 of this Land Use By-law as they relate to the proposed lot.
- c) Any excavation, construction, or work of any kind, that occurs under a development or building permit issued for lands pursuant to clause 2.5(a) shall be at the risk of the applicant and the issuance of a development permit for lots contained in an Approved Tentative Plan of Subdivision shall not relieve the applicant of the requirement to meet all conditions set out in the Subdivision By-law before Final Approval of Subdivision is granted to the proposed subdivision.
- d) Occupancy shall not be permitted for any development issued a development or building permit on a proposed lot pursuant to this section of the Land Use By-law until;
  - i. Final Subdivision Approval has been granted pursuant to the Subdivision By-law;
  - ii. the Subdivision has been registered with the NS Land Registry Office;
  - iii. a Work Within Highway Right-of-Way Permit has been granted by the relevant authority responsible for public roads; and
  - iv. water and sewer service connection approvals have been granted by the Municipality, if applicable.

## **ATTACHMENT B: Proposed Building Code Act By-law Amendments**

### Building Code Act By-law

#### *Compliance with other By-Laws and regulations*

- 3.2 Any permit may be withheld until the Building Official is satisfied that the provisions of the Building Code Act, Municipal Government Act, any regulations and By-Laws enacted pursuant thereto including any Land Use By-law, Architectural Design Manual, Subdivision By-law, Sewer By-law, the Heritage Property Act and any regulations and By-laws enacted pursuant thereto and any applicable development agreement have been complied with.

#### *Location certificates and footings permits*

- 3.3 A location certificate showing the location of the footings on the lot and certified by a Nova Scotia Land Surveyor shall be provided for:
- a) every new main building except where the lot area is greater than three (3) acres (1.2 hectares); and
  - b) where construction is proposed on a proposed Lot with Tentative Subdivision Approval pursuant to section 2.5 of the Municipality of the District of West Hants Land Use By-law or the Town of Windsor Land Use By-law.
- 3.4 Notwithstanding clause 3.3, the authority having jurisdiction may require a location certificate in any case where construction is proposed within 1.52m (5.0 ft.) of the setback that is required under any Land Use By-Law applicable in the Regional Municipality of Windsor and West Hants, the authority having jurisdiction may require a location certificate for additions, accessory buildings or new main buildings in order to be satisfied that the construction complies with the Land Use By-Law and Building Code.
- 3.5 Where a location certificate is required under this by-law:
- a) a footings permit shall be issued that authorizes the applicant to commence construction to the point of the second inspection as specified in Part 4; and
  - b) no building permit shall be issued until the footings have been installed to the satisfaction of the Building Official and the location certificate has been approved by the authority having jurisdiction.

#### *Occupancy permit*

- 3.6 An occupancy permit is required:
- a) to allow the initial occupancy of a building or a part thereof;
  - b) when the occupancy classification of a building or part thereof is changed;  
or
  - c) to allow for occupancy after the partial demolition or alteration of a building.

3.7 The Building Official shall withhold an occupancy permit until satisfied that:

- a) the owner has posted a valid civic number as required by the Regional Municipality of Windsor and West Hants Civic Addressing By-Law; and
- b) For any structure constructed on a proposed lot with Tentative Subdivision Approval, for which the Development Permit was issued pursuant to section 2.5 of the Municipality of the District of West Hants or Town of Windsor Land Use By-law;
- c) Final Subdivision Approval has been granted pursuant to the Subdivision By-law;
- d) the Subdivision has been registered with the NS Land Registry Office;
- e) a Work Within Highway Right-of-Way Permit has been granted by the relevant authority responsible for public roads; and
- f) water and sewer service connection approvals have been granted by the Municipality, if applicable.

