



West Hants

Public Hearing Agenda

1. Intro by Mayor
2. Presentation by Planner (Alex Dunphy)
3. Presentation by Applicant (no presentation)
4. Comments or Questions from Public
5. Questions from Council
6. Conclusion of Public Hearing



1809 Highway 1, Falmouth Development Agreement

Public Hearing and Second Reading

November 26, 2024

something inspiring awaits

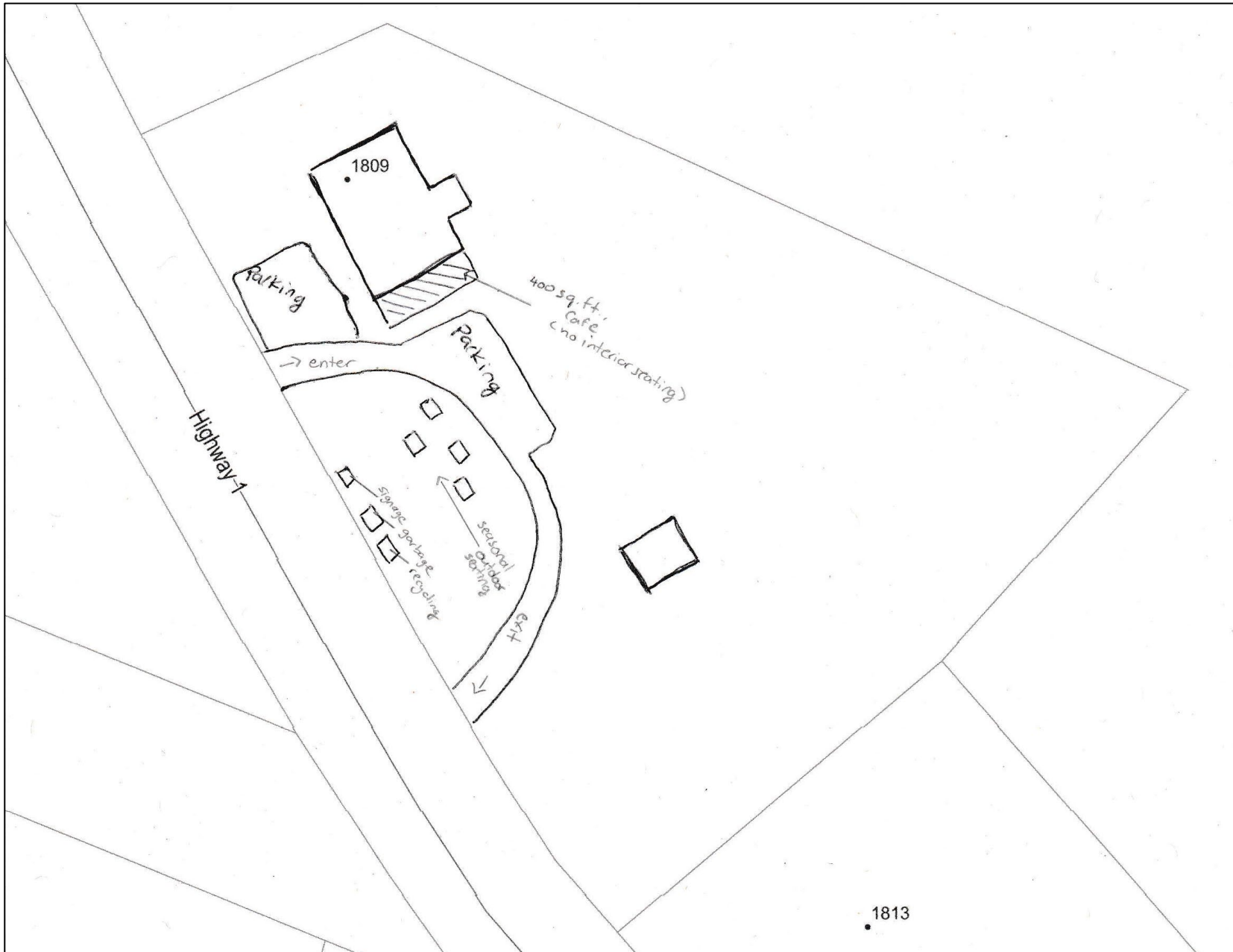


Application

- 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.



