

198 Water Street, Windsor Development Agreement

Council First Reading

July 23, 2024

something inspiring awaits



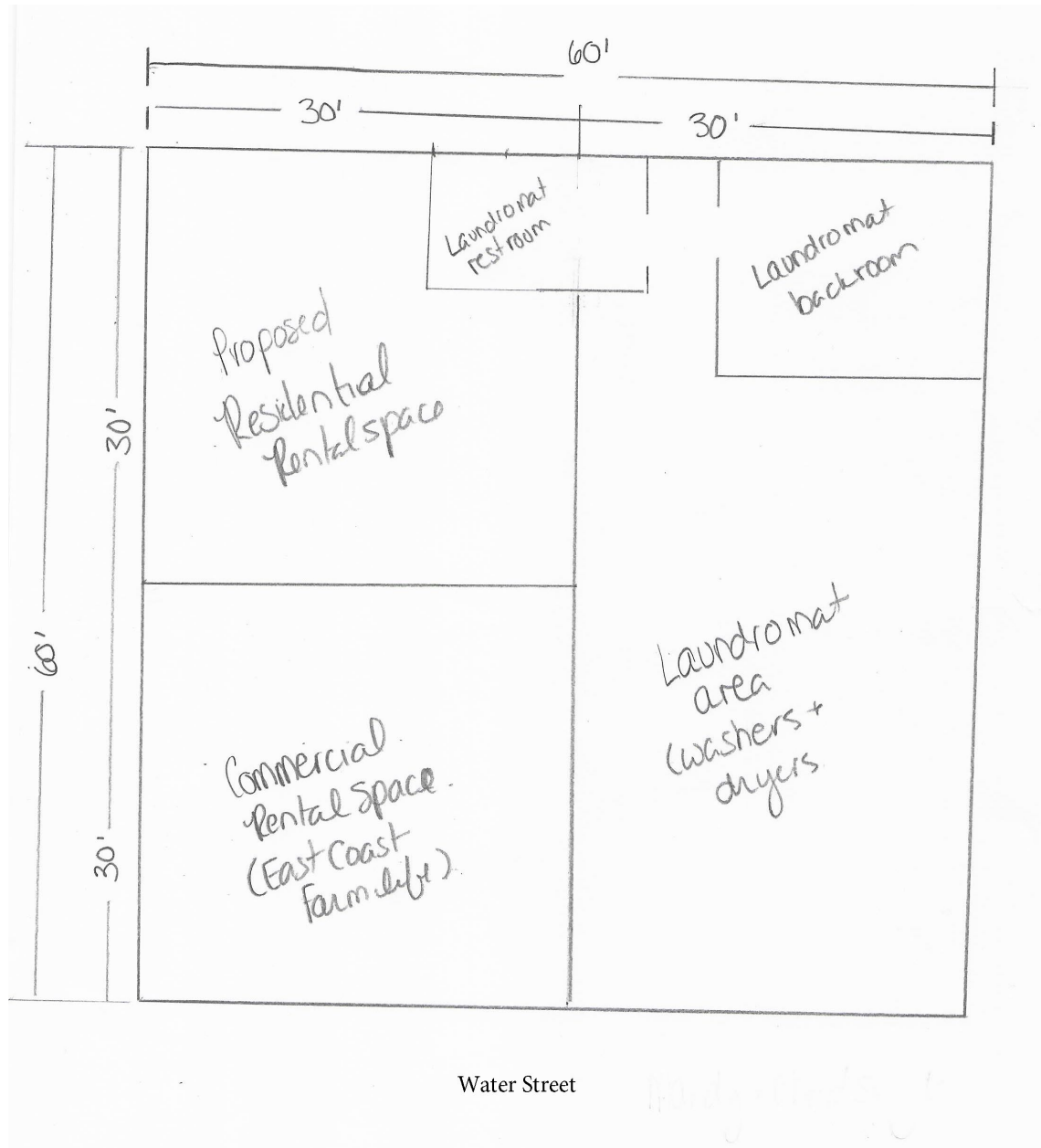
Application

- A completed application was received from Chad and Mandy Singleton on October 19, 2023.
- The application is to permit a residential dwelling unit behind a commercial unit on the ground floor.