## **ATTACHMENT C: Development Permit Conditions**

### Development Permit Conditions

Development Permits issued for development on proposed lots with Tentative Subdivision Approval will include the following additional items under the "Conditions" section:

This Development Permit has been issued pursuant to section 2.5 of the Land Use By-law. Any excavation, construction, or work of any kind, that occurs under this development or building permit shall be at the risk of the applicant and the issuance of a development permit for lots contained in an Approved Tentative Plan of Subdivision shall not relieve the applicant of the requirement to meet all conditions set out in the Subdivision Bylaw before Final Approval of Subdivision is granted to the proposed subdivision.

It is the applicant's responsibility to construct and maintain suitable emergency vehicle access to all areas under development and install signage clearly identifying the proposed lot number or civic address. All maintenance of any proposed road, including winter snow and ice clearing, shall be the sole responsibility of the applicant.

As per 2.5(d) of the Land Use By-law and 3.7(d) of the Building Code Act By-law no Occupancy Permit shall be issued until Final Subdivision Approval has been granted pursuant to the Subdivision By-law; the Subdivision has been registered with the NS Land Registry Office; a Work Within Highway Right-of-Way Permit has been granted by the relevant authority responsible for public roads; and water and sewer service connection approvals have been granted by the Municipality, if applicable.

## ATTACHMENT D: Subdivision By-law References

### Town of Windsor

30	Prior to approval of the final plan of subdivision by the Development Officer, the subdivider shall provide a certificate from a professional engineer which certifies that the public street has been constructed in compliance with the design and construction requirements of Section 29.
33	<p>a) Where a proposed subdivision is in an area or immediately adjacent to an area serviced by a municipal sewer and water, and where a new public street is proposed, the subdivider shall, prior to approval of the final plan of subdivision by the Development Officer:</p> <ol style="list-style-type: none"><li>i. construct a sanitary sewer system including collectors and laterals to the boundary of the proposed lots and connect to the existing central sanitary sewer system;</li><li>ii. construct a water system including mains and laterals to the boundary of the proposed lots and connect to the central water system; and</li><li>iii. all sanitary sewer systems and water systems required by Clauses (a)(i) and (ii) shall be designed by a professional engineer and shall comply with the Municipal Specifications.</li></ol> <p>b) The subdivider shall install a storm water system in conformance with a drainage plan, properly designed by a professional engineer, to remove any surface drainage that may enter the area being subdivided or be generated within the proposed subdivision, and to adequately dispose of the waters so as not to negatively affect any downstream properties. All drainage plans and storm drainage systems shall comply with the Municipal Specifications.</p> <p>c) The specifications referred to in Clause (a)(iii) and Subsection (b) herein may be waived or varied by the Engineer in accordance with accepted engineering practice.</p>
43	Where an area of land is being subdivided in phases or will contain new public streets, a person shall submit to the Development Officer for approval an application in the form specified in Schedule "A", together with ten (10) copies of a concept plan of the entire area of land.
44	<p>Concept plans shall be at a scale sufficient for clarity of all particulars of the plan and shall show the following:</p> <ol style="list-style-type: none"><li>a) the words "Concept Plan" located in the title block, along with an estimated lot yield figure, based on the requirements of the Land Use By-law and the Department of the Environment, as applicable;</li><li>b) name of the property owner(s) and names of all abutting land owners;</li><li>c) the unique parcel identifier (PID) for all areas of land being subdivided;</li><li>d) the proposed internal street system with connections to existing streets;</li><li>e) the location of all watercourses and wetlands within and adjacent to the area of land, any prominent rock formation, wooded area, area subject to flooding and any other prominent natural feature which might affect the provision or layout of central sanitary sewer systems, storm water systems, central water distribution systems, or public streets;</li><li>f) the proposed location of public open space;</li><li>g) the location of existing development, if any;</li><li>h) the location of any Town service boundary;</li><li>i) the north point;</li></ol>

