



## WEST HANTS REGIONAL MUNICIPALITY REPORT

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| 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:** \_\_\_\_\_  
Will Hong, Planner

**Date:** November 13, 2025

**Subject:** Windsor MPS and LUB Amendments: PIDs 45439098 and 45190386, Wentworth Rd, Windsor; File#25-11/12

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### LEGISLATIVE AUTHORITY

Municipal Government Act Section 205 & 210

### RECOMMENDATION

Staff recommend 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 the Generalized Future Land Use Map of the Windsor Municipal Planning Strategy to include PIDs 45439098 and 45190386 in the Commercial designation as shown in the report #25-11/12 to the Planning and Heritage Advisory Committee dated November 13, 2025; and

...that PAC/HAC recommends that Council give First Reading and hold a Public Hearing to consider amending the zoning map of the Windsor Land Use By-law to rezone a portion of PID 45190386 from Agriculture (AG) to a split zone of Wentworth Road Commercial (WR-C) and Medium Density Residential (R-2) and amending the Schedule B of the Windsor Land Use By-law to adjust the Wentworth Road Gateway District boundary as shown in the report #25-11/12 to the Planning and Heritage Advisory Committee dated November 13, 2025.

## BACKGROUND

|            |  |                                      |                                 |                                   |   |
|------------|--|--------------------------------------|---------------------------------|-----------------------------------|---|
| Property X | Public<br>Opinion <input type="checkbox"/> | Environment <input type="checkbox"/> | Social <input type="checkbox"/> | Economic <input type="checkbox"/> | Councillor<br>Activity <input type="checkbox"/> |
|------------|--|--------------------------------------|---------------------------------|-----------------------------------|---|

A completed application was received from Brighter Community Planning on behalf of J.D. Irving, Ltd. on January 27, 2025. The application was to amend the Generalized Future Land Use Map (GFLUM) of the Windsor Municipal Planning Strategy to redesignate PID 45439098 (former PID 45055241, boundary adjusted through a recent consolidation) to Commercial and rezone to Wentworth Road Commercial (WR-C), and rezone PID 45190386 from Agriculture (AG) to Medium Density Residential (R-2), and amend the Wentworth Road Gateway District boundary.

This application also included a development agreement application under report File #25-07. File #25-07 is to allow a large-format retail store and several smaller retail stores by development agreement. The nature of this file is not contingent on the development agreement application, as a development agreement serves as a flexible mechanism to advance the applicant's proposal. However, the intent of this application will establish the foundation for the applicant's future residential proposal on the subject lots.

## DISCUSSION

This application comprises of two lots (PIDs 45439098 and PID 45190386). It is important to note that PID 45190386 extend past the boundary of the Windsor planning area. However, the proposed redesignation and rezoning requests all takes place within the Windsor planning area. Therefore, this application is entirely assessed against the policies in the Windsor Municipal Planning Strategy (WMPS).

The subject lot PID 45439098 (former PID 45055241, boundary adjusted through a recent consolidation) is a 23.7-acre vacant lot with frontage on Wentworth Road. The property is split-designated Commercial and Residential, and split-zoned Wentworth Road Commercial (WR-C) and Agriculture (AG). It is entirely located within the Wentworth Road Gateway District.

The PID 45190386 is a 15.6-acre of land fronting Cole Drive. As noted, this subject lot is partially within the jurisdiction of the WMPS and partially within the jurisdiction of the West Hants Municipal Planning Strategy. The portion within the Windsor planning area is designated Residential on GFLUM and zoned Agriculture (AG) on the zoning map of the Windsor Land Use By-law (Figure 2). The subject lot is also within the Wentworth Road Gateway District.

Properties surrounding the subject lots are mostly designated Commercial, Residential, or Joint Industrial. There are a variety of uses presented within the proximity of the subject lots, which include commercial, community facility, residential, and institutional. These properties have a mix of zoning including the Fairground (FG), Light Industrial Type Three (LI-3), Two Unit Residential (R-2) zone, General Commercial (GC) and Highway Commercial (HC) zone.

In summary, the requests from the applicant are as follows:

| Property     | Designation   | Zoning   | Wentworth Road Gateway District                               |
|--------------|---|--|---|
| PID 45439098 | Redesignate from a split designation of Commercial and Residential to Commercial entirely | Rezone from a split zone of Wentworth Road Commercial (WR-C) and Agriculture (AG) to Wentworth Road Commercial (WR-C) entirely | <i>Not Applicable</i>   |
| PID 45190386 | <i>Not Applicable</i>   | Rezone from Agriculture to Medium Density Residential (R-2)  | Exclude the property from the Wentworth Road Gateway District |

### ***Municipal Planning Strategy Review***

In considering the above requests, staff need to consider whether the proposed amendments align with the WMPS.

Policy 6.0.10 is the enabling policy for Council to consider rezoning lands zoned Agriculture for other uses. The evaluation of this policy is included in Attachment A. In summary, this policy is considered met since there are no active farms in the surrounding area of PIDs 45439098 and 45190386.

Policy 8.6.7 indicates Council’s intention to designate all lands within the Wentworth Road Gateway District as Commercial, except for the Joint Industrial Park lands. As PID 45439098 is entirely within the Wentworth Road Gateway District, redesignating the property fully to Commercial is consistent with Council’s policy direction.

