

The logo consists of the letters 'WWH' in a bold, sans-serif font. The first 'W' is dark blue, the second 'W' is a lighter blue, and the 'H' is dark blue. The letters are closely spaced and have a slight shadow effect.

WINDSOR / WEST HANTS

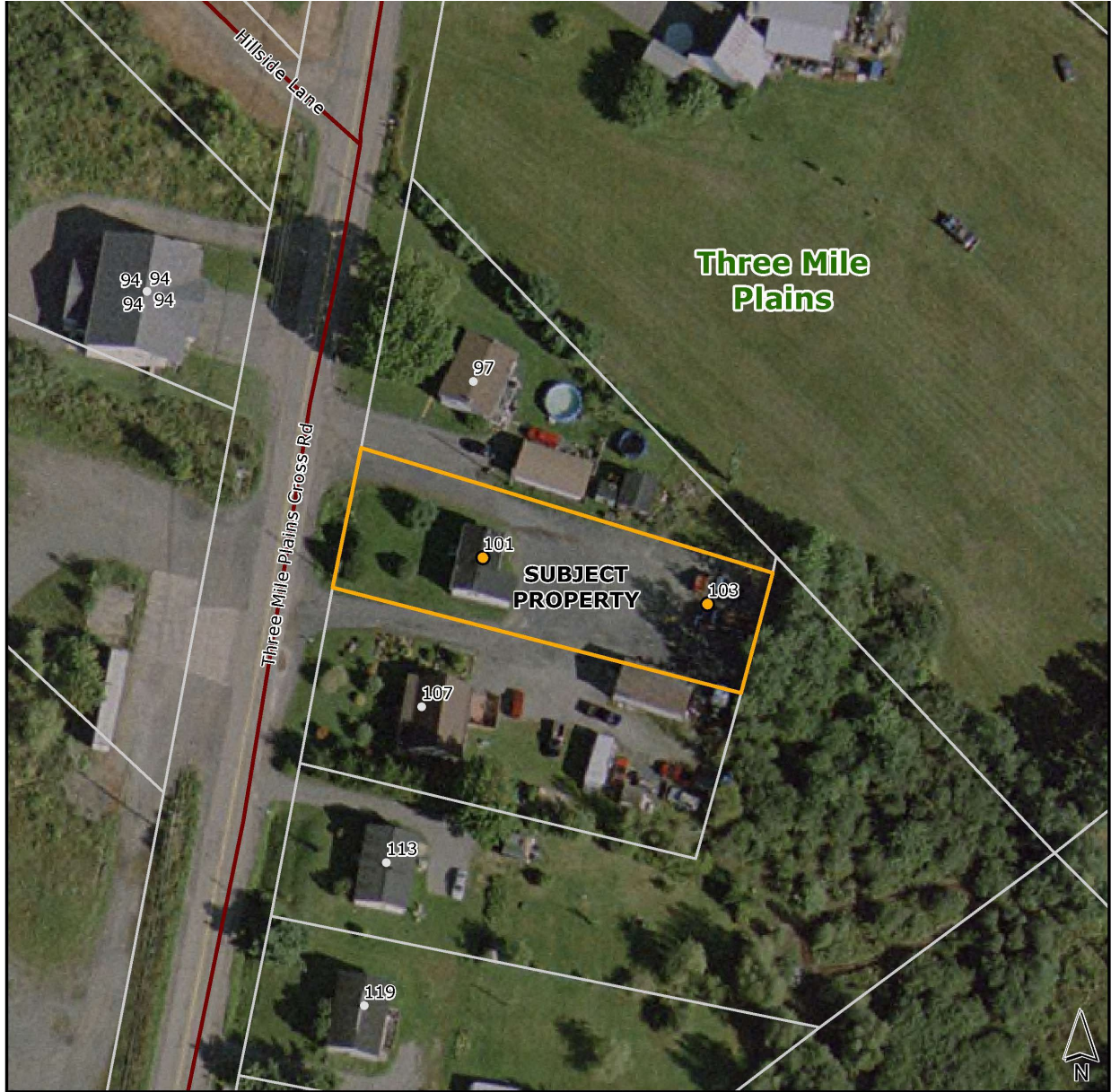
TOGETHER



**101 Three Mile Plains Cross Road
Development Agreement**
Council First Reading
June 22, 2021

Application

- ▶ 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
- ▶ On January 18, Geoff Lunn, with authorization from the property owner Brian Lunn, applied for a development agreement to permit an automotive repair shop



Base data derived from the Nova Scotia Property Records Database (NSPRD) and the Nova Scotia, Geomatics Centre (NSGC), Copyright Her Majesty The Queen in Right of the Province of Nova Scotia. This map is a graphical representation only. It is not a land survey and is not intended for used for legal descriptions or to calculate exact dimensions or area. Prepared by: West Hants Regional Planning and Development Department January 2021.