	<ul style="list-style-type: none"> <li>j) contours at 5 metre (16.40 foot) intervals; and</li> <li>k) any other information the Development Officer deems necessary to determine if the subdivision meets with Town standards and accepted engineering practice as determined by the Engineer.</li> </ul>
45	The concept plan shall be accompanied by a traffic impact analysis, prepared by a professional engineer, the level of detail of which shall be relative to the scope of the development.
47	<p>Where a concept plan is required under this By-law:</p> <ul style="list-style-type: none"> <li>a) no tentative or final plan of subdivision shall be considered for approval unless the Development Officer has granted approval of the concept plan; and</li> <li>b) no tentative or final plan of subdivision shall be approved that is inconsistent with the approved concept plan.</li> </ul>
48	The procedure for processing concept plans of subdivision is contained in PART 4: General Provisions.
50	Where an area of land is being subdivided in phases or will contain new public streets, a person shall submit to the Development Officer for approval an application in the form specified in Schedule "A", together with ten (10) copies of the tentative plan of the proposed subdivision meeting the requirements of Section 51 of this By-law.
51	<ul style="list-style-type: none"> <li>a) Tentative plans of subdivision submitted to the Development Officer shall be: <ul style="list-style-type: none"> <li>i. drawn to a scale or scales sufficient for clarity of all particulars on the tentative plan of subdivision;</li> <li>ii. based on a deed description of the area of land to be subdivided, preferably but not necessarily as surveyed; and</li> <li>iii. folded to approximately 20 x 30 centimetres (8 x 12 inches) with the face of the folded print being the title block which is located in the lower right -hand corner of the tentative plan of subdivision.</li> </ul> </li> <li>b) Tentative plans of subdivision shall show the following: <ul style="list-style-type: none"> <li>i. the words "PLAN OF SUBDIVISION" located in the title block;</li> <li>ii. the words "TENTATIVE PLAN" located above the title block;</li> <li>iii. a clear space for stamping being a minimum of 225 square centimetres (36 square inches) with a minimum width of 8 centimetres (3 inches);</li> <li>iv. the name of the subdivision, if any, and the name of the owner of the area of land;</li> <li>v. if applicable, the book and page number of the deed to the area of land as recorded in the name of the owner in the Registry of Deeds for this Town;</li> <li>vi. the unique parcel identifier (PID) of all areas of land being subdivided;</li> <li>vii. the civic number of main buildings on the area of land being subdivided;</li> <li>viii. the names of all owners or the identifiers of all properties abutting the proposed subdivision;</li> <li>ix. a location map, drawn to a scale not smaller than 1:50,000 (such scale to be shown on the map), preferably with the same orientation as the area of land and, if possible, showing the location of the closest community to the area of land proposed to be subdivided;</li> </ul> </li> </ul>