Policy 8.6.10 establishes Council’s intention to recognize Wentworth Road Commercial (WR-C) zone as the main commercial zone within the Wentworth Road Gateway District, which specifies that rezoning to other zones within the District will not be supported. As the proposed

redesignation to fully Commercial on PID 45439098 has been deemed consistent with the policy, rezoning the current Agriculture zone portion within the Wentworth Road Gateway District to Wentworth Road Commercial (WR-C) is supported through Policy 8.6.10.

The final matter for consideration is to assess whether the proposed exclusion of PID 45190386 from the Windsor Wentworth Road Gateway District is consistent with the WMPS. The preamble of Section 8.6 of the WMPS states “Council intends to recognize the role of Wentworth Road as an entrance to Windsor by designating it as a Gateway District”. Through recent consolidation of lands, PID 45190386 no longer fronts onto Wentworth Road, the applicant has indicated that the future plan involves developing the property for residential purposes. The applicant further indicates that the access for future residential development would be provided via Cole Drive. Considering these factors, staff are of the opinion that adjusting Wentworth Road Gateway District boundary to align with the proposed development is appropriate and consistent with the intent of the WMPS.

Policy 16.3.1 establishes the general criteria that must be considered for all amendments to the Windsor Land Use By-law. The full list of criteria is included 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 Fire Chief, Development Officer, Manager of Building and Fire Inspection Services, Manager of Operations and Traffic Authority, and Public Works Engineering Division have no concerns which have not been addressed in this report.

### ***Public Comment Response***

Staff did not receive any correspondence during the 14-day comment period. A summary of notes from the Public Information Meeting is included in Attachment B.

### **MUNICIPAL CLIMATE CHANGE ACTION PLAN**

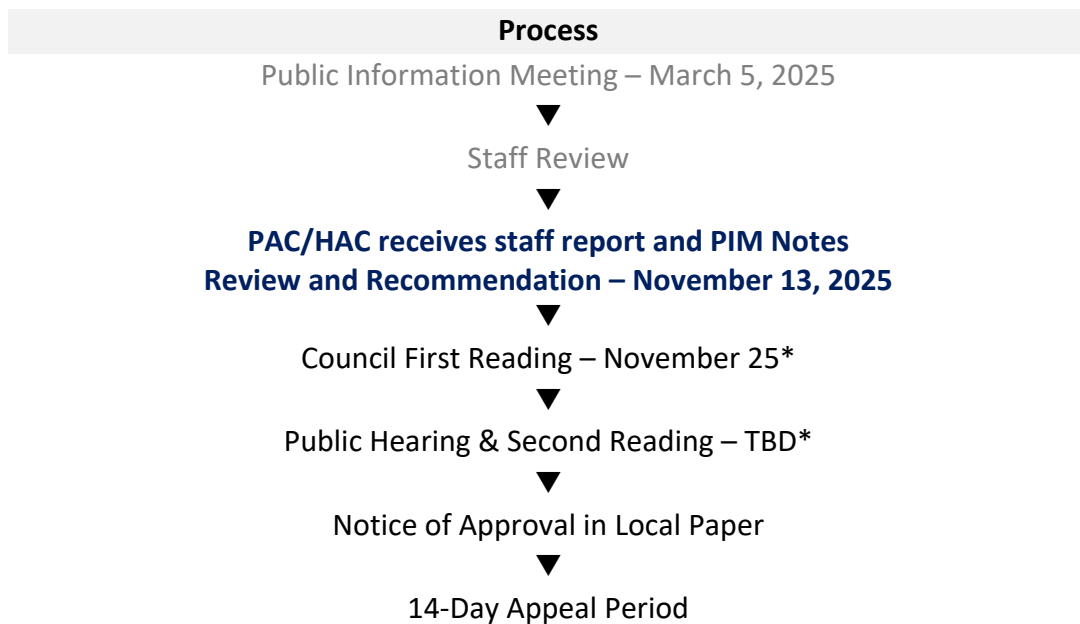
The Municipal Climate Change Action Plan (MCCAP) for Windsor (2014) highlights two simulated flooding scenarios. The first scenario is based on a storm surge that occurred in 1997, which shows the expected damage is to occur along the coastline. The second scenario shows the simulated flooding extent for probable maximum flood due to climate change. Under this scenario most of the community of Windsor will experience extensive flooding. However, only a small portion of the subject lots fronting on Wentworth Road would be at risk based on the mapping. The subject lots do not contain any identified watercourses. The Municipal Public

Works department has already received a stormwater management plan that has been deemed acceptable to address any issues regarding runoff.

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

## NEXT STEPS

As noted above, the proposed amendment has been considered within the context of the 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 amend the designations and zoning of PIDs 45439098 and 45190386 to accommodate the proposed uses noted above.



\*anticipated dates; final dates set by Council

## FINANCIAL IMPLICATIONS

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

## ALTERNATIVES

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

- hold First Reading and authorize a Public Hearing to approve the amendment as drafted or as specifically revised by direction of PAC/HAC;

- provide alternative direction, such as requesting further information on a specific topic.

