



West Hants
something inspiring awaits

Development and Building Permits before Final Subdivision Approval on lots with Tentative Approval

Council First Reading

May 14, 2026

something inspiring awaits





Application Overview

- Amendments to Windsor and West Hants MPS and LUB, and the WHRM Building Code Act By-law.
- General in nature and will affect all lands regulated by Windsor and West Hants Planning Documents.
- Staff were directed by the CAO to consider amendments following conversation with local developers and the observation of similar amendments being made by other municipalities in the region.



Context

- The proposal is to concurrently amend Windsor and West Hants LUB and MPS and the Building Code Act By-law
- If approved by council, they would carry forward in upcoming WHRM Planning Documents.
- Amendments are intended to improve construction timelines and efficiency for subdivision development with proposed new streets by permitting concurrent construction of dwellings and streets.



Amendments

- Attachments A and B of report to PAC (Appendix A of report).
- Allow approval of Development and Building Permits for dwellings up to 4 dwelling units, on up to 12 proposed lots with Tentative Subdivision Approval.
- Final Subdivision Approval still required before Occupancy Permit.
- 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.
- The amendments do not relieve the developer of any of the current requirements. They just change the order.



Concept Plan of Subdivision. High level review.

Tentative Plan of Subdivision. Includes design details for proposed infrastructure.

Construction of all proposed new infrastructure and handover to municipality.

Final Subdivision Approval – Plan registered & lots are created.

Development and Building Permits can be issued and construction of dwellings can start.

Buildings completed & Occupancy Permits issued.

Current Process

The Developer must complete all necessary criteria for Final Subdivision Approval before Development and Building Permits can be issued.

This includes constructing any new municipal streets or servicing infrastructure. New infrastructure must be approved by Public Works and complete an acceptance process before Final Subdivision Approval.



Concept Plan of Subdivision. High level review.



Tentative Plan of Subdivision. Includes design details for proposed infrastructure.



Development and Building Permits can be issued and construction started on up to 12 lots.

Simultaneous construction of all proposed new infrastructure and handover to municipality.



Final Subdivision Approval – Plan registered & lots are created.



Buildings completed & Occupancy Permits issued.

Proposed Process

Development and Building Permits could be issued after Tentative Approval. The developer could construct buildings concurrent with construction of new streets and servicing infrastructure.

All existing municipal requirements for Final Approval still need to be met before lots are created or Occupancy Permits are issued. No final approval would be guaranteed and all work done would be at the developer's risk.

A similar process can already be permitted by Development Agreement.



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.
- MPS is guiding the vision for the end result of development, not the permitting framework. The end result is still consistent with MPS.
- However, specific language used in Windsor MPS Policy 4.9.1 and West Hants MPS Policy 4.17.1 will require amendments.



Concerns Identified

- Request for comments sent to multiple departments and authorities.
- Responses highlighted importance of appropriate access to construction sites being constructed and maintained. This is a valid concern but not overly different from existing as-of-right process and was addressed by adding to conditions on permit.
- Largest concern identified by WHRM staff as potential increased political pressure on staff and/or Councillors coming from Developers seeking Final Subdivision Approval and/or Occupancy Permits.
- This cannot be avoided entirely but staff believe listing the conditions for approval on the permit will help mitigate the issue.
- Additional permit conditions Attachment C of report.



Benefits

- Concurrent construction of infrastructure and dwellings could reduce start to finish timeline of development by 6-12 months.
- Reduced time investment by developers before seeing return.
- Primarily benefit larger developers who can manage multi-lot developments and meet the required needs of concurrent infrastructure and building construction.
- Existing oversight and approvals retained as all approvals still required before Final Subdivision Approval and Occupancy Permits.
- Dwellings can not be occupied, and Lots can not be created to be eligible for sale, until Final Subdivision Approval.
- Development and Building permits do not guarantee Final Subdivision Approval and Developer would be building at own risk.



PAC/HAC

- Staff presented the report in Appendix A to PAC/Hac on May 14, 2026
- There was some discussion between staff and gallery members about how the process would be applied and confirming that all existing approvals are still required before dale or occupancy of a dwelling.
- 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.



Public Information Meeting – March 19

Staff Review

PAC/HAC Review and Recommendation –
May 14

**Regional Council First Reading –
May 26**

Public Hearing & Second Reading –
June 23*

Notice Placed in Paper

14 Day Appeal period

Process

No notice given to specific properties as the amendment is general in nature effecting the area covered by the Windsor and West Hants Planning Documents as a whole.

*Dates shown are the earliest possible. Final dates set by Council.



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 Attachments A and B to the report #26-03 to the Planning and Heritage Advisory Committee dated May 14th, 2026.





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