	<ul style="list-style-type: none"> <li>x. the shape, dimensions, and area of the proposed lots;</li> <li>xi. each proposed lot identified by a number, except in cases where a parcel is being added to or subtracted from an existing area of land, in which case the parcel shall be identified by a letter and the new lot identified by the existing area of land identifier, where applicable, and the letter;</li> <li>xii. no duplication of lot identifiers;</li> <li>xiii. the boundaries of proposed lots shown by solid lines, and the vanishing boundaries of existing areas of land being resubdivided, consolidated, or both, shown as broken lines;</li> <li>xiv. the location of existing buildings within 10 metres (32.81 feet) of a property boundary;</li> <li>xv. the location of existing and proposed public streets;</li> <li>xvi. the name of existing and proposed public streets (and the public street number), as issued pursuant to the civic addressing system;</li> <li>xvii. the width and location of railroads and railway rights -of - way;</li> <li>xviii. the general location of watercourses, wetlands, or prominent rock formations;</li> <li>xix. the width, location, and nature of any easements on or affecting the area of land proposed to be subdivided;</li> <li>xx. where applicable, a notation stating the lots are serviced by a municipal sewer and/or water system;</li> <li>xxi. the north point;</li> <li>xxii. the scale to which the plan of subdivision is drawn;</li> <li>xxiii. the date on which the plan of subdivision was drawn and the date of any revisions; and</li> <li>xxiv. any other information which the Development Officer deems necessary to determine whether or not the plan of subdivision conforms to this By-law.</li> </ul> <p>c) Where the tentative plan of subdivision is to be forwarded to the Department of Environment, the plan shall meet the requirements of Subsections 40(b), (c) and (d) and the proposed on-site sewage disposal system selected or designed shall be identified.</p>
52	<p>In addition to meeting the requirements of Section 51, where the proposed lots front on a proposed public street, a tentative plan of subdivision shall:</p> <ul style="list-style-type: none"> <li>a) show a boundary survey of the area of land proposed to be subdivided, excluding the remainder lot, certified and stamped by a Nova Scotia Land Surveyor in the manner required by the Land Surveyors Act and its regulations;</li> <li>b) be accompanied by four (4) copies of a plan showing <ul style="list-style-type: none"> <li>i. contours at 2 metre (6.56 foot) intervals and drainage patterns;</li> <li>ii. the width and location of proposed public streets and their intersection with existing public streets; and</li> <li>iii. the location of existing and proposed central sewer and water systems and proposed connections thereto; and</li> </ul> </li> <li>c) be accompanied by four (4) copies of centerline profiles of proposed public streets;</li> <li>d) be accompanied by four (4) copies of a storm drainage plan applying acceptable engineering practices for the proper removal of surface drainage from the proposed subdivision and in compliance with Subsection 33(b);</li> </ul>

	<ul style="list-style-type: none"> <li>e) be accompanied by any other information which the Development Officer deems necessary to determine whether the plans referred to in Subsections (b), (c), and (d) conform to this By-law.</li> <li>f) Where plans or drawings or centerline profiles are prepared by or under the supervision of a professional engineer, they shall be signed and sealed by the professional engineer in accordance with the Engineering Profession Act.</li> </ul>
53	The procedure for processing tentative plans of subdivision is contained in PART 4: General Provisions.
56	<ul style="list-style-type: none"> <li>a) Final plans of subdivision submitted to the Development Officer shall be: <ul style="list-style-type: none"> <li>i. drawn to a scale or scales sufficient for clarity of all particulars of the final plan of subdivision;</li> <li>ii. certified and stamped by a Nova Scotia Land Surveyor that the lots for which approval is requested and any proposed street and road have been surveyed in the manner required by the Land Surveyors Act and its regulations, except for a final plan of subdivision prepared pursuant to Subsection 21(b) of this By-law; and</li> <li>iii. folded to approximately 20 x 30 centimetres (8 x 12 inches) with the face of the folded print being the title block which is located in the lower right-hand corner of the final plan of subdivision.</li> </ul> </li> <li>b) Final plans of subdivision shall meet the requirements of Subsections 51(b) and (c) and Section 52, except that: <ul style="list-style-type: none"> <li>i. Clause 51(b)(ii) does not apply;</li> <li>ii. proposed streets and roads shall be surveyed; and</li> <li>iii. the geographical and mathematical location of all buildings within 3 metres (9.8 ft) of a proposed boundary shall be shown.</li> </ul> </li> </ul>

