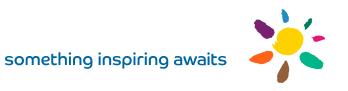
Fairfield Court Development Agreement

Council First Reading

November 23rd, 2021



Application

- Application was received on April 30th, 2021 from David Howell
- Application was for a development agreement to permit a one storey, three (3) unit residential dwelling on Fairfield Court in Windsor

 A development agreement is a legal contract between the Municipality and a property owner to permit a use that is not permitted in the underlying zone

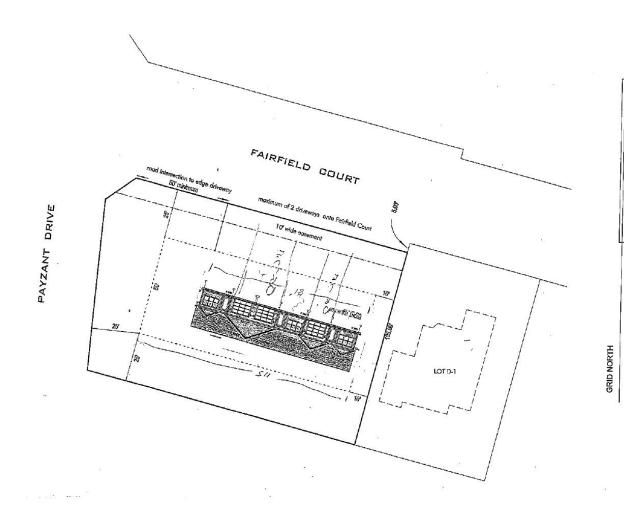




Orthophoto

- Subject lot is currently vacant
- Abutting residential development on Fairfield Court
- Also abutting Hants Community Hospital

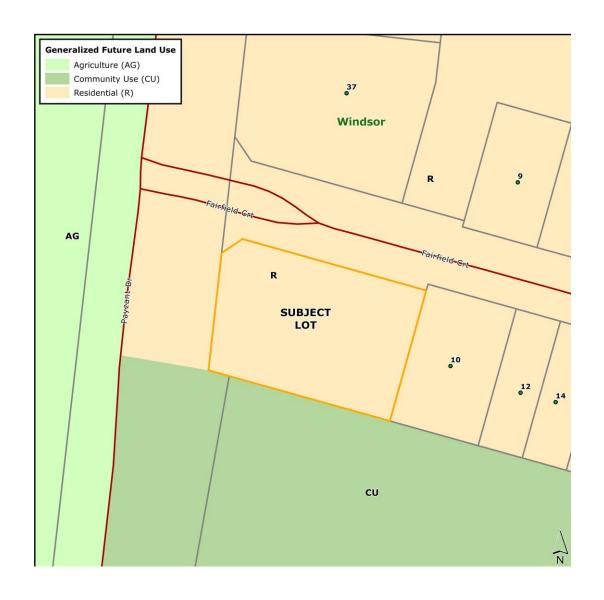




Site Plan

- Proposal is for a one storey, three (3) unit residential dwelling
- Facing onto Fairfield Court

