

# 1809 Highway 1, Falmouth Development Agreement

Planning and Heritage Advisory Committee (PAC/HAC)

September 12, 2024

something inspiring awaits



# Application

- A completed application was received from Dinko Crnalic on June 17, 2024.
- The application is to allow a takeout café to be located within an existing residential building.



# Orthophoto

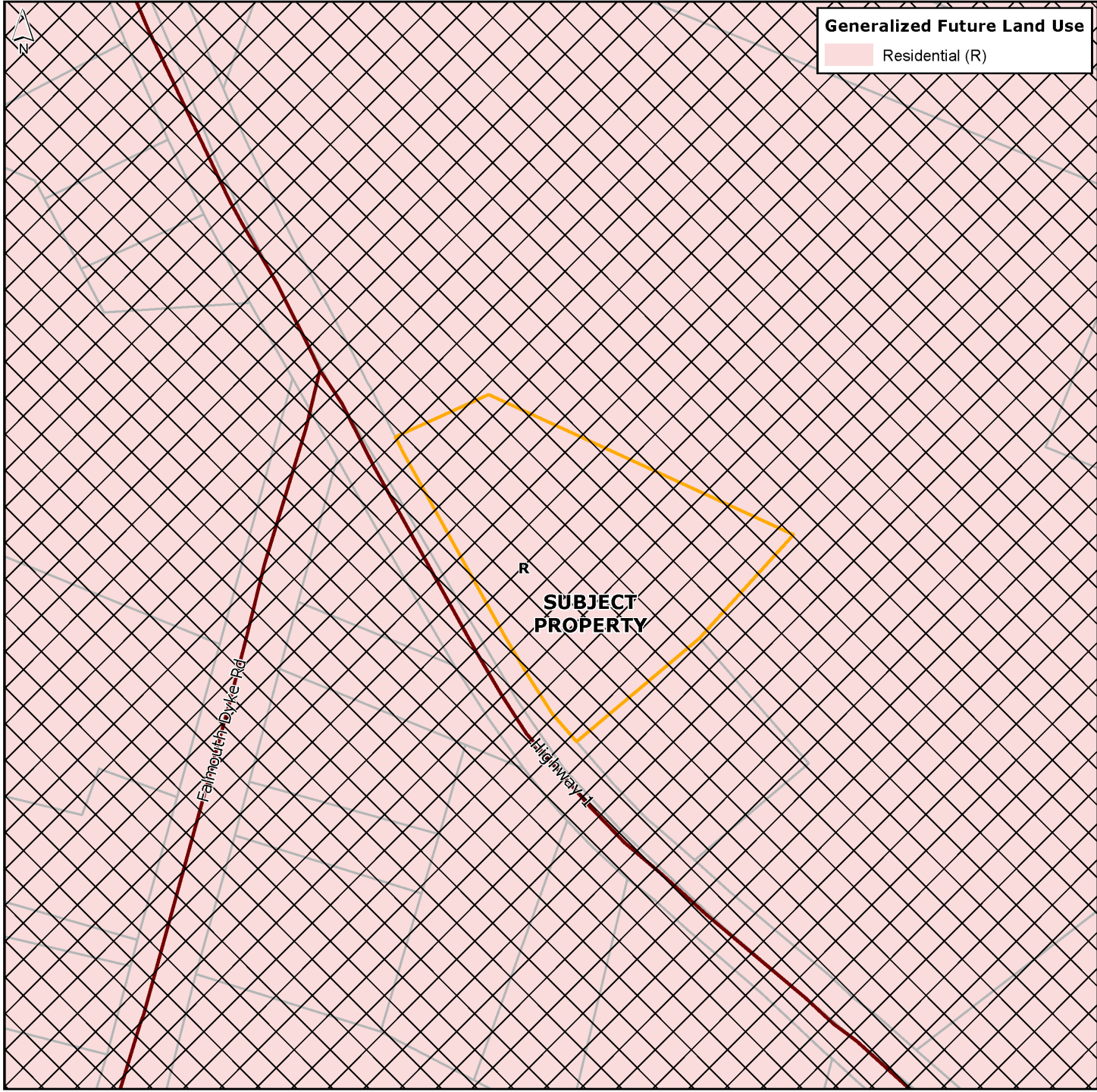
- The property has a residential dwelling with a home-based business and a garage.
- Nearby properties consist of low-density residential, a coffee roaster, an auto parts shop, and farmland.