Orthophoto

0 15 30
 Metres
 Scale: 1:800

- PID 45197456
- Civic 101 and 103
- Parcels
- Civics
- Roads

Document Review

- ▶ Section 6.1, Development Agreements, states “The following developments may be considered only by development agreement in accordance with the Municipal Government Act and the Municipal Planning Strategy:
 - ▶ (i) Resource Industrial (M-1) uses in the Growth Centres in accordance with **Policy 5.7.2** of the WHMPS;

Document Review Cont.

- ▶ Part 5 of the WHMPS contains the overall intention for Growth Centres in West Hants
- ▶ **Policy 5.7.2** enables Council to *“consider new resource-related industrial uses in the Growth Centres by development agreement”*

Policy Cont.

- ▶ There is no specific definition for a resource industrial use, the best basis for determining what is considered a resource industrial use is the list of permitted uses in the Resource Industrial (M-1) zone in the WHLUB

Resource Industrial (M-1) Zone

- ▶ Abattoirs, agricultural processing industries and commercial greenhouses
- ▶ Any activity connected with the automobile trade other than an automobile scrap yard or automobile related commercial recreation establishment
- ▶ Any manufacturing, processing, industrial, assembly or warehousing operation conducted within an enclosed building and which is not obnoxious by reason of sound, odour, dust, fumes, smoke, or other obnoxious emission of refuse matter or water-carried waste, or by reason of unsightly open storage
- ▶ Building supply, equipment depots and bulk storage of sand and gravel, commercial and office uses accessor to a main use
- ▶ Excavation, landscaping operations, farm supplies and equipment sales and service, structures related to sand and gravel excavation and processing
- ▶ Feed and fertilizer industries and fruit and vegetable sorting, grading and packaging establishments, fuel storage depots and heavy equipment sales and service
- ▶ Licensed Standard Cultivation and Processing, Micro-Cultivation and Micro-Processing of cannabis, Cannabis Nurseries
- ▶ Railway uses, recycling depots, saw mills, service industries, utility facilities, wood processing and manufacturing establishments
- ▶ One dwelling unit in conjunction with a permitted industrial use, either located in the same building or as a single unit dwelling or manufactured home on the same lot

Development Agreement Details

- ▶ Permits an automotive repair shop
- ▶ Hours of operation: 8:00 a.m. and 5:00 p.m. daily
- ▶ Six (6) parking spaces
- ▶ Driveway access from shared driveway
- ▶ Planting strip required between the subject lot and the abutting property to the east
- ▶ No open storage or display areas are permitted

Specific Criteria for DA

- ▶ **Policy 5.7.2** establishes the specific criteria to be considered by Council
- ▶ In summary, the criteria are met since:
 - ✓ the use is permitted in the Resource Industrial (M-1) zone;
 - ✓ the development will not adversely affect adjacent land uses as the hours of operation are regulated to daytime hours and the expected noise is minimal as it will be contained within a new building; and
 - ✓ the development has frontage on a collector street.

