

WEST HANTS REGIONAL MUNICIPALITY
Planning and Heritage Advisory Committee (PAC/HAC) Agenda
February 12, 2026 – 6:00pm
Sanford Council Chambers and Zoom / YouTube Live



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- 1.0 Call to Order and Attendance**
 - 2.0 Announcements**
 - 3.0 Approval of Agenda and Additions**
 - 4.0 Declaration of Conflict of Interest**
 - 5.0 Approval of Minutes (January 8, 2026)**
 - 6.0 New Business**
 - 6.1 File #25-26 Rezoning: 439 Clifton Avenue, Windsor (Alex Dunphy) - Pg. 2
 - 7.0 Business Arising from the Minutes**
 - 8.0 Business Arising from the Public Information Meetings**
 - 9.0 File Updates - Pg. 15**
 - 9.1 File #24-22 Development Agreement: 411 King Street, Windsor Phase 2 (Alex Dunphy)
 - 9.2 File #25-23 Development Agreement: PID 45003266, Three Mile Plains (Alex Dunphy)
 - 9.3 File #25-24 LUB Amendments: PID 45242112, 2037 Highway 1, Falmouth (Will Hong)
 - 9.4 File #25-22 Rezoning: 5988 Highway 215, Kempt Shore (Will Hong)
 - 9.5 File #25-07/11/12 Development Agreement and Rezoning: PIDs 45055241, 45190386, and 45366457 Wentworth Road/Cole Drive, Windsor (Alex Dunphy and Will Hong)
 - 9.6 File #25-21 Rezoning: PID 45038510 Highway 14, Windsor Forks (Alex Dunphy)
 - 9.7 File #25-20 Rezoning: PID 45285103, Old Walton Rd, Upper Burlington (Will Hong)
 - 9.8 File #25-18 Development Agreement: Bear Lake Wind Farm Revised (Kari Fougere)
 - 10.0 Building and Development Activity Reports (January 2026) - Pg. 18**
 - 11.0 Notices from Adjacent Municipal Units**
 - 12.0 Public Comments**
 - 13.0 Next Meeting Date (March 12, 2026) / Adjournment**



WEST HANTS REGIONAL MUNICIPALITY REPORT

Information <input type="checkbox"/>	Recommendation X	Decision Request <input type="checkbox"/>	Councillor Activity <input type="checkbox"/>
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To: Members of Planning and Heritage Advisory Committee (PAC/HAC)

Submitted by: _____
 Alex Dunphy, Senior Planner

Date: February 12, 2026

Subject: Rezoning: Clifton Avenue, Windsor (PID 45049921);
 File # 25-26

LEGISLATIVE AUTHORITY

Municipal Government Act Section 210

RECOMMENDATION

Staff recommends that the PAC/HAC forward 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 Schedule A of the Windsor Land Use By-law to rezone a portion of PID 45049921 on Clifton Avenue in Windsor from the Low Density Residential (R-1) zone to the Medium Density Residential (R-2) zone as shown in the report #25-26 to the Planning and Heritage Advisory Committee dated February 12, 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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An application was received from Dave LeRiche on November 28, 2025. The application is to rezone a portion of the subject property from Low Density Residential (R-1) to Medium Density Residential (R-2) to allow for subdivision and a six-unit residential development.

DISCUSSION

The subject lot is designated Residential on the Generalized Future Land Use Map (GFLUM) of the Windsor Municipal Planning Strategy (WMPS) (Figure 1). The subject lot is zoned Low Density Residential (R-1) on Schedule A of the Windsor Land Use By-law (WLUB) (Figure 2).

Surrounding Context

Surrounding properties are all designated Residential, aside from one lot across Clifton Ave, which is designated Community Use. The surrounding residential properties are zoned Low Density Residential (R-1) to the south and east of the subject lot and both Medium Density Residential (R-2) and High Density Residential (R-3) zoned properties exist to the north. The lot to the west is zoned Open Space and is host to the Clifton Museum Park.

Municipal Planning Strategy Review

Policy 5.1.3 of the WMPS is the primary enabling policy to be considered for this application. This policy provides Council with the ability to consider rezoning areas zoned Low Density Residential (R-1) to Medium Density Residential (R-2), within the Residential designation. The full list of criteria is included with this report in Attachment A. In summary, the proposal meets the criteria as:

- the proposal is considered compatible with the residential character of the area;
- adequate on-site parking can be provided;
- the proposal provides safe access to the site; and
- adequate landscaping and recreational or open space can be provided.