## **ATTACHMENTS**

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|--------------|--|
| Figure 1     | Windsor GFLUM Extract                                    |
| Figure 2     | Windsor Zoning Map Extract                               |
| Figure 3     | Windsor Wentworth Road Gateway District Extract          |
| Figure 4     | Windsor Proposed GFLUM Extract                           |
| Figure 5     | Windsor Proposed Zoning Map Extract                      |
| Figure 6     | Windsor Proposed Wentworth Road Gateway District Extract |
| Attachment A | Policy Summary for WMPS and WLUB Amendments              |
| Attachment B | Public Information Meeting Notes                         |

Report Prepared by: \_\_\_\_\_  
Will Hong, Planner

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

Figure 1 – Windsor GFLUM Extract

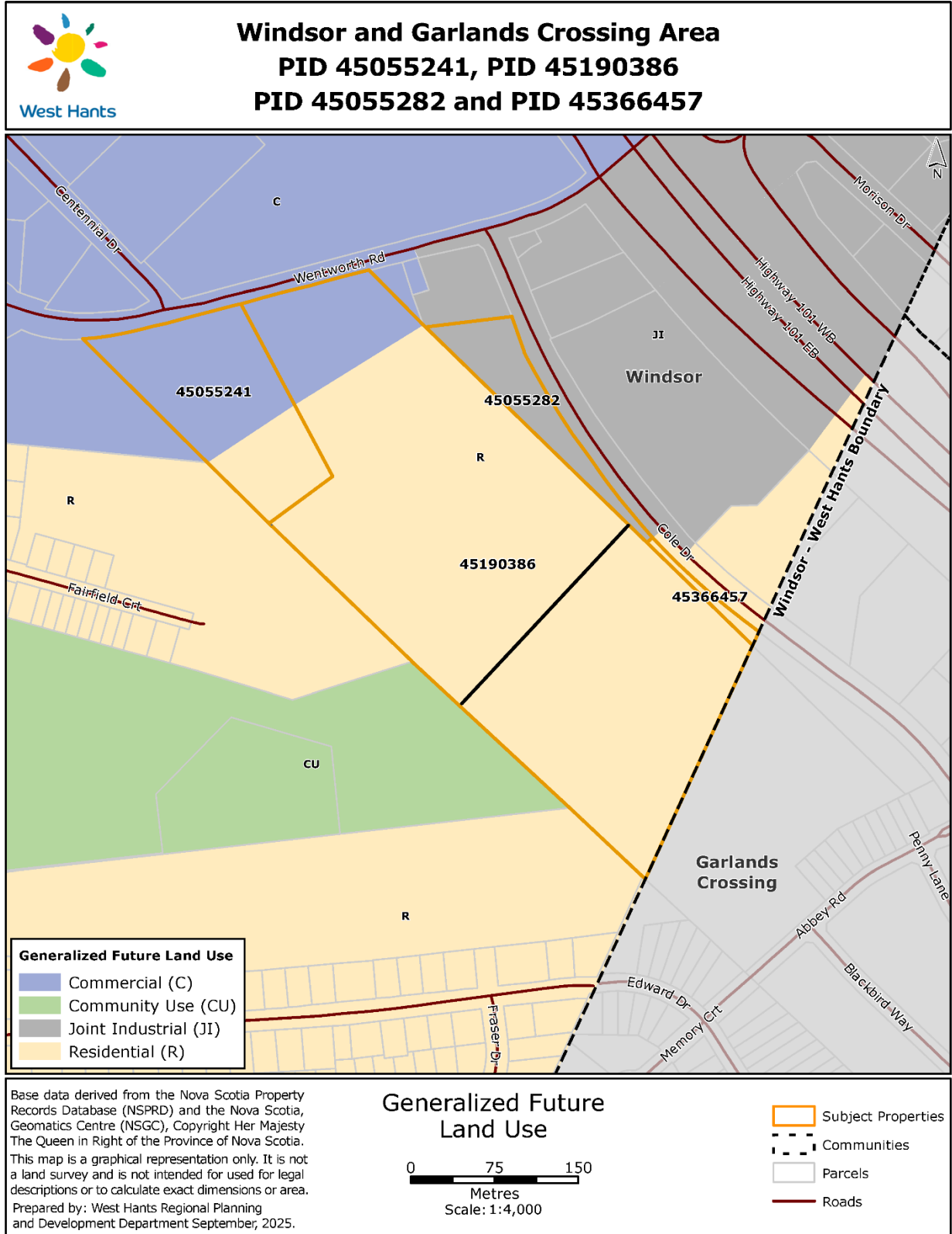


Figure 2 – Windsor Zoning Map Extract

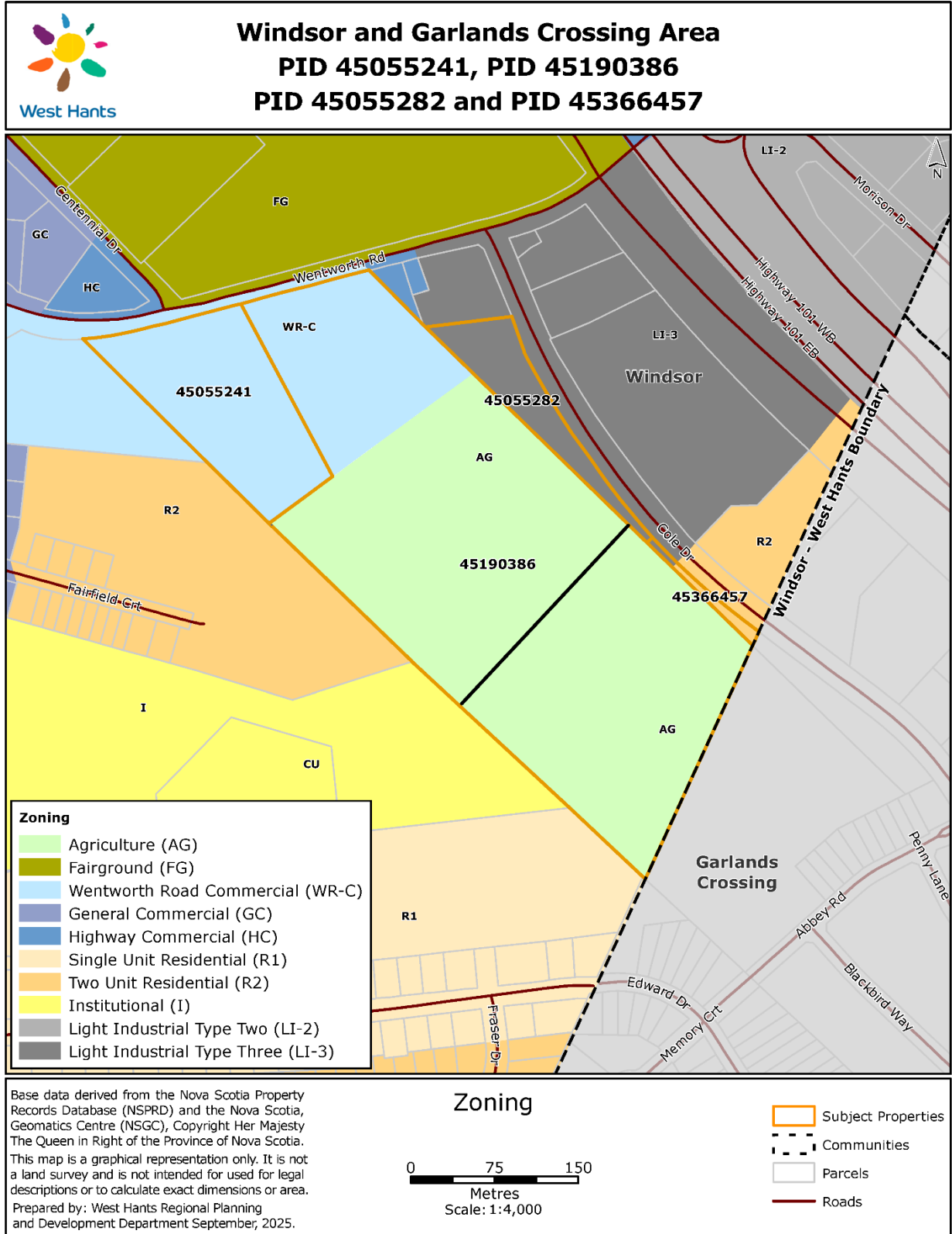


