

**WINDSOR PLANNING ADVISORY  
COMMITTEE MEETING MINUTES  
April 8, 2009**

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**PRESENT:** Deputy Mayor Laurie Murley, Chair  
Mayor Paul Beazley  
Councillor John Bregante  
Councillor Liz Galbraith (7:06 p.m.)  
Councillor Dave Seeley  
Ms. Shelley Bibby  
Mr. Graham Murphy  
Mrs. Laura Myers (7:02 p.m.)

**STAFF:** Jeanne Bourque, Planner  
Louis Coutinho, CAO  
Doug Armstrong, Director of Finance  
Velma Macumber, Administrative Assistant

**REGRETS:** Lynn Davis, Director of Planning

**GUEST:** Issam (Sam) Kadray, Asset Management Ltd.

Chair Murley called the meeting to order at 7:00 p.m.

**APPROVAL OF MINUTES OF MARCH 11 & 25, 2009**

Moved By: Councillor Bregante  
Seconded By: Councillor Seeley

**THAT THE MINUTES OF MARCH 11 & 25, 2009 BE APPROVED AS CIRCULATED  
NOTING ANY ERRORS OR OMISSIONS.**

**Question on motion**

**MOTION CARRIED.**

**BUSINESS ARISING FROM MINUTES**

**Infrastructure Charges**

No new information.

**Town Centre Designation**

No new information.

**Affordable Housing**

Ms. Bourque advised that she had been in contact with a representative from CHMC who said she was willing to put on a public information session to help with gathering community interest for an affordable housing committee. Ms. Bourque asked the Committee if they wanted to move forward with identifying public interest.

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The Committee agreed they would like to go forward with a public information session sometime in the summer or fall to gather public interest for striking a committee. They also agreed that they did not want to tie up staff time on this matter and that staff involvement would be limited. However, they noted there is a need for someone to coordinate advertising and inquiries. This matter will be left on the agenda as a reminder.

**Derelict Buildings/Minimum Standards**

No new information.

**Payzant/Burgess/Underwood Traffic flows**

No new information.

**Eco-friendly development**

Mayor Beazley gave a brief report on a workshop that the Ecology Action Centre held about sustainable transportation.

**Wentworth Road development provisions**

Work on the staff report is in progress.

**NS Planning Directors Spring Conference “Making Main Street”**

Ms. Bourque advised that Council usually approves two PAC members to attend the conference.

Councillor Galbraith expressed interest in attending the conference.

Moved By: Councillor Bregante  
Seconded By: Councillor Galbraith

**TO RECOMMEND THAT COUNCIL APPROVE TWO PAC MEMBERS TO ATTEND THE  
NOVA SCOTIA PLANNING DIRECTORS SPRING CONFERENCE ON MAY 14-15, 2009.**

**Question on Motion**

**MOTION CARRIED.**

**BUILDING INSPECTOR AND DEVELOPMENT OFFICER REPORT**

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**Monthly Report of March 2009**

Moved By: Mr. Murphy  
Seconded By: Mrs. Myers

**THAT THE REPORT OF THE BUILDING INSPECTOR AND DEVELOPMENT OFFICER FOR  
THE MONTH OF MARCH 2009 BE RECEIVED AND PLACED ON FILE.**

**Question on motion**

**MOTION CARRIED.**

Councillor Bregante declared a conflict of interest as he had obtained a building permit.

**NEW BUSINESS**

**Asset Management Ltd. - application for development agreement - Upper Water Street**

Ms. Bourque advised that a request was received from Asset Management Ltd. to enter into a development agreement to allow the construction of a new building at Upper Water Street (PID 45056363) which is zoned Town Centre (TC). The applicant proposes that the building will contain a mixed use development that would include two ground floor commercial units, and four residential dwelling units. A provision will be included in the development agreement for the two ground floor units to be used as residential depending on market conditions.

Ms. Bourque reviewed the property location and surrounding land uses.

Policy 7.2 permits Council to consider development proposals in the Town Centre zone by development agreement subject to criteria for architectural design, building design, parking, landscaping, maintenance of use, and other matters. Policy 7.4 deals with Town Centre residential uses. Ms. Bourque referred to Section 14.1 of the LUB which lists permitted uses in the TC zone. She advised that the developer is proposing that the ground floor contain commercial space, with the option of converting it to residential use if he is unable to lease it as commercial. The TC zone does not permit residential uses on the ground floor; however, Policy 7.4.3(b) allows Council to consider this by development agreement in fringe areas of the TC zone which are still mainly residential. Staff recommend that the development agreement limit the commercial uses to those with low traffic generation and parking demand, and having the least effect on surrounding residential uses.