Municipality of the District of West Hants

38	Prior to approval of the final plan of subdivision by the Development Officer, the subdivider shall provide a certificate from a professional engineer which certifies that the public street has been constructed in compliance with the design and construction requirements of Section 37.
41	<p>a) Where a proposed subdivision is in the Falmouth or Three Mile Plains Growth Centres or the Joint Industrial designation, as defined in the West Hants Municipal Planning Strategy and Land Use By-law, and where a new public street is proposed, the subdivider shall, prior to approval of the final plan of subdivision by the Development Officer:</p> <ul style="list-style-type: none"><li>i. construct a sanitary sewer system including collectors and laterals to the boundary of the proposed lots and connect to the existing central sanitary sewer system;</li><li>ii. construct a water system including mains and laterals to the boundary of the proposed lots and connect to the central water system; and</li><li>iii. all sanitary sewer systems and water systems required by subsections (a)(i) and (ii) shall be designed by a professional engineer and shall comply with the specifications contained in the Manual.</li></ul> <p>b) The subdivider shall install a storm water system in conformance with a drainage plan, properly designed by a professional engineer, to remove any surface drainage that may enter the area being subdivided or be generated within the proposed subdivision, and to adequately dispose of the waters so as not to negatively affect any downstream properties. All drainage plans and storm drainage systems shall comply with the specifications contained in the Manual.</p> <p>c) The specifications referred to in subsections (a)(iii) and (b) herein may be waived or varied by the Engineer in accordance with accepted engineering practice.</p>
52	Where an area of land is being subdivided in phases or will contain new public streets or private roads, a subdivider shall submit to the Development Officer ten (10) copies of a concept plan of the entire area of land.
53	<p>Concept plans shall be at a scale sufficient for clarity of all particulars of the plan and shall show the following:</p> <ul style="list-style-type: none"><li>a) the words "Concept Plan" located in the title block, along with an estimated lot yield figure, based on the requirements of the Land Use By-law and the Department of the Environment, as applicable;</li><li>b) name of the property owner(s) and names of all abutting land owners;</li><li>c) the unique parcel identifier (PID) for all areas of land being subdivided;</li><li>d) the proposed internal street system with connections to existing streets;</li><li>e) the location of all watercourses and wetlands within and adjacent to the area of land, any prominent rock formation, wooded area, area subject to flooding and any other prominent natural feature which might affect the provision or layout of central sanitary sewer systems, storm water systems, central water distribution systems, or public streets and private roads;</li><li>f) the proposed location of public open space;</li><li>g) the location of existing development, if any;</li><li>h) the location of any municipal service boundary;</li></ul>

	<ul style="list-style-type: none"> <li>i) the proposed subdivision phasing sequence;</li> <li>j) the north point;</li> <li>k) contours at 5 metre (16.40 foot) intervals; and</li> <li>l) any other information the Development Officer deems necessary to determine if the subdivision meets with municipal standards and accepted engineering practice as determined by the Engineer.</li> </ul>
54	The concept plan shall be accompanied by a traffic impact study, prepared by a qualified traffic or transportation engineer registered with the Association of Professional Engineers of Nova Scotia in accordance with the Nova Scotia Department of Transportation and Public Works' Guide for the Preparation of Traffic Impact Studies.
56	<p>Where a concept plan is required under this By-law:</p> <ul style="list-style-type: none"> <li>a) no tentative or final plan of subdivision shall be considered for approval unless the Development Officer has granted approval of the concept plan; and</li> <li>b) no tentative or final plan of subdivision shall be approved that is inconsistent with the approved concept plan.</li> </ul>
57	The procedure for processing preliminary plans of subdivision is contained in PART 4: General Provisions.
59	Where an area of land is being subdivided in phases or will contain new public streets or private roads, a person shall submit to the Development Officer ten (10) copies of a tentative plan of the proposed subdivision.
61	<ul style="list-style-type: none"> <li>a) Tentative plans of subdivision submitted to the Development Officer shall be: <ul style="list-style-type: none"> <li>i. drawn to a scale or scales sufficient for clarity of all particulars on the tentative plan of subdivision;</li> <li>ii. based on a deed description of the area of land to be subdivided, preferably but not necessarily as surveyed; and</li> <li>iii. folded to approximately 20 x 30 centimetres (8 x 12 inches) with the face of the folded print being the title block which is located in the lower right-hand corner of the tentative plan of subdivision.</li> </ul> </li> <li>b) Tentative plans of subdivision shall show the following: <ul style="list-style-type: none"> <li>i. the words "PLAN OF SUBDIVISION" located in the title block;</li> <li>ii. the words "TENTATIVE PLAN" located above the title block;</li> <li>iii. a clear space for stamping being a minimum of 225 square centimetres (36 square inches) with a minimum width of 8 centimetres (3 inches);</li> <li>iv. the name of the subdivision, if any, and the name of the owner of the area of land;</li> <li>v. if applicable, the book and page number of the deed to the area of land as recorded in the name of the owner in the Registry of Deeds for this Municipality;</li> <li>vi. the unique parcel identifier (PID) of all areas of land being subdivided;</li> <li>vii. the civic number of main buildings on the area of land being subdivided;</li> <li>viii. the names of all owners or the identifiers of all properties abutting the proposed subdivision;</li> <li>ix. a location map, drawn to a scale not smaller than 1:50,000 (such scale to be shown on the map), preferably with the same orientation</li> </ul> </li> </ul>