Figure 3 – Windsor Wentworth Road Gateway District Extract

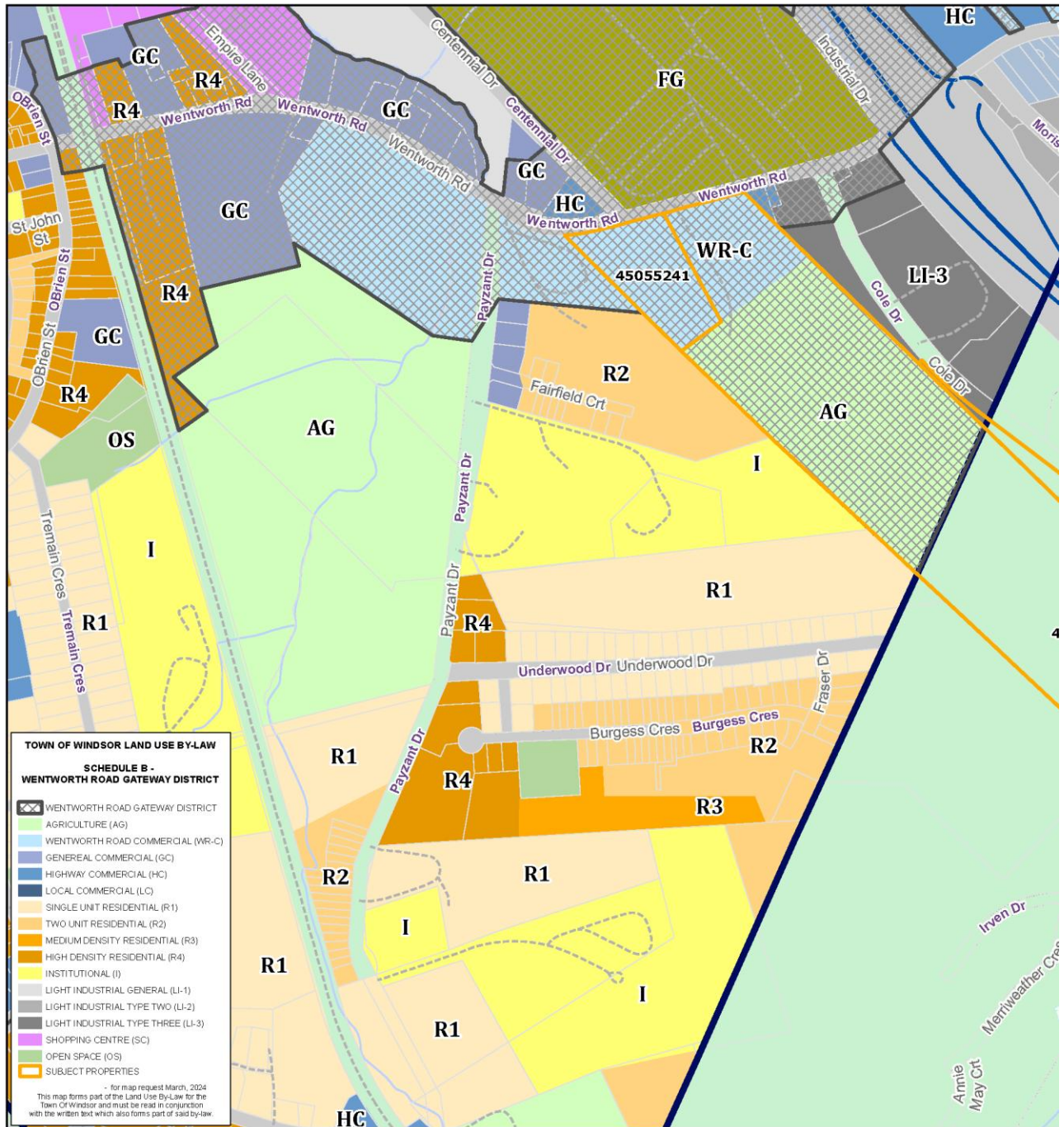


Figure 4 – Windsor Proposed GFLUM Map Extract

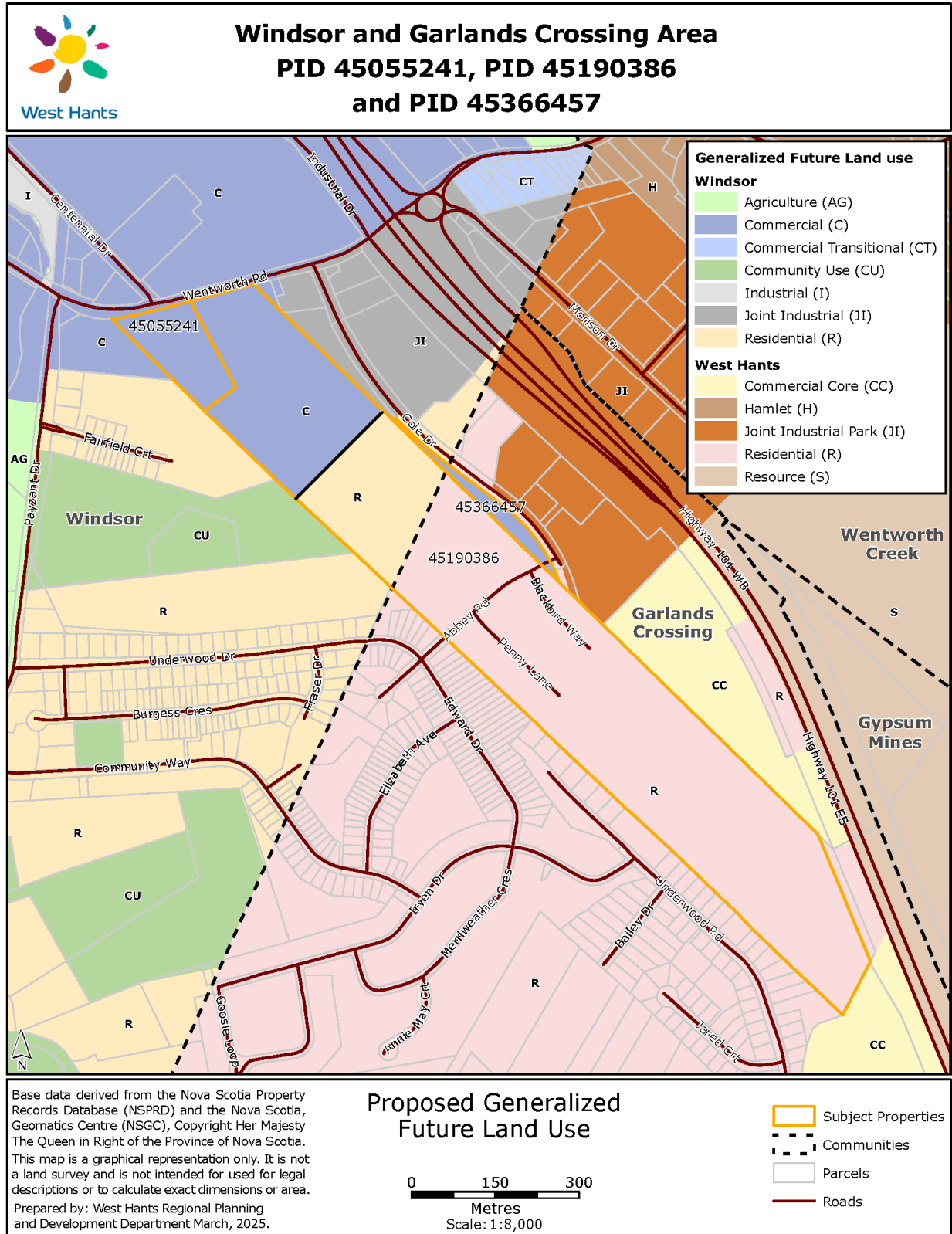


Figure 5 – Windsor Proposed Zoning Map Extract

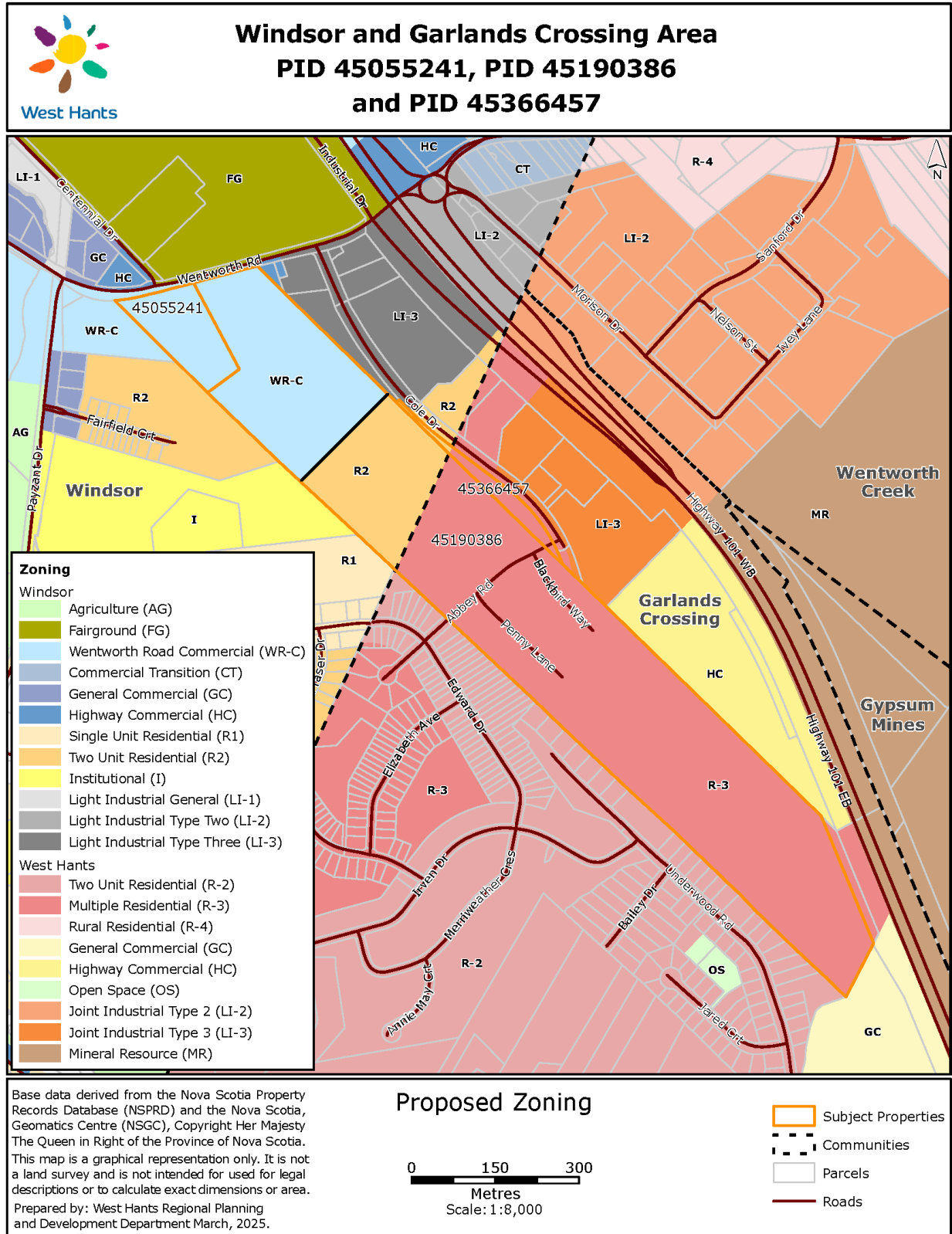
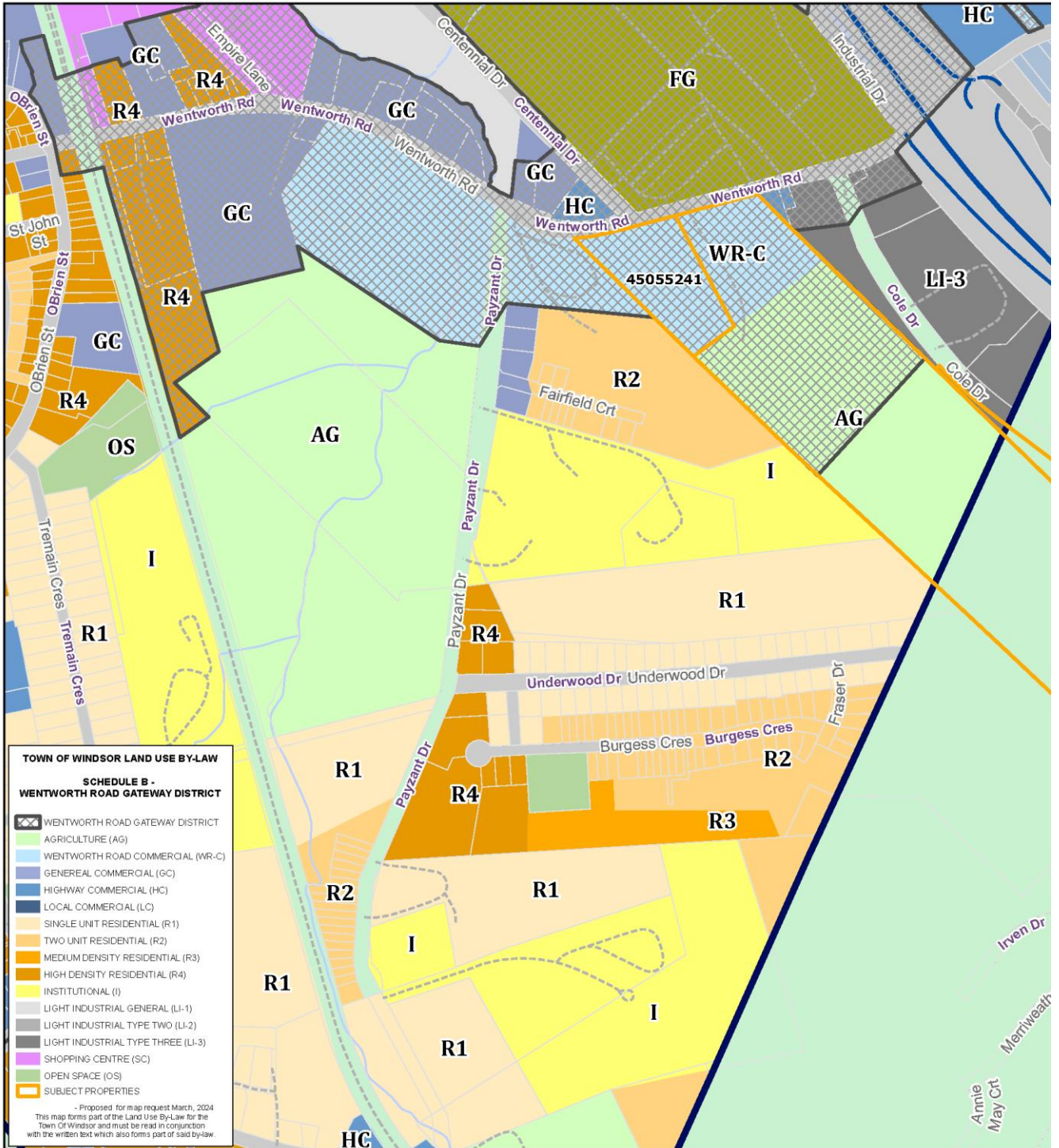