Policy 16.3.1 of the MPS must be considered for any application for a development agreement or rezoning. Ms. Bourque referred to Policy 16.3.1(v)(e) which addresses the suitability of the area as to steepness of grade, soil and geological conditions, location of water courses, marshes or bogs and susceptibility of flooding. The subject property is not located on dykeland and site plans show that the slope at the rear of the property will be suitably engineered for stability. The development agreement will require a submission of a site drainage plan for the property.

Councillor Galbraith asked how far away the property was from the highway entrance. Ms. Bourque advised that the driveway to the property is 140 metres away from the highway exit ramp, and the

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Department of Transportation only requires that it be 60 metres away. Councillor Galbraith expressed concern that the new building may block the scenic view of Fort Edward. Councillor Bregante and Chair Murley said that the new building would not block the Fort Edward site.

Councillor Galbraith stated she had no problem with residential on the main floor but she was concerned about the building having vinyl siding.

Mayor Beazley asked Mr. Kadray if the proposed commercial uses for the building were adequate. Mr. Kadray agreed.

Mayor Beazley asked about signage. Ms. Bourque advised that the development agreement restricts the number of signs per commercial use.

Mr. Kadray gave the Committee some background information about his company. He stated he felt that the mixed use would be the best use of the property and that the building will be marketed as condominiums. Mr. Kadray noted the need for one bedroom and bachelor apartments in the Town. He advised that all units will have their own entrances, and the property will be landscaped. Mr. Kadray advised that the property does not contain common use recreational space but the development is within walking distance of Fort Edward and the waterfront. He added that the units will also have balconies. Mr. Kadray advised that he would like to place a hedge next to the sidewalk which the company would maintain, however, it would be on Town property. Mr. Kadray stated that vinyl siding was more suitable for climate conditions. If the vinyl siding is installed properly, it would be attractive and unnoticeable. Wood trim would be placed around doors and windows. He advised that the building would be placed in a corner on the back of the property.

Chair Murley asked about the elevation of the building. Mr. Kadray advised that blocks would be used and a retaining wall.

Councillor Galbraith asked Mr. Kadray for the locations of his other projects. He referred to one of his completed projects on Gerrish Street containing the MLA's and law offices.

Mr. Coutinho asked about the height of the hedge. Mr. Kadray advised that the hedge would be no more than ½ metre high.

Ms. Bourque advised that she was not going to review the draft development agreement at this meeting as there had been some changes made before the meeting, and that it would be sent to the solicitor for comments. She advised the changes were unsubstantive and that the Committee would have the draft before going to the Public Hearing. Ms. Bourque advised that the application was reviewed against the relevant policies and requirements of the Windsor MPS and LUB and it generally satisfies those policies and requirements; therefore, staff recommends in favour of the proposal.

Moved By: Councillor Bregante  
Seconded By: Mr. Murphy

**TO RECOMMEND THAT COUNCIL APPROVE THE REQUEST FROM ASSET  
MANAGEMENT LTD TO ENTER INTO A DEVELOPMENT AGREEMENT TO ALLOW FOR  
MIXED USE DEVELOPMENT ON PID 45056363, UPPER WATER STREET, WINDSOR.**

**Question on motion**

**MOTION CARRIED.**

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Mr. Kadray noted the Committee's previous discussion about affordable housing. He said he has been involved in other affordable housing projects, and would be available to the Committee if they had any questions about tendering for available funding.

**Brison Developments Limited re development proposal - Payzant Drive (PID 45336773)**

Ms. Bourque updated the Committee on the progress of the staff report for Brison Developments for Ms. Davis. Ms. Davis had been in contact with David Howell regarding their proposal. Mr. Howell advised that Brison Developments was unprepared to go forward with a development agreement on the entire property and directed staff to continue with the current application for a MPS amendment and rezoning. Ms. Bourque advised that Ms. Davis is working on the staff report but she is also currently working with the Municipality's solicitor on an appeal from the NSURB.

Councillor Bregante questioned how the process would be hastened and that the Planning Department needs assistance.

Mr. Coutinho advised that he and Ms. Davis are working on some resolutions.

**MISCELLANEOUS**

No miscellaneous business was heard.

**ADJOURNMENT**

Moved By: Councillor Galbraith  
Seconded By: Mrs. Myers

**THAT THE MEETING ADJOURN.**

**Question on motion**

**MOTION CARRIED.**

The meeting adjourned at 8:15 p.m.

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Chair