Background

- Amendments to the Windsor Municipal Planning Strategy (WMPS) and WLUB were made to allow the proposal by development agreement. The amendments were approved by Council at the Public Hearing and Second Reading held on May 28, 2024.
- This proposal is considered using the approved amended Policy 7.5.2 in the WMPS and has been evaluated based on the criteria within the newly approved Policy 7.5.5.



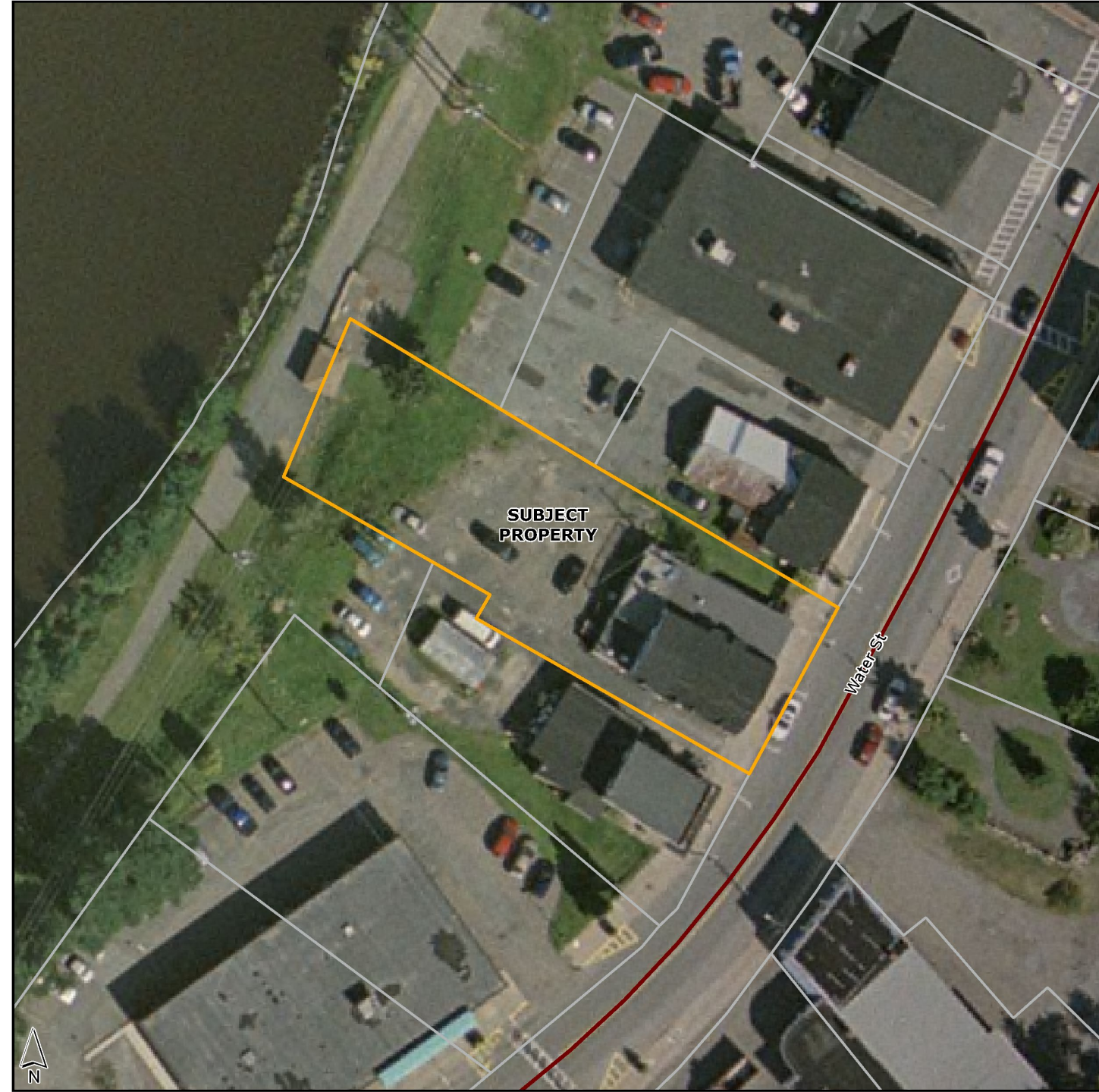