	<p>as the area of land and, if possible, showing the location of the closest community to the area of land proposed to be subdivided;</p> <ul style="list-style-type: none"> <li>x. the shape, dimensions, and area of the proposed lots;</li> <li>xi. each proposed lot identified by a number, except in cases where a parcel is being added to or subtracted from an existing area of land, in which case the parcel shall be identified by a letter and the new lot identified by the existing area of land identifier, where applicable, and the letter;</li> <li>xii. no duplication of lot identifiers;</li> <li>xiii. the boundaries of proposed lots shown by solid lines, and the vanishing boundaries of existing areas of land being resubdivided, consolidated, or both, shown as broken lines;</li> <li>xiv. the location of existing buildings within 10 metres (32.81 feet) of a property boundary;</li> <li>xv. the location of existing and proposed public streets and private roads;</li> <li>xvi. the name of existing and proposed public streets (and the public street number) and private roads, as issued pursuant to the civic addressing system;</li> <li>xvii. the width and location of railroads and railway rights-of-way;</li> <li>xviii. the general location of watercourses, wetlands, or prominent rock formations;</li> <li>xix. the width, location, and nature of any easements on or affecting the area of land proposed to be subdivided;</li> <li>xx. where applicable, a notation stating the lots are serviced by a central sewer and/or water system;</li> <li>xxi. the north point;</li> <li>xxii. the scale to which the plan of subdivision is drawn;</li> <li>xxiii. the date on which the plan of subdivision was drawn and the date of any revisions; and</li> <li>xxiv. any other information which the Development Officer deems necessary to determine whether or not the plan of subdivision conforms to this By-law</li> </ul> <p>c) Where the tentative plan of subdivision is to be forwarded to the Department of Environment, the plan shall meet the requirements of subsections 49(b), (c) and (d) and the proposed on-site sewage disposal system, selected or designed shall be identified.</p>
62	<p>In addition to meeting the requirements of Section 61, where the proposed lots front on a proposed public street or proposed private road, a tentative plan of subdivision shall:</p> <ul style="list-style-type: none"> <li>a) show a boundary survey of the area of land proposed to be subdivided, excluding the remainder lot, certified and stamped by a Nova Scotia Land Surveyor in the manner required by the Land Surveyors Act and its regulations;</li> <li>b) be accompanied by four (4) copies of a plan showing <ul style="list-style-type: none"> <li>i. contours at 2 metre (6.56 foot) intervals, and drainage patterns;</li> <li>ii. the width and location of proposed public streets and private roads, and their intersection with existing public streets; and</li> <li>iii. the location of existing and proposed central sewer and water systems and proposed connections thereto; and</li> </ul> </li> </ul>