Development Proposal



Orthophoto

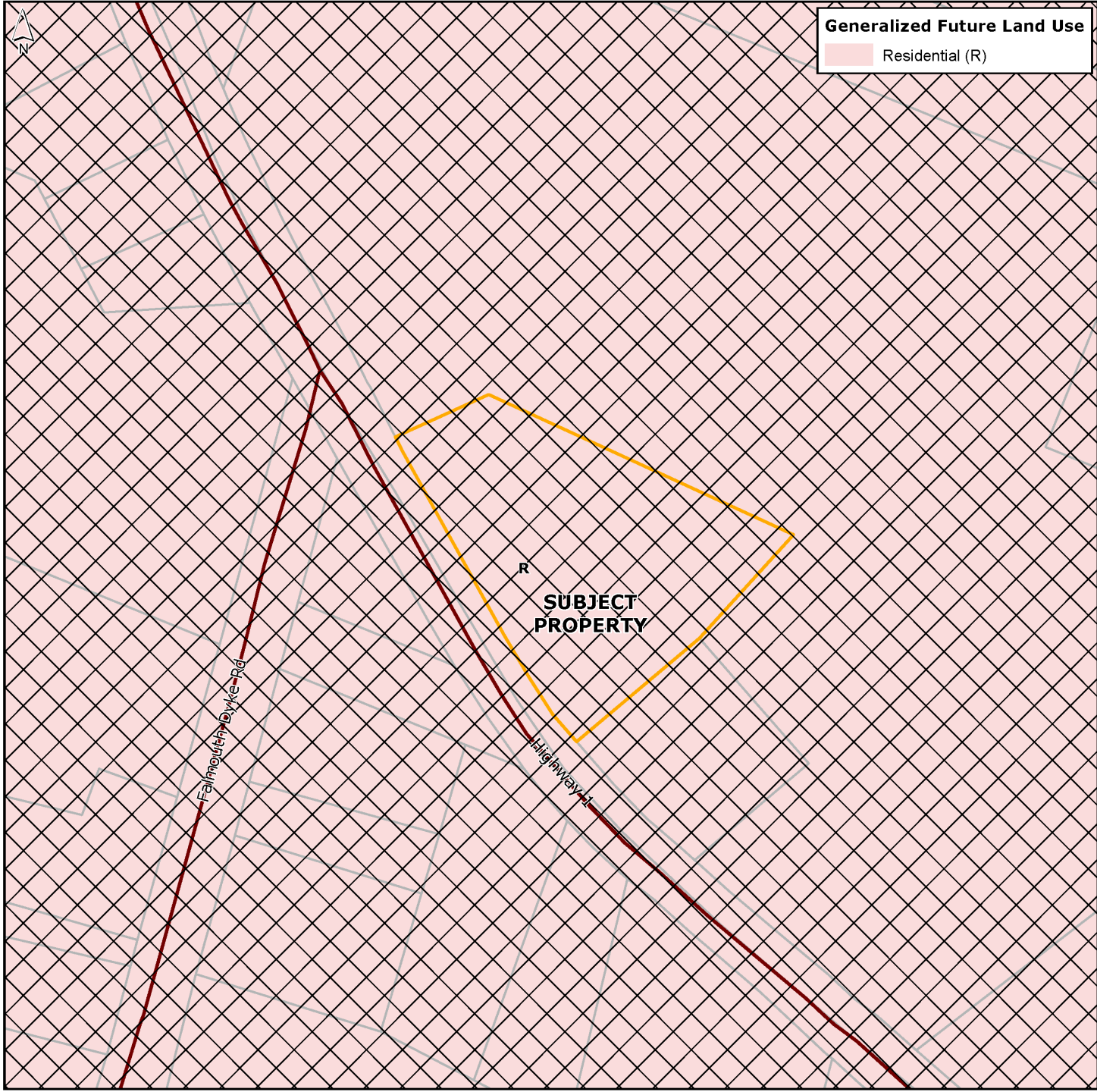
- The property has a residential dwelling with a home-based business and a garage.
- Nearby properties consist of low-density residential, a coffee roaster, an auto parts shop, and farmland.