Proposed Development

- Development Agreement
- Single residential unit located at rear of existing building
- 25% of ground floor area
- One parking space



Orthophoto

- Located on Water Street
- 14500 sq. ft. lot size
- Currently has a laundromat on the subject lot



Generalized Future Land Use
Town Centre (TC)




GFLUM


- Town Centre Designation

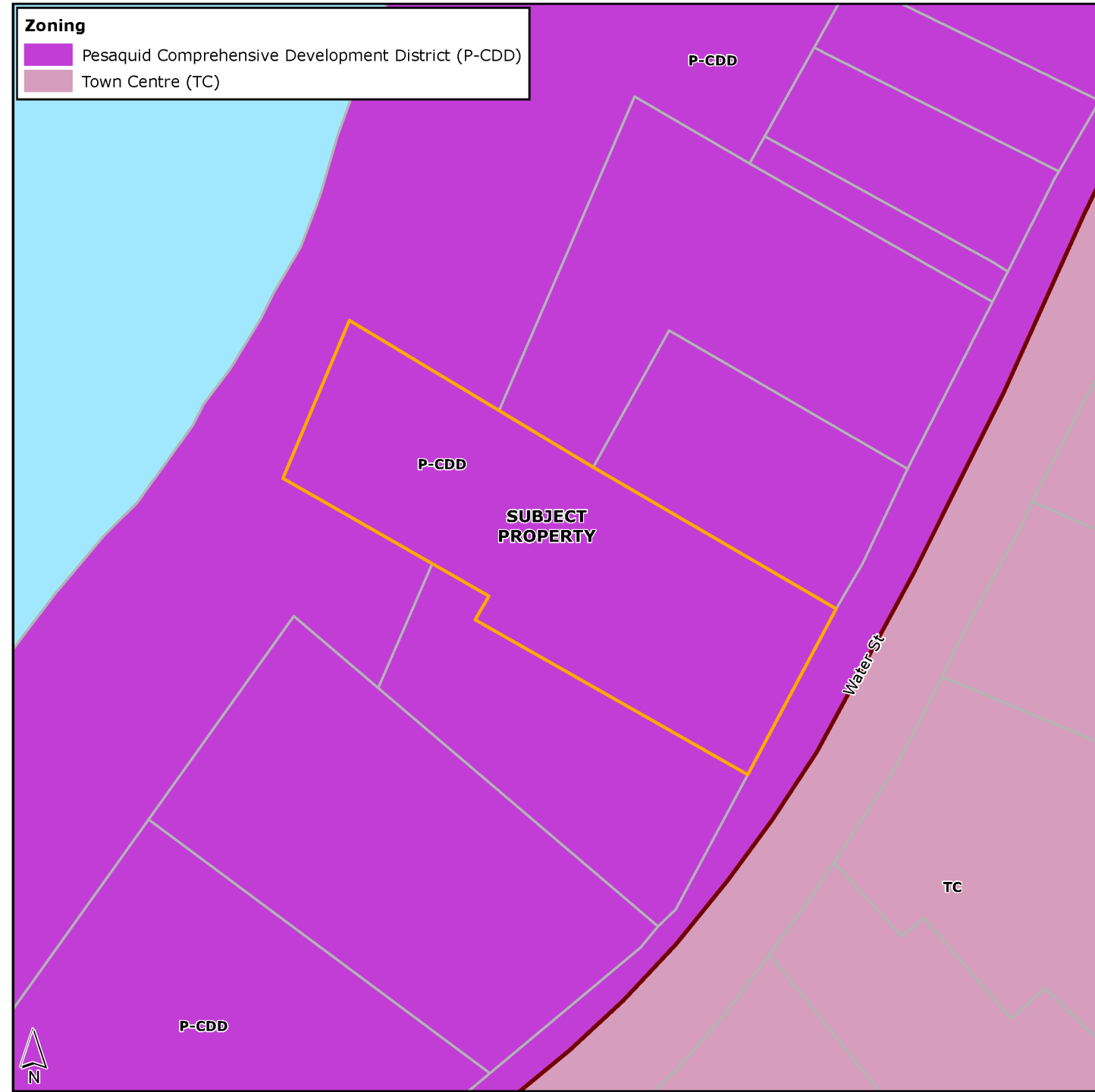
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Zoning