Policy 16.3.1 of the WMPS establishes the general criteria that must be considered for all rezoning applications. The full list of criteria is included with this report in Attachment A. In summary, the proposal meets the criteria as:

- the proposal is not considered premature or inappropriate for the area;
- no municipal costs related to the proposal are anticipated; and
- the Development Officer, Manager of Building and Fire Inspection Services, Public Works Engineering Division, and Area Manager from the Nova Scotia Department of Public Works have no concerns which have not been addressed in this report.

MUNICIPAL CLIMATE CHANGE ACTION PLAN

The subject lot is not identified in the Municipal Climate Change Action Plan (MCCAP) for Windsor (2014) as being affected on either the Inland Flooding Map or the Sea Level Rise Modeling Map.

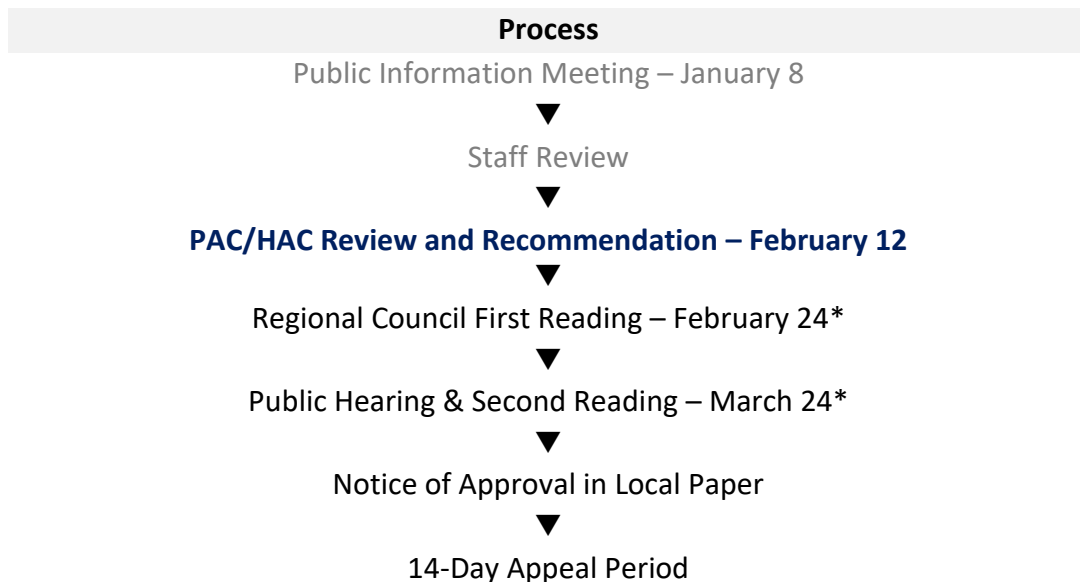
Property owners are responsible for ensuring that their lot is suitable for the proposed uses.

PRELIMINARY SITE PLAN INCLUSION

During the PIM, a member of the Planning and Heritage Advisory Committee requested to see the site plan included with the application. Rezoning applications do not require for the applicant to provide a site plan and are not intended to be evaluated based on a site plan submitted for the proposed development. In this case, the applicant agreed to include the preliminary site plan as Figure 4 in this report. This inclusion is for information purposes only.

NEXT STEPS

As noted above, the proposed rezoning has been considered within the context of both the specific and general policies of the WMPS, and is consistent with the intent, objectives, policies and criteria of the WMPS. As a result, it is reasonable to consider rezoning a portion of the subject property from Low Density Residential (R-1) to Medium Density Residential (R-2) to allow for subdivision and a six-unit residential development, at PID 45049921 on Clifton Avenue in Windsor.



*final dates are set by Council

FINANCIAL IMPLICATIONS

There are no financial implications to the Municipality or residents with regard to the filing of this report.