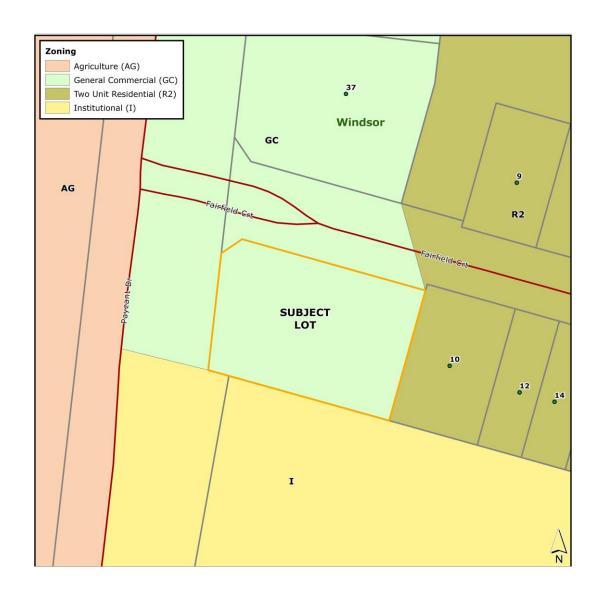




GFLUM

• Designation: Residential

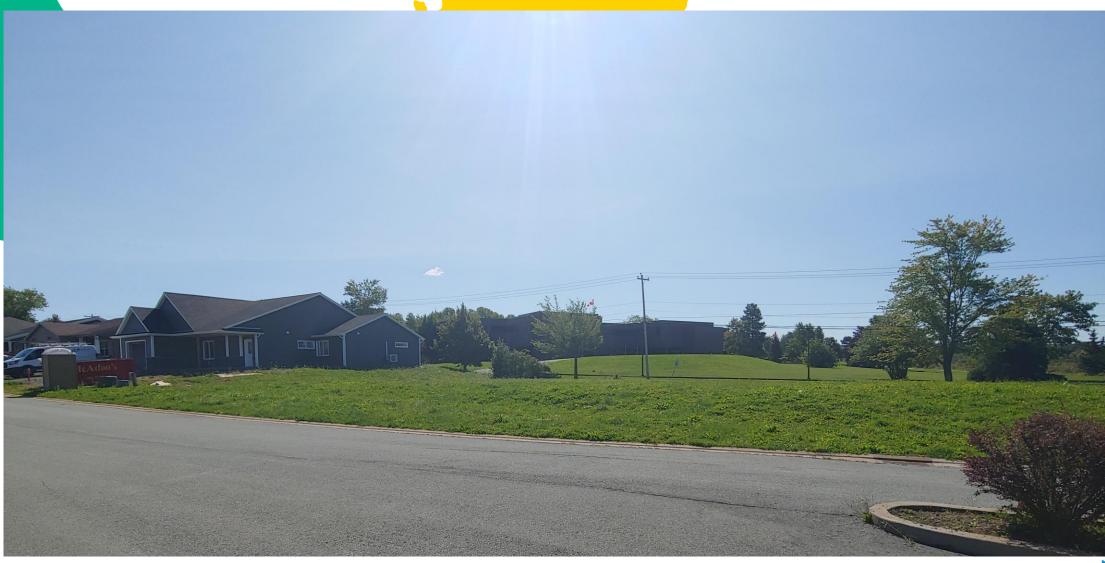




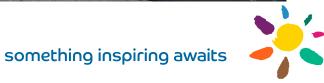
Zoning

- Zone: General Commercial (GC)
- Subject lot was part of a group rezoning in 2009 to allow for a variety of commercial uses, two of the properties have been developed



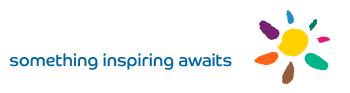


View of Subject Lot from Fairfield Court



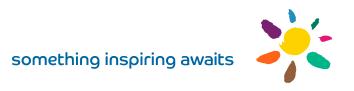
Windsor Land Use By-law

- **Section 6.1 states:** The following developments may be considered only by development agreement in accordance with the *Municipal Government Act* and the (Windsor) Municipal Planning Strategy:
 - Clause 6.1 (b) states: multiple unit residential development consisting of three or more units in a Residential designation in accordance with Policy
 5.4.6 of the (Windsor) Municipal Planning Strategy



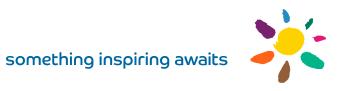
Windsor Municipal Planning Strategy

- **Policy 5.4.6** enables Council to consider proposals for new multiple unit residential developments consisting of three or more units, in the Residential designation by development agreement.
- Policy 16.3.1 states general criteria for amendments and development agreements.



Specific Criteria for Development Agreement

- **Policy 5.4.6** criteria have been considered met and are summarized as the following:
 - the proposed use is a new building which is consistent with the High Density Residential (R-4) zone standards, except for a reduced setback to accommodate higher density in a single storey and to match the streetscape;
 - the dimensions and appearance of the building is compatible with adjacent land uses;
 - there are no concerns with respect to traffic generation or population density;
 - there is adequate recreational open space suitable for the development.



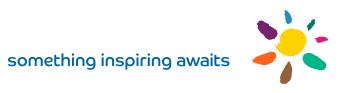
General Criteria for Development Agreement

- Policy 16.3.1 criteria have been considered met and are summarized as the following:
 - the proposal is not considered premature or inappropriate for the area;
 - no municipal costs related to the proposal are anticipated;
 - there are no concerns regarding the suitability of traffic movement (auto, rail, or pedestrian);
 - the proposal reflects the direction of development intended by the Generalized Future Land Use Map (GFLUM);
 - the proposal is located within an environmental constraints area, an environmental study will be required prior to issuing development permits.



Development Agreement Details

- Permits a single storey residential building containing three (3) units
- Requires five (5) parking spaces with minimum dimensions of 10 by 20 feet each
- Permits a maximum of two (2) driveways, which may not be constructed within 50 feet of the intersection of Fairfield Court and Payzant Drive
- Requires construction with floodproofing measures if required by the environmental study



Development Agreement Alteration

- The following clause was added within Section 2.2, Development Location and Design:
 - (b) The Development Officer may approve minor changes to the location of the main buildings or other aspects of the site plan provided that setbacks listed in Section 2.3, Site Requirements, of this agreement are met. Changes to the site plan may also be approved in accordance with reports generated in response to Section 2.8, (c), Environmental Study, of this agreement provided that the setbacks listed in Section 2.3, Site Requirements, of this agreement are met.

Public Information Meeting Notes

- A virtual Public Information Meeting was held on October 14 and was broadcast live on the Municipal Facebook page.
- The deadline for comments was October 29.
- No comments have been received.



Staff Review

Public Information Meeting – October 14

PAC/HAC Review and Recommendation – November 8

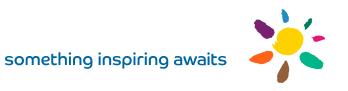
Regional Council First Reading – November 23

Public Hearing & Second Reading – December 16

Notice of Approval Placed in Paper

14 Day Appeal period

Process



Recommendation

 ...that Council give First Reading and hold a Public Hearing to consider entering into a development agreement to permit a one storey residential building containing three dwelling units at PID 45383742 on Fairfield Court, Windsor, in a manner substantively the same as the draft set out in Attachment C to the report #20-25 to the Planning and Heritage Advisory Committee dated November 8, 2021.