Figure 6 – Windsor Proposed Wentworth Road Gateway District Extract



**Attachment A – Policy Summary for Amendments**

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| <p><b>Policy 6.0.10</b> <i>It shall be the policy of Council to permit lands zoned Agriculture to be considered for other uses by amendment to the Land Use By-law subject to Policy 16.3.1. In considering such a rezoning, Council shall have regard to the potential impact of the new development on adjacent active farms.</i></p> | <p>The front portion of PID 45439098 is zoned Wentworth Road Commercial (WR-C), while the rear portion is zoned Agriculture (AG). Both PIDs 45439098 and 45190386 are currently vacant, with no active farming operations in the surrounding area. The existing Commercial and Residential designations indicate Council’s intention to consider this property for alternative uses rather than maintaining it as Agriculture zone. Based on this direction, staff are of the opinion that Policy 6.0.10 has been met to support rezoning PID 45439098 to Wentworth Road Commercial (WR-C) entirely and rezoning PID 45190386 to Medium Density Residential (R-2) as proposed by the Applicant.</p> |
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| <p><b>Policy 8.6.7</b> <i>It shall be the policy of Council that, with the exception of the Joint Industrial Park lands, lands within the Wentworth Road Gateway District shall be designated Commercial on the Generalized Future Land Use Map (Map 1).</i></p> | <p>As illustrated in Figure 3, the entirety of PID 45439098, within the Windsor planning area, is in the Wentworth Road Gateway District on the Schedule B of the Windsor Land Use Bylaw. Based on the direction of Policy 8.6.7, staff recommend amending the existing split designations of Commercial and Residential to Commercial to align with Council’s intention of this policy.</p> |
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| <p><b>Policy 8.6.10</b> <i>It shall be the policy of Council to establish a Wentworth Road Commercial (WR-C)</i></p> | <p>It is Council’s intention to apply Wentworth Road Commercial (WR-C) in</p> |
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| <p>zone which permits a wide range of general commercial and highway commercial uses, as well as large format retail stores within a specified size limit. The WR-C zone will be the main commercial zone in the District. Rezoning to any other zone will not be considered within the Wentworth Road Gateway District.</p> | <p>the Wentworth Road Gateway District only, where rezoning to other zones will not be considered. Therefore, it is considered reasonable to rezone PID 45439098, which is entirely within the Gateway District, to Wentworth Road Commercial (WR-C).</p> |
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| <p><b>Policy 16.3.1</b> In considering development agreements and amendments to the West Hants Land Use By-law, in addition to the criteria set out in various policies of this Strategy, Council shall consider:</p> |   |
| <p>(a) whether the proposal is considered premature or inappropriate in terms of:</p>   |   |
| <p>(i) the adequacy of sewer and water services;</p>  | <p>The Public Works Engineering Division commented that they do not have any concern regarding the adequacy of sanitary sewer and water services for the proposed development.</p>      |
| <p>(ii) the adequacy of school facilities;</p>  | <p>Not applicable, as future residential development is not under consideration in this application.</p>  |
| <p>(iii) the adequacy of fire protection and other emergency services;</p>  | <p>Local Fire Chief and the Manager of Building and Fire Inspection Services commented they had no concerns regarding the adequacy of fire protection for the proposed development.</p> |
| <p>(iv) the adequacy of road networks adjacent to, or leading to the development; and</p>   | <p>The Traffic Authority has no concerns regarding the adequacy of road networks to or surrounding the proposed development.</p>  |
| <p>(v) the financial capacity of the Municipality to absorb any costs relating to the development.</p>  | <p>There are no anticipated costs to the Municipality regarding this development.</p>   |