ALTERNATIVES

In response to this application, PAC may:

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

ATTACHMENTS

Figure 1	Windsor GFLUM Extract
Figure 2	Windsor Zoning Map Extract
Figure 3	Windsor Proposed Zoning Map Extract
Figure 4	Preliminary Site Plan *For Information Purposes*
Attachment A	Policy Summary
Attachment B	Public Information Meeting Notes

Report Prepared by: _____

Alex Dunphy, Senior Planner

Report Approved by: _____

Kari Fougere, Acting Director of Planning and Development

Figure 1 – Windsor GFLUM Extract

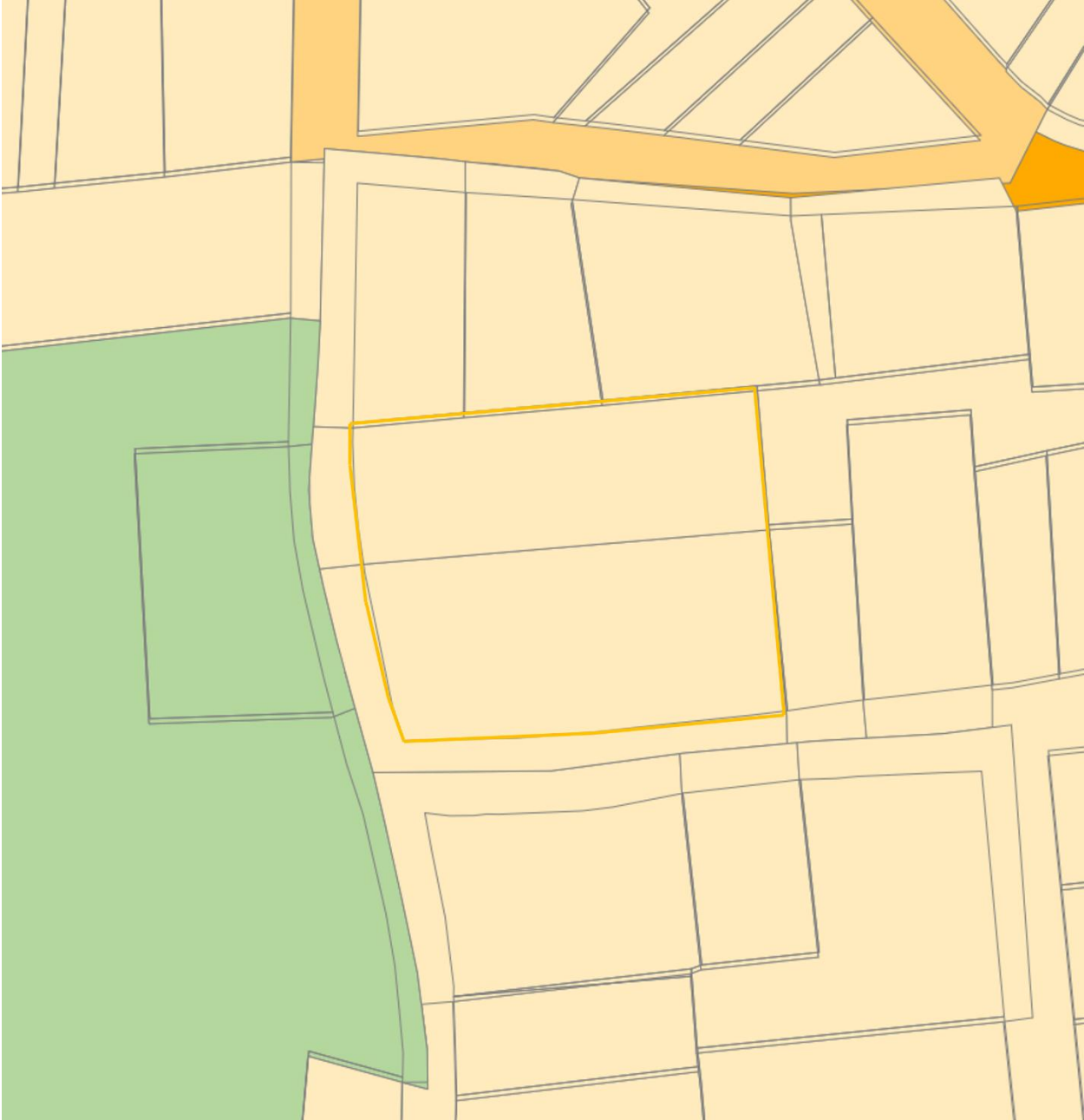


Figure 2 – Windsor Zoning Map Extract

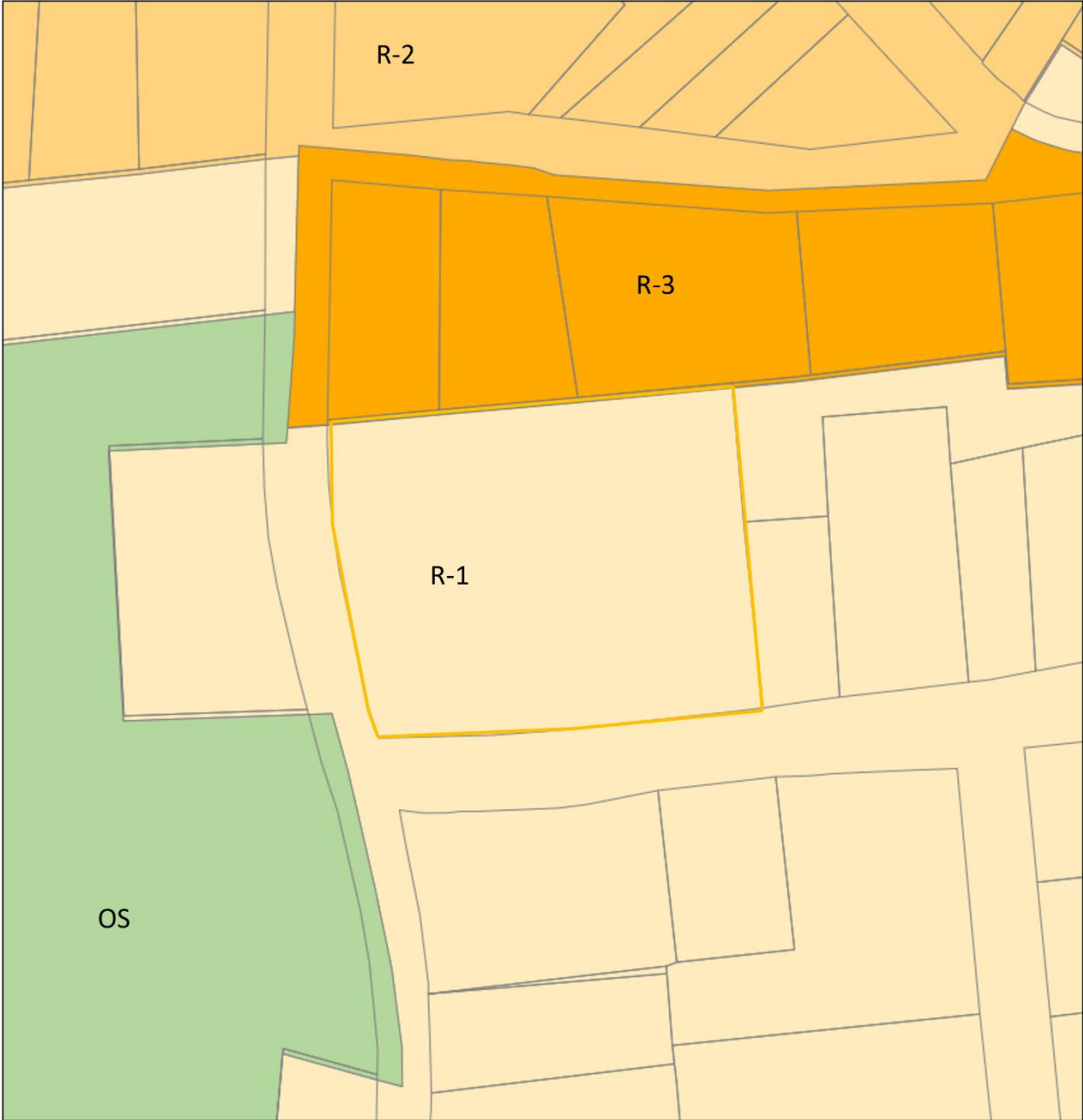
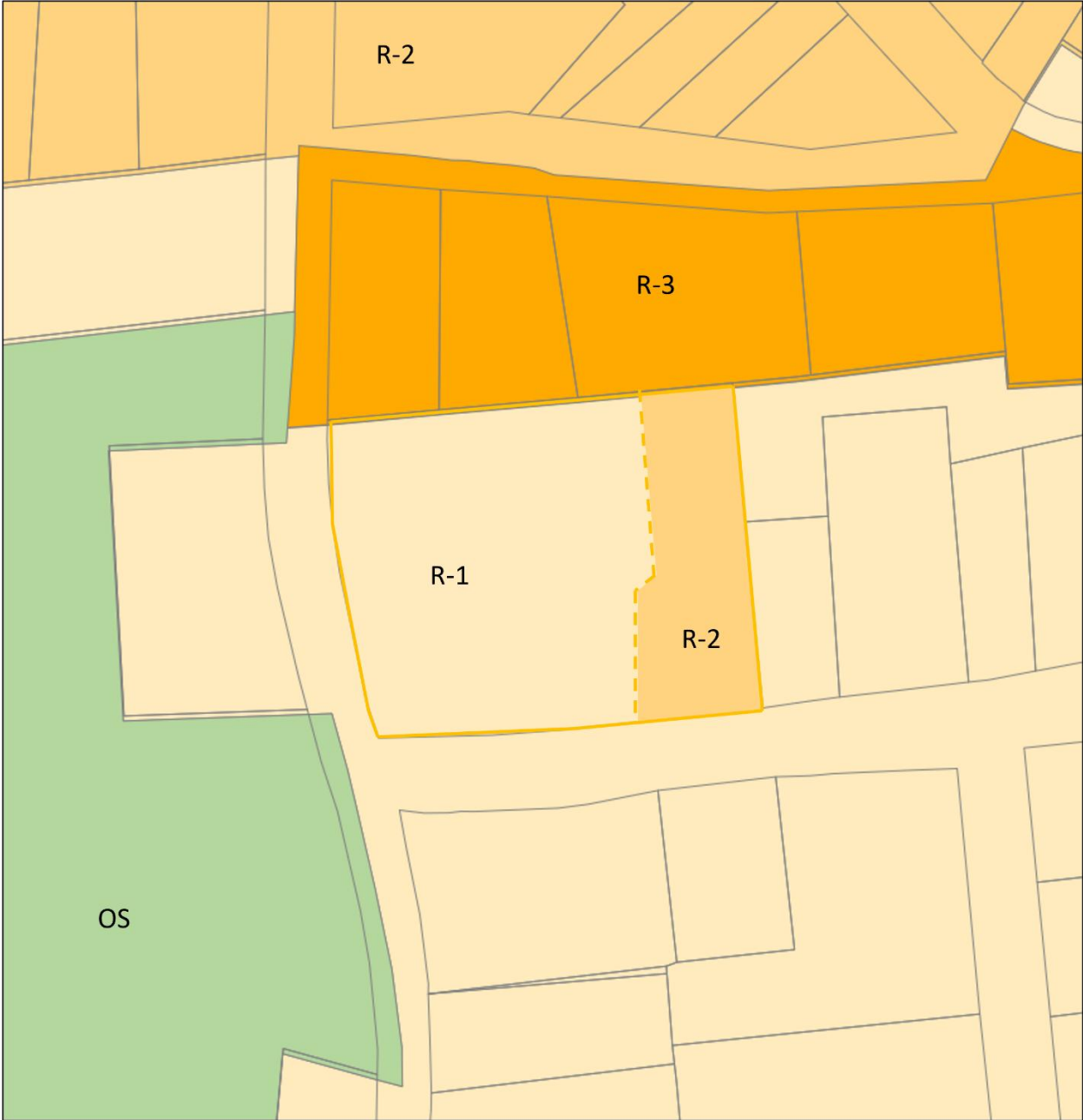