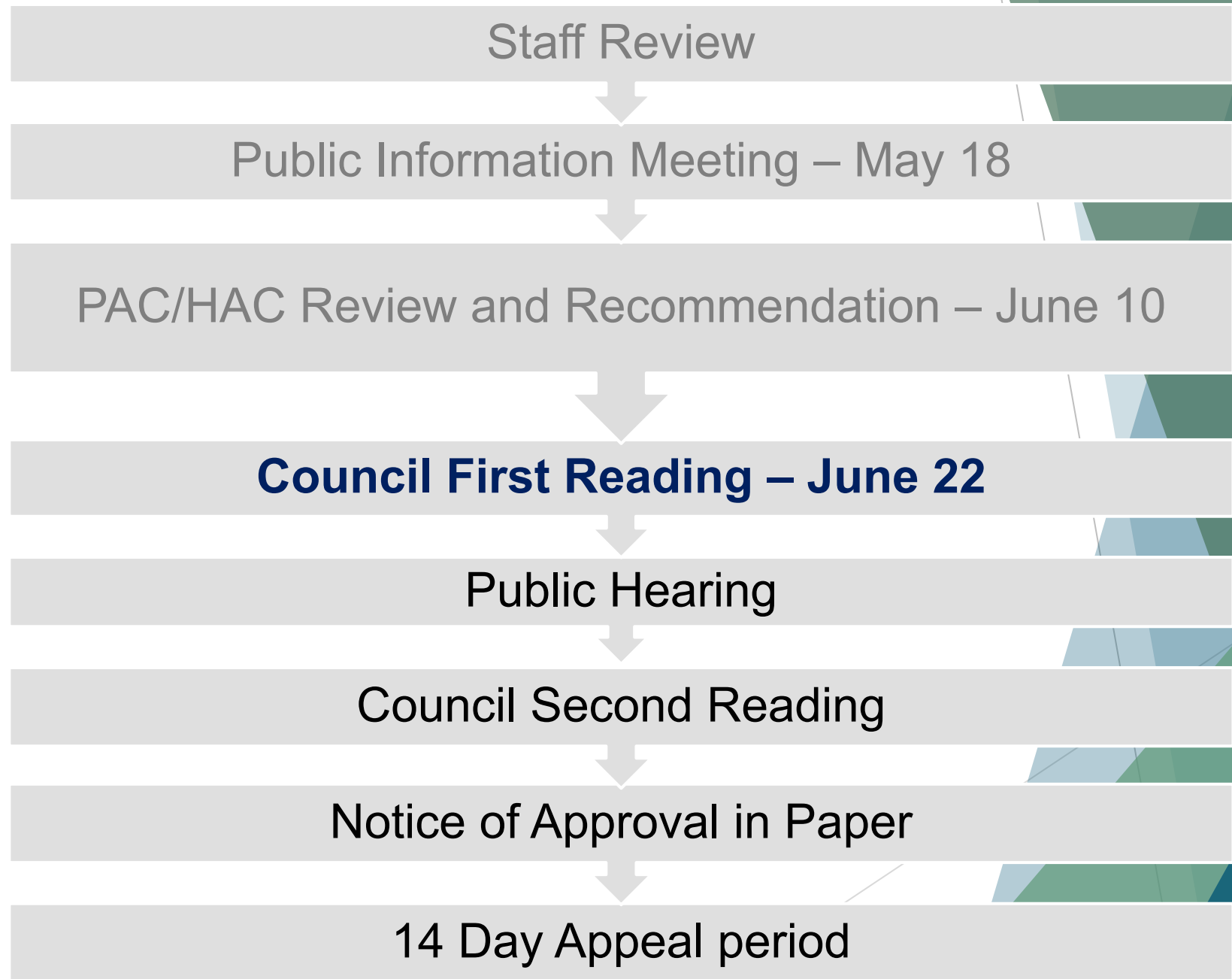
General Criteria for DA

- ▶ **Policy 16.3.1** states the general criteria to be considered by Council
- ▶ In summary:
 - ✓ the proposal is not premature or inappropriate for the area;
 - ✓ no municipal costs related to the proposal are anticipated; and
 - ✓ the Fire Chief, Manager of Building and Fire Inspection Services, Director of Public Works and Department of Transportation and Active Transit have no major concerns that have not been addressed in the development agreement.

Public Information Meeting Notes

- ▶ A virtual Public Information Meeting was held on May 18. The meeting was broadcast live on the Municipal Facebook page.
- ▶ The deadline for comments was June 1
- ▶ One verbal comment was received in favour of the application

Process



Recommendation

- ▶ **...that Council give First Reading and hold a Public Hearing to consider entering into a development agreement to allow an automotive repair shop at 101 Three Mile Plains Cross Rd., Three Mile Plains (PID 45197456) which is substantively the same as the draft set out in Attachment C of the report to the Planning Advisory Committee dated June 10, 2021.**



WWH
WINDSOR / WEST HANTS

TOGETHER