 Pesaquid Comprehensive Development District (P-CDD)

 Town Centre (TC)



Current Zoning

Pesaquid Comprehensive Development District (P-CDD) zone

Permitted uses, subject to Town Centre (TC) zone requirements:

- change in use in an existing building;
- additions of 1,000 ft² or less in floor area and renovations;
- accessory structures of 500 ft² or less in floor area

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View of front of Subject Lot (left) and rear of Subject Lot (right)

Windsor MPS – Enabling Policy

Policy 7.5.2 enables Council to consider residential uses behind commercial uses on the ground floor of existing buildings by development agreement in the Pesaquid Comprehensive Development District (P-CDD) zone.

Policy 7.5.5 is the evaluation criteria for Policy 7.5.2.

In summary, the criteria are met since:

- the residential dwelling unit consists of 25% of the total floor area of the existing commercial space;
- the residential dwelling unit is located behind the existing commercial space; and
- the commercial space abuts Water Street.



Windsor MPS – General Criteria Policy

Policy 16.3.1 states general criteria for development agreements.

In summary, the criteria are met since:

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



Development Agreement Details

Requirements

- Permits: a residential use behind a commercial use on the ground floor of an existing building
- Commercial use must have frontage on Water Street
- A minimum ratio of one vehicle parking space per dwelling unit is to be provided
- Driveway must be maintained to allow emergency vehicle access



Development Agreement Details

Substantive Matters

- the uses permitted on the Property;
- an increase in the floor area for the residential use above 50% of the ground floor area, or movement of the residential use to the front of the building; and
- the fire safety requirements.

Public Information Meeting Notes

- A Public Information Meeting was held on December 7, 2023. The meeting was broadcast live on the Municipal Facebook page.
- 3 members of the public attended the Public Information Meeting. During the meeting, staff clarified on an option to consider the use through development agreement and what wording the text amendment would need to change.
- The deadline for comments was December 21, 2023.
- Staff received no correspondence during the public comment period.



Public Information Meeting –
December 7, 2023

Staff Review

PAC/HAC Review and Recommendation –
July 11, 2024

Council First Reading – July 23, 2024

Public Hearing & Second Reading –
September 24, 2024*

Notice Placed in Paper

14 Day Appeal period

Process

*anticipated date



Recommendations (1 of 2)

...that Council gives First Reading and will hold a Public Hearing to consider entering into a development agreement to allow a residential dwelling unit behind a commercial use on the ground floor of an existing building on PID 45056926 at 198 Water Street in Windsor which is substantively the same as the draft set out in Attachment B of the report File #24-14 to the Planning and Heritage Advisory Committee dated July 11, 2024.

Recommendations (2 of 2)

...that Council requires that the development agreement with Chad Singleton which permits a residential dwelling unit behind a commercial use on the ground floor of an existing building PID 45056926 at 198 Water Street in Windsor be signed within 120 days from the date of final approval by Council or the date that any appeals have been disposed of; otherwise this approval will be void and obligations arising hereunder shall be at an end.





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