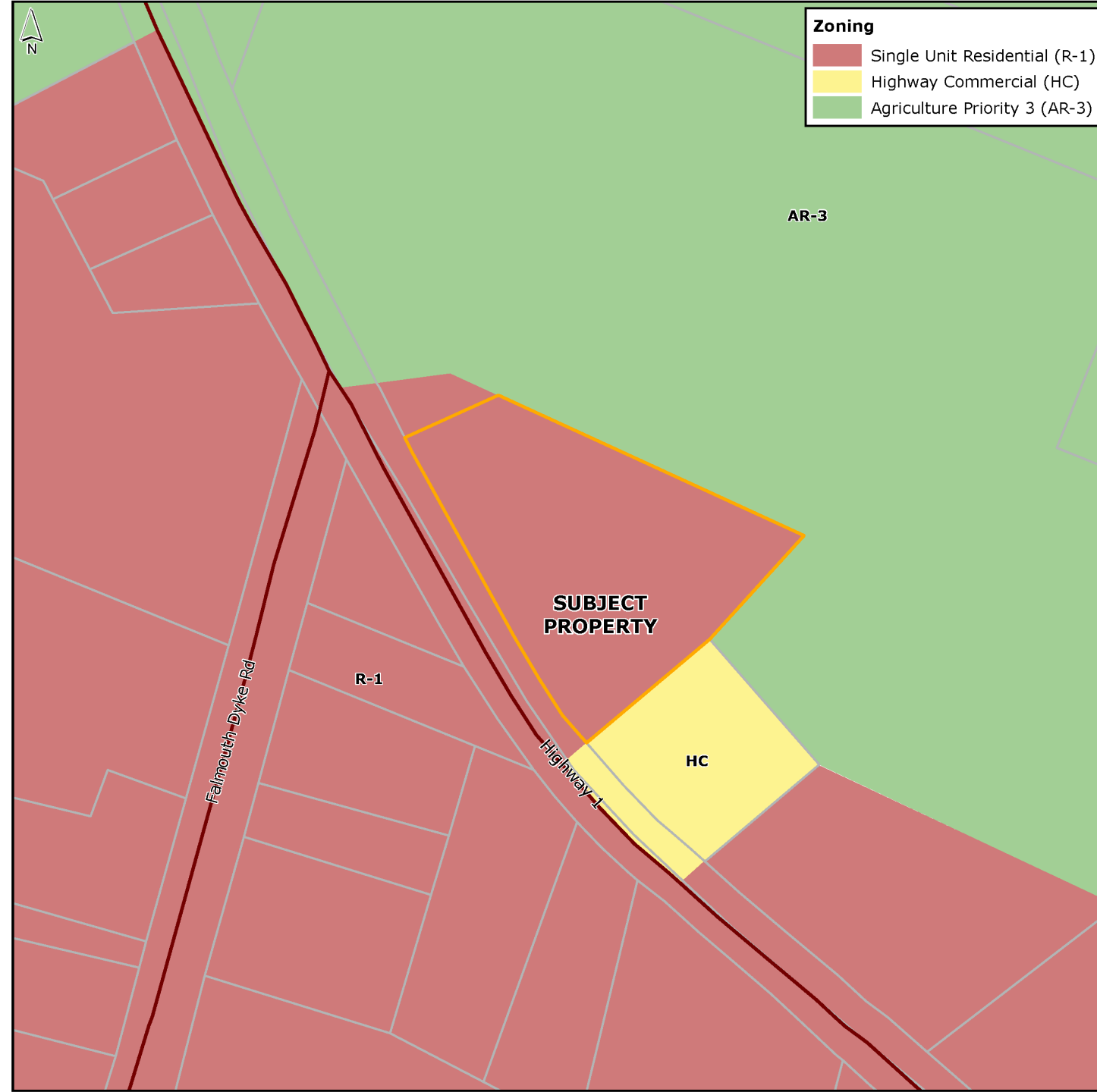


Generalized Future Land Use
Residential (R)

GFLUM

Residential Designation
Falmouth Growth Centre





Current Zoning

Single Unit Residential (R-1)

- Permits single unit dwellings





View of Subject Lot from Highway 1

something inspiring awaits





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 – October 8

**Public Hearing & Second Reading –
November 26***

Notice Placed in Paper

14 Day Appeal period

Process

All statutory requirements have now been met.



Comments or Questions from Public



Questions from Council



Public Hearing Comment Period

- The Public Hearing was advertised:
 - in the paper November 8 and 15;
 - letters were sent to property owners within 500 ft of the subject lot; and
 - a sign was posted on the lot.
- The deadline for comments was Friday, November 22.
- Staff received no correspondence from the public.



West Hants
something inspiring awaits

westhants.ca

Recommendations (1 of 2)

...that Council gives Second Reading and approves 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 Council requires 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.





West Hants
something inspiring awaits

westhants.ca