	<ul style="list-style-type: none"> <li>c) be accompanied by four (4) copies of centerline profiles of proposed public streets or private roads;</li> <li>d) be accompanied by four (4) copies of a storm drainage plan applying acceptable engineering practices for the proper removal of surface drainage from the proposed subdivision and in compliance with subsection 41(b);</li> <li>e) be accompanied by any other information which the Development Officer deems necessary to determine whether the plans referred to in subsections 62(b), (c), and (d) conform to this By-law.</li> <li>f) Where plans or drawings or centerline profiles are prepared by or under the supervision of a professional engineer, they shall be signed and sealed by the professional engineer in accordance with the Engineering Profession Act.</li> </ul>
63	The procedure for processing tentative plans of subdivision is contained in PART 4: General Provisions.
66	<ul style="list-style-type: none"> <li>a) Final plans of subdivision submitted to the Development Officer shall be: <ul style="list-style-type: none"> <li>i. drawn to a scale or scales sufficient for clarity of all particulars of the final plan of subdivision;</li> <li>ii. certified and stamped by a Nova Scotia Land Surveyor that the lots for which approval is requested and any proposed street and road have been surveyed in the manner required by the Land Surveyors Act and its regulations, except for a final plan of subdivision prepared pursuant to subsection 22(b) of this By-law; and</li> <li>iii. folded to approximately 20 x 30 centimetres (8 x 12 inches) with the face of the folded print being the title block which is located in the lower right-hand corner of the final plan of subdivision.</li> </ul> </li> <li>b) Final plans of subdivision shall meet the requirements of subsections 61(b) and (c) and Section 62, except that: <ul style="list-style-type: none"> <li>i. subsection 61(b)(ii) does not apply;</li> <li>ii. proposed streets and roads shall be surveyed; and</li> <li>iii. the geographical and mathematical location of all buildings within 3 metres (9.8 ft) of a proposed boundary shall be shown.</li> </ul> </li> </ul>

## **ATTACHMENT E: Municipal Planning Strategy References**

### Town of Windsor MPS

**Policy 4.18.3** include flexible development standards which encourage innovative housing development in the Municipal Planning Strategy and Land Use By-law.

**Policy 15.1.3** It is the intent of Council to extend water and sewer services for residential purposes only in those areas designated residential or the College Road Comprehensive Development District.

### Municipality of the District of West Hants MPS

#### **3.2 General Goals**

- Maintain a "quiet, rural atmosphere" as desired by respondents to the 2002 Plan Review Survey.
- Encourage more dense development in the Growth Centre designation within servicing boundaries.
- Encourage large-scale commercial and industrial development to locate in the Growth Centres and industrial parks, and work with the Town of Windsor to maintain commercial service centres for both West Hants and the Town.
- Encourage development which does not place undue strain on the existing facilities or financial resources of West Hants.
- Recognize the poor supply of potable water in West Hants and identify potential sources of water.
- Allow for flexibility in development standards to provide alternate development solutions.
- Promote the protection of the natural environment, watercourses and environmentally sensitive areas through land use controls and setback requirements.
- Provide a variety of community and neighbourhood recreational sites.
- Identify areas with constraints for development because of soil conditions, topography, risk of flooding, subsidence or other conditions.

#### **5.0 Growth Centre**

##### **5.1 General Policies**

This Strategy encourages most of the future non-rural growth in West Hants to occur in designated Growth Centres where municipal services, particularly water and sewer, can be provided more efficiently and economically. The Growth Centres offer commercial, industrial and institutional services to the surrounding area and have a higher concentration of population. Three Mile Plains and Falmouth have been designated as Growth Centres under this Strategy.

The Three Mile Plains Growth Centre will include both commercial and residential development. The majority of existing commercial development is in the Garlands

Crossing area (the junction of Highway 1 and Highway 14). It is expected that this area will continue to attract businesses because of its proximity to Highway 101. Outside of this commercial core, there is a significant amount of residential development and vacant land with potential for development.