Figure 3 – Windsor Proposed Zoning Map Extract



Attachment A – Policy Summary for Development Agreement

<p>Policy 5.1.3 <i>It shall be the policy of Council that within the Residential designation, areas zoned Low Density Residential (R-1) may be rezoned to Medium Density Residential (R-2). In considering such a rezoning, Council shall have regard to the following:</i></p>	
<p><i>(a) the proposed use is compatible with the residential character of the area with respect to such things as traffic generation, population density and architectural design and scale;</i></p>	<p>The Traffic Authority commented that they would consider that the proposed use is compatible with the residential character of the area with respect to traffic generation.</p> <p>Lots immediately abutting the subject lot to the north have multi-unit buildings consisting of both 4- and 8-unit buildings. The addition of 6 more residential units to this area does not compromise the intention of the Residential designation for residential development. Staff consider the proposal to be of a compatible density to the surrounding residential area.</p> <p>Lastly, the proposed development must meet all design and scale requirements of the Windsor Land Use By-law to receive permit approval.</p>
<p><i>(b) adequate on-site parking can be provided;</i></p>	<p>The Development Officer commented that the on-site parking within the proposed development exceeds the minimum requirements of the Land Use By-law.</p>
<p><i>(c) access to the site will not be hazardous with respect to traffic flow;</i></p>	<p>The Traffic Authority commented that they would consider the subject lot to have safe roadway access to Alexander Drive and that they had no concerns regarding traffic flow to and from the site.</p>
<p><i>(d) adequate landscaping and recreational or open space can be provided;</i></p>	<p>The Development Officer commented that the required 1500 sq. ft. of recreational space is able to be provided based on the landscaped area of the proposed development.</p>
<p><i>(e) any other matter which may be addressed in a Land Use By-law; and</i></p>	<p>All relevant matters have been addressed in this report.</p>

<i>(f) the provisions of Policy 16.3.1 of the Municipal Planning Strategy.</i>	See Policy 16.3.1 below.
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Policy 16.3.1	
<i>In considering development agreements and amendments to the Town of Windsor Land Use By-law, in addition to the criteria set out in various policies of this Strategy, Council shall consider:</i>	
<i>(a) whether the proposal is considered premature or inappropriate in terms of:</i>	
<i>(i) the adequacy of sewer and water services;</i>	The Public Works Department confirmed that there are municipal services on the subject lot and they do not have any concerns regarding the adequacy of water or sewer services for the proposed development.
<i>(ii) the adequacy of school facilities;</i>	The Director of Operations for the Annapolis Valley Regional Centre for Education has stated that they will accommodate all students.
<i>(iii) the adequacy of fire protection;</i>	The Manager of Building and Fire Inspection Services and the Fire Chief had no concerns regarding the proposed rezoning. The Fire Chief noted that there are two accessible fire hydrants within 325 ft. of the subject lot.
<i>(iv) the adequacy of road networks adjacent to, or leading to the development; and</i>	The Traffic Authority commented that they did not have any concerns regarding the adequacy of the road network adjacent to or leading to the development.
<i>(v) the financial capacity of the Town to absorb any costs relating to the development.</i>	There are no anticipated costs to the Municipality regarding the proposed development.
<i>(b) the suitability with any aspect relative to the movement of auto, rail and pedestrian traffic;</i>	The Traffic Authority has no concerns regarding the movement of automobiles to the subject lot. There is an existing sidewalk on Alexander Street and Clifton Avenue has a large

	<p>shoulder on the side of the road for pedestrian traffic. There is no active rail line in the vicinity.</p>
<p><i>(c) the adequacy of the dimensions and shape of the lot for the intended use;</i></p>	<p>The Development Officer commented that the frontage, lot size, and yard setbacks all meet or exceed the requirements of the R-2 zone.</p>
<p><i>(d) the pattern of development which the proposal might create;</i></p>	<p>The Development Officer commented that the proposed development appears comparable to the sizeable existing structure. The three storeys appear to be one storey higher than most existing houses in the neighbourhood, but the difference between two- and three- storeys is negligible. Additionally, staff have noted that the northern abutting lots have existing multi-unit residential structures.</p>
<p><i>(e) the suitability of the area in terms of steepness of grade, soil and geological conditions, location of water courses, marshes or bogs and susceptibility of flooding;</i></p>	<p>The subject lot is not located within the Dykeland Overlay or the Environmental Constraints Overlay. The lot appears dry, with no visible watercourse present. Public Works did note that they will be requesting a stormwater management plan at the time of permitting due to the significant hard surfacing of the proposed development causing potential downstream impacts. The applicant has agreed to provide a stormwater management plan prior to permitting. With the stormwater management in this case being dealt with at the time of permitting, staff consider this criteria met.</p>
<p><i>(f) whether the proposal meets the requirements of the appropriate provincial or federal agencies as well as whether it conforms to all other relevant municipal by-laws and regulations; and</i></p>	<p>All Municipal, Provincial, and Federal regulations will have to be met.</p>

(g) any other matter required by relevant policies of this Strategy.

All relevant matters have been addressed in this report.

