



West Hants
something inspiring awaits

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

Public Hearing

June 23, 2026

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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

- 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.



Planning and Heritage Advisory Committee

- Staff presented the report on May 14, 2026
- There was some discussion between staff and committee members about how the process would be applied and confirming that all existing approvals are still required before sale or occupancy of a dwelling.
- PAC/HAC recommended in favor of the amendments.



Council First Reading

- Staff presented the report May 26, 2026
- There were no questions or discussion following the presentation.
- Council approved the amendments for First Reading and directed staff to schedule a Public Hearing.

Public Hearing

- The Public Hearing was advertised on the municipality's website and social media, as well as in the June 5, and June 12, 2026 editions of the Valley Journal.
- Comments and Questions from the public were accepted via email or phone until noon on Friday June 19, 2026. None were received.



West Hants

Public Hearing
June 23, 2026, 6:00pm
West Hants Municipal Building
76 Morison Drive, Windsor, NS

A Public Hearing will be held to explain and receive public input on proposed Planning Document amendments to allow the approval of Development and Building Permits, before final subdivision approval, for development on proposed lots with an approved Tentative Plan of Subdivision.

WEST HANTS REGIONAL MUNICIPALITY

THIS TENTATIVE PLAN OF SUBDIVISION IS APPROVED

For Lot(s): _____

Such approval lapses if the lots are not shown on a final plan of subdivision approved within two years of the date of the approval of the tentative plan.

Date: _____ Signed: _____
Development Officer

Note: This tentative plan of subdivision shall not be filed in the Registry of Deeds as no subdivision takes effect until a final plan of subdivision is endorsed by the Development Officer and filed in the Registry of Deeds.

File No: _____

You are welcome to attend the meeting in person. If you would like to participate virtually via Zoom, please contact Deanna Snair (dsnair@westhants.ca) by noon on June 19, 2026. The meeting can also be viewed live on the Municipal YouTube Channel at <https://www.youtube.com/@westhantsregionalmunicipal6378>. Comments and questions should be directed by noon on June 19, 2026, to Derek Robertson at drobertson@westhants.ca or 798-8391 ext. 131.

Vanessa Lake
Planning Assistant



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**



Ministerial Review



Notice of Approval in Local Paper

Process



Recommendation

... that Council gives Second Reading and approves 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 of the report #26-03 to the Planning and Heritage Advisory Committee dated May 14th, 2026.



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