New development in the Falmouth Growth Centre will be mainly residential. Falmouth has a smaller commercial area concentrated on Highway 1 between the Avon River Bridge and the Highway 101 connector. In addition, there are several businesses outside the commercial core. The boundaries of both Growth Centres represent defined servicing limits, based on the Municipality's ability to provide water and sewer services and the desire to encourage a concentrated development pattern that makes efficient use of these services. Council's intent is that over time, most land within the boundaries will be fully serviced. Policies of this Strategy will help to achieve that aim by ensuring that land is not consumed by unserviced development requiring large lots and extensive road frontage. This type of development makes it difficult to achieve the densities necessary to make servicing feasible and can block the orderly provision of services. The Growth Centre boundaries will not be expanded until most of the existing serviceable land has been developed, or where it can be demonstrated that there is no available land within the boundaries that is suitable to accommodate proposed serviced development. Municipal water and sewer services will not be provided outside the Falmouth and Three Mile Plains Growth Centres, and the Windsor-West Hants Joint Industrial Park.

**Policy 5.1.1** It shall be the policy of Council to encourage more concentrated residential and commercial development in the designated Growth Centres.

**Policy 5.1.2** It shall be the intention of Council that the majority of new development in the Growth Centres will be serviced with both municipal water and sewer services.

**Policy 5.1.3** It shall be the policy of Council that within the Growth Centres, future residential development on new public streets shall be serviced with both municipal water and sewer. New residential development using on-site sewage disposal systems shall be permitted only on existing public streets in areas which are not serviced with municipal sewer services.

**Policy 5.1.4** It shall be the policy of Council that municipal sewer and water services will not be extended beyond the boundaries of the Falmouth and Three Mile Plains Growth Centres and the Windsor-West Hants Joint Industrial Park.

## ATTACHMENT F: Public Information Meeting Notes

March 19, 2026

### Proposed Amendments to Planning Documents to allow approval of Development and Building Permits before Final Subdivision Approval on lots with Tentative Subdivision Approval; File 26-03

<b>Date &amp; Time</b>	A Public Information Meeting was held on March 19 <sup>th</sup> 2026, beginning at 6:03pm. The meeting was broadcast live on the Municipal YouTube channel.
<b>Attending</b>	In Attendance for the meeting: One (1) Chair: <ul style="list-style-type: none"><li>• Councillor Jim Ivey</li></ul> Five (5) Staff: <ul style="list-style-type: none"><li>• Chief Administrative Officer Phillips</li><li>• Development Officer Robertson</li><li>• Development Officer Overholt</li><li>• Development Technician Kennedy</li><li>• Planning Assistant Lake</li></ul> Three (3) Gallery: <ul style="list-style-type: none"><li>• Councillor Wheadon</li><li>• Councillor Smith</li><li>• PAC/HAC Resident Member Easson</li></ul> No members of the public were in attendance for the meeting.
<b>Applicant</b> Internal Staff	Development Officer Robertson gave a presentation outlining the proposed amendments to Town of Windsor and Municipality of the District of West Hants Planning Documents to allow Development and Building Permits before Final Subdivision Approval on lots with Tentative Subdivision Approval.
<b>Comments</b>	Comments from the public could be submitted by mail, email, and telephone between March 6 <sup>th</sup> and April 2 <sup>nd</sup> , 2026. Staff did not receive any comments during that period.  Councillor Smith: Asked whether the "West Hants" documents included Hantsport.  Development Officer Robertson: Responded Hantsport not under the existing West Hants planning documents. Hantsport was left out of this stage of the amendments as the documents are structured differently and the demand for this type of development is generally in West Hants and Windsor. Hantsport would be included in the carry forward under the WHRM Plan Review as a Growth Centre.  PAC/HAC Member Easson: Asked if homes will be built without roads.  Development Officer Robertson: Clarified homes would be built concurrently to roads.

	<p>PAC/HAC Member Easson: Asked if there is any assurance homes will be built on the correct lot.</p> <p>Development Officer Robertson: Responded a Location Certificate will be required before moving past the footing permit for all homes constructed without Final Subdivision Approval.</p>
<b>Adjournment</b>	<p>The Public Information Meeting was adjourned at 6:27pm.</p>