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| <p><i>(b) the suitability with any aspect relative to the movement of auto, rail and pedestrian traffic;</i></p>  | <p>The Traffic Authority commented that they have no concerns regarding pedestrian or vehicle 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 they had no concerns regarding the adequacy of the dimensions and shape of the lot for residential uses.</p>   |
| <p><i>(d) the pattern of development which the proposal might create;</i></p>   | <p>The Development Officer commented that they had no concerns regarding the pattern of development which the proposal might create.</p>   |
| <p><i>(e) the suitability of the area in terms of steepness of grade, soil and geological conditions, location of water courses, wetlands, and susceptibility of flooding;</i></p>                          | <p>The Environmental constraints (Dykeland) overlay covers a small portion of the front of the PID 45439098. Otherwise, the majority of the subject lot appears to be gently sloped. No waterbodies or wetlands appear to be present on the mapping for the subject lot.</p> <p>Regarding the environmental constraint overlay, the applicant stated that “Irving will leave this area as open green space, except for constructing two driveways to Wentworth Road” Plus, a stormwater management plan has been provided and accepted by the Public Works Department.</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**

**March 5, 2025**

**PIDs 45055241, 45190386, and 45366457, Wentworth Rd, Windsor**

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| <b>Meeting date and time</b>  | A Public Information Meeting was held on March 5, 2025, beginning at 6:00 p.m. The meeting was broadcast live on the Municipal YouTube Channel.  |
| <b>Attending</b>  | In attendance for the meeting:<br>One (1) Chair: <ul style="list-style-type: none"><li>• Councillor Jim Ivey</li></ul> Four (4) members of staff: <ul style="list-style-type: none"><li>• Acting Director Fougere</li><li>• Senior Planner Dunphy</li><li>• Planner Hong</li><li>• Planning Assistant Lake</li></ul> Approximately 2 members of the public.  |
| <b>Applicant</b><br>Chrystal Fuller on behalf of J.D. Irving<br><b>Property</b><br>PIDs 45055241, 45190386, and 45366457, Wentworth Rd, Windsor | Planner Hong outlined the application to rezone the subject lots and concurrently enter into a development agreement to permit multiple commercial buildings on the properties.  |
| <b>Comments</b>   | Comments from the public could be submitted by mail, e-mail and telephone between March 5 - 19, 2025.<br>Staff did not receive any phone calls or written submissions during the comment period.<br>1 member of the public spoke during the Public Information Meeting. Applicants responses are in purple. <ul style="list-style-type: none"><li>• Elizabeth McCarthy, resident of The Crossing, raised concerns about ambient light becoming worse, unless consideration is given to controlling the light. Another question was about the residential area, but this was not ready to be discussed at this time.</li><li>• Chrystal Fuller, applicant, responded that Developer will ensure light pollution is minimized to the greatest extent possible. In larger developments by DA, the</li></ul> |

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|                    | <p>municipality can require a lighting plan, or a clause stating light will be directed away from adjacent residential use. Irving is open to adhering to these regulations. The proponent has no interest in contributing to light pollution. Developers often have a lighting splay plan to ensure lighting is appropriately kept to a minimum to the adjacent use. There will be more lights, but all attempts will be made to minimize impact.</p> <ul style="list-style-type: none"><li>• Michael Simms, applicant, commented that J.D. Irving will make every attempt to ensure light is directed away from the residents. They are conscious about the cost of electricity and many lights will be turned off at night. Another common question is about noise, and Irving is very sensitive to this issue, as many stores are in/near residential areas. Hours of operation and noise will be sensitive to a residential area.</li></ul> |
| <b>Adjournment</b> | The Public Information Meeting was adjourned at approximately 6:35 p.m.  |