Attachment B – Public Information Meeting Notes

January 8 - 22, 2026

Rezoning: Clifton Avenue, Windsor (PID 45049921); File # 25-26

Meeting date and time	A Public Information Meeting was held on January 8, 2026 beginning at 6:01 p.m. The meeting was broadcast live on the Municipal YouTube page.
Attending	In attendance for the meeting: One (1) Chair: <ul style="list-style-type: none">• Councillor Ivey Three (3) members of staff: <ul style="list-style-type: none">• Senior Planner Dunphy• Planner Hong• Acting Director Kari Fougere• Planning Assistant Lake 8 members of the public were in attendance for the meeting.
Applicant Dave LeRiche Property Clifton Avenue (PID 45049921)	Planner Dunphy outlined the application to permit rezoning for a six-unit residential dwelling.
Comments	Comments from the public could be submitted by mail, e-mail and telephone between January 8 - 22, 2026. Staff received no correspondence from the public during the comment period. During the Public Information Meeting one member of the public spoke. Jon Hall asked if on-site parking would be required, as street parking was a concern due to the blind hill. Alex replied that on-site parking would be required and that if the rezoning was approved, the proposal would still need to meet all permitting requirements. Jon then asked if there was a requirement for affordable housing. Alex replied that there is no requirement. The applicant then replied that the current plans are for 'standard' pricing/rent.
Adjournment	The Public Information Meeting ended at 6:15 p.m.

9.0 File Updates

Staff Review

9.1 File #24-22 Development Agreement: 411 King Street, Windsor Phase 2 (Alex Dunphy)

This is a development agreement application for Phase 2 of the residential development at 411 King Street, Windsor. The first phase is already approved and is for 18 stacked townhouse units on the site of the old Baptist church. The second phase is a 7-storey, 60-unit apartment building on the land behind the church. The Public Information Meeting was held on November 6, 2024. Alex is processing feedback from inquires and working with the developer to address that feedback before he brings this file forward to the PAC/HAC.

9.2 File #25-23 Development Agreement: PID 45003266, Three Mile Plains (Alex Dunphy)

This is a development agreement application to permit 150 dwelling units across three multi-unit buildings on the south part of the lot. The Public Information Meeting was held on October 8, 2025, with 25 members of public in attendance. Several comments were made about stormwater, flooding, infrastructure capacity and traffic impact. Staff are processing the feedback from the public and working with the developer on the draft development agreement to address the concerns raised from public correspondence.

First Readings / Public Hearings

9.3 File #25-24 LUB Amendments: PID 45242112, 2037 Highway 1, Falmouth (Will Hong)

This is an application to rezone the subject property from General Commercial (GC) to Highway Commercial (HC) and amend the text of the West Hants Land Use By-law to permit a dog grooming and boarding business within the existing structure. PAC/HAC considered this application on January 8, 2026, and recommended in favour with amendments to make the WHLUB amendments specific to this PID, and for written permission to be required from all dwellings within 300ft. Staff presented both staff's revised recommendation and PAC's motion to Council for consideration. Council held First Reading on January 27, 2026, where they approved this application in accordance with staff's recommendation. The Public Hearing is scheduled for February 24, 2026.

9.4 File #25-22 Rezoning: 5988 Highway 215, Kempt Shore (Will Hong)

This is an application to rezone the subject property from Rural Commercial (RC) to General Resource (GR) to construct a single-unit dwelling. The property was the former site of a Credit Union which has since been demolished. The Public Information Meeting for this file was held on October 8, 2025, and the PAC/HAC voted in favour of this application on November 13, 2025. Council held First Reading on November 25, 2025, and the Public Hearing and Second Reading were held on January 27, 2026. Council voted in favour of this application, and a notice of approval will be placed in the paper on February 6, 2026, initiating the 14-day appeal period.

9.5 File #25-07/11/12 Development Agreement and Rezoning: PIDs 45055241, 45190386, and 45366457 Wentworth Road/Cole Drive, Windsor (Alex Dunphy and Will Hong)

This is an application containing multiple requests. It is being considered in three parts: a development agreement, a rezoning, and a redesignation. The development agreement is to permit a large-format retail store and several smaller retail stores on PIDs 45439098, 45190386 and 4505528 off Cole Drive, Windsor. The development agreement also includes land transfers and easements for both the applicant and the municipality. The rezoning and redesignation set the foundation for future residential development by the applicant. The Public Information Meeting was held on March 5, 2025, and staff did not receive any comments during the public comment period. PAC/HAC voted in favour of this application on November 13, 2025. Council held First Reading on November 25, 2025, and the Public Hearing and Second Reading were held on January 27, 2026. Council voted in favour of this application, and a notice of approval will be placed in the paper on February 6, 2026, initiating the 14-day appeal period for the development agreement portion. The Redesignation and rezoning portion will be sent to the Minister for final approval.