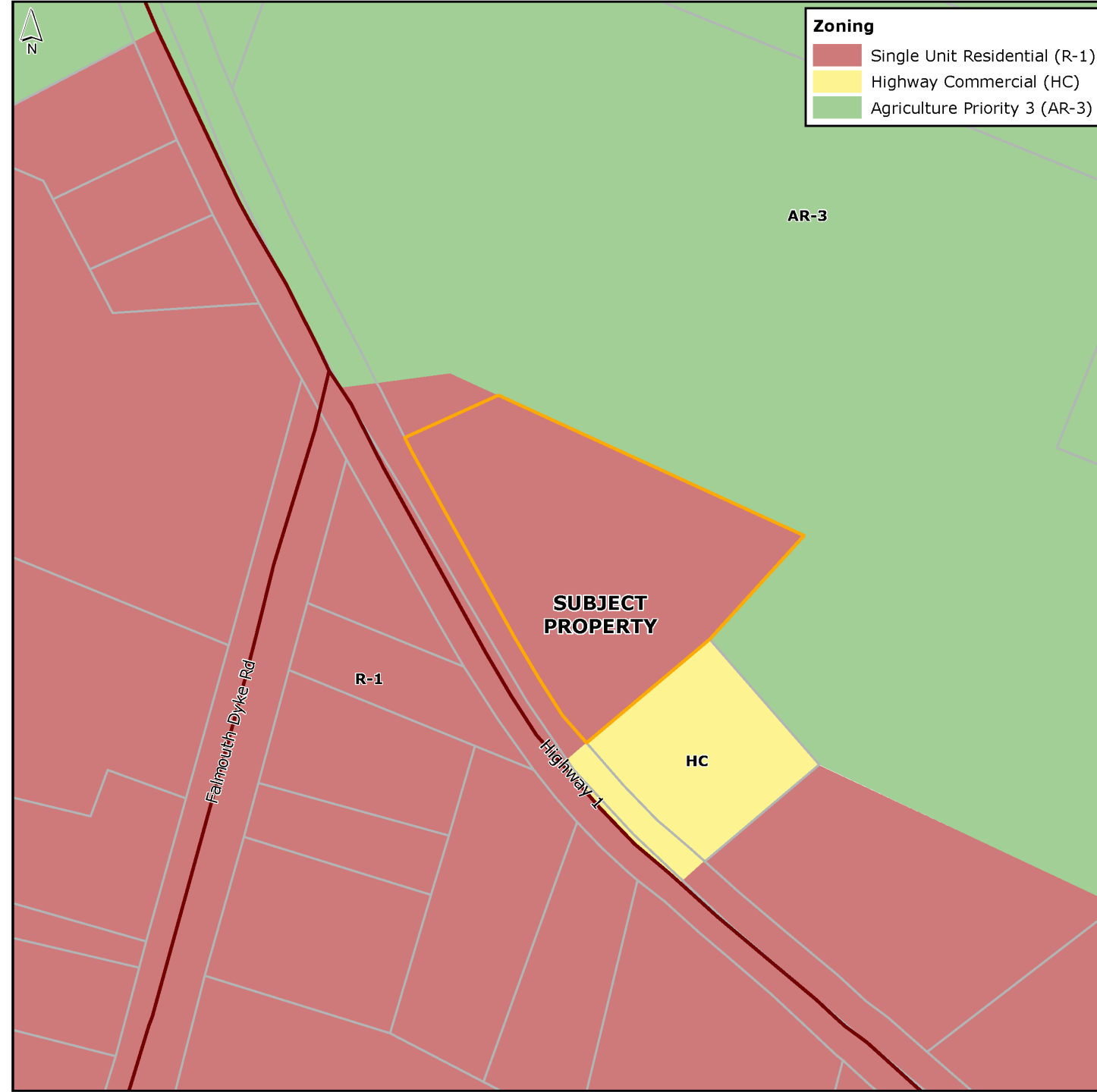


Generalized Future Land Use  
Residential (R)

# GFLUM

Residential Designation  
Falmouth Growth Centre





# Current Zoning

Single Unit Residential (R-1)

Permitted use:

- Single unit dwellings





View of Subject Lot from Highway 1

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View of Surrounding Area on Highway 1



# West Hants MPS Policies

**Policy 5.6.4** enables Council to consider new local commercial uses in Growth Centres outside the Commercial designation by development agreement.

In summary, the criteria are met since:

- the adjacent residential area will not be adversely affected by the proposed use;
- the draft development agreement requires sufficient parking and buffering; and
- the draft development agreement requires all necessary maintenance for the proposed use.



# West Hants MPS Policies

**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, Area Manager of the Provincial Public Works Department, and the Public Works Engineering Division have no concerns which have not been otherwise addressed in this report.



# Development Agreement Details

## *Requirements*

- Permits: a restaurant within the existing residential use
- Driveway access from Highway 1
- A minimum of six parking spaces is to be provided
- Buffering of the outdoor parking area from abutting properties
- Screening of outdoor garbage storage
- Hours of operation from 8:00 am to 9:00 pm daily



# Development Agreement Details

## *Substantive Matters*

- the uses permitted on the property; and
- An increase in the total floor area of the restaurant to exceed 1,000 sq. ft.

# Public Information Meeting Notes

- A Public Information Meeting was held on July 16. The meeting was broadcast live on the Municipal Facebook page.
- No members of the public attended the Public Information Meeting
- The deadline for comments was July 30, 2024
- Staff received no correspondence during the public comment period.



Public Information Meeting – July 16

Staff Review

**PAC/HAC Review and Recommendation –  
September 12**

Council First Reading – September 24\*

Public Hearing & Second Reading –  
October 22\*

Notice Placed in Paper

14 Day Appeal period

# Process

\* Anticipated date



# Recommendations (1 of 2)

...that PAC/HAC recommends that Council give First Reading and hold a Public Hearing to consider entering into a development agreement to allow a restaurant within a portion of the existing residential dwelling on PID 45026820 at 1809 Highway 1 in Falmouth which is substantively the same as the draft set out in Attachment B of the report File #24-17 to the Planning and Heritage Advisory Committee dated September 12, 2024.

# Recommendations (2 of 2)

...that PAC/HAC recommends that Council require that the development agreement with Alma Crnalic which permits a restaurant within a portion of the existing residential dwelling on PID 45026820 at 1809 Highway 1 in Falmouth 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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