9.6 File #25-21 Rezoning: PID 45038510 Highway 14, Windsor Forks (Alex Dunphy)

This is an application to rezone PID 45038510 Highway 14, Windsor Forks, from Rural Commercial (RC) to General Resource (GR) with the intent to subdivide for low-density residential use. The Public Information Meeting was held on September 3, 2025. No questions or comments were received during the public comment period. The applicant recently informed staff that they may wish to retain a portion of the lot as Rural Commercial (RC). PAC/HAC voted in favour of this application on November 13, 2025, noting that a response had not yet been received from the local Fire Chief. Council held First Reading on November 25, 2025, and the Public Hearing and Second Reading were held on January 27, 2026. Council voted in favour of this application, and a notice of approval will be placed in the paper on February 6, 2026, initiating the 14-day appeal period.

Appeals

9.7 File #25-20 Rezoning: PID 45285103, Old Walton Rd, Upper Burlington (Will Hong)

This is an application to rezone PID 45285103, Old Walton Rd, Upper Burlington, from Open Space (OS) to Institutional (I) and amend the text of the West Hants Land Use By-law (WHLUB) to allow day care centres as a permitted use within the Institutional (I) Zone. This application was submitted by CAO Mark Phillips on behalf of Council. The property currently belongs to the Municipality. The intent is to donate the property to the Hants Shore Childcare Association so they may establish a daycare centre. The Public Information Meeting was held on September 3, 2025, and PAC/HAC voted in favour of this application on October 9, 2025. First Reading was held on October 28, 2025, and the Public Hearing and Second Reading were held on November 25, 2025. Council voted in favour of this application and a notice of approval was placed in the paper on December 5, 2025, initiating the 14-day appeal period. An appeal has been received, and staff are working with the municipal solicitor and the Nova Scotia Regulatory and Appeals Board (NSRAB) on the appeal process. The appeal is expected to be held in Spring 2026.

9.8 File #25-18 Development Agreement: Bear Lake Wind Farm Revised (Kari Fougere)

This is a development agreement application to permit 7 wind turbines in the Vaughan/Upper Vaughan area. This application was previously submitted under previous MPS policy and withdrawn; the applicants have resubmitted a new, revised, application to be considered under new MPS Policy. The Public Information Meeting was held on May 21, 2025, and several members of the public were in attendance. All comments received at the meeting and during the comment period were included in the staff report. PAC/HAC considered this item on July 10, 2025, where the majority voted in favour of this application. The Committee made a separate motion with additional items for Council to consider. First Reading was held on July 22, 2025, and Public Hearing and Second Reading were held on September 23, 2025. Council did not vote in favour of this application. The applicant has appealed Council's decision and staff are working with a lawyer and the Nova Scotia Regulatory and Appeals Board (NSRAB) on the appeal process. The Appeal Hearing was held on January 28, 2026. Staff are awaiting the Board's decision.

ACTIVITY REPORT

For Month of January 2026-01-31

Type	Jan 2025			Jan 2026		
	Permits	Units	Value of Construction	Permits	Units	Value of Construction
Single Family	11	7	1,226,168	19	13	4,006,387
Duplex/Semi	0	0	0	0	0	0
Apartments	2	8	900,000	2	18	4,000,000
Other Residential	6	0	418,300	6	0	73,500
Commercial	1	0	200,000	1	0	50,000
Industrial	0	0	0	0	0	0
Inst & Gov	0	0	0	0	0	0
Agriculture	0	0	0	0	0	0
Other	0	0	0	0	0	0
Total	20	15	2,744,468	28	31	8,129,887
Year To Date	20	15	2,744,468	28	31	8,129,887
Demolition	2	0		0	0	
Sign Permits	2			1		
Sub Applications	11	7 (Lots Requested)		4	4 (Lots Requested)	