



WEST HANTS
NOVA SCOTIA

MUNICIPALITY OF THE DISTRICT OF WEST HANTS

Public Hearing

April 10, 2018

**Development Agreement to Permit a Chiropractic Clinic at 194 Falmouth Dyke Road,
Falmouth, West Hants; PID 45394210**

Present:	A. Zebian	Warden
	R. Jannasch	Councillor District 1
	K. Monroe	Councillor District 2
	D. Keith	Councillor District 3
	T. Leopold	Councillor District 4
	D. Francis	Councillor District 5
	R. Hussey	Councillor District 6
	J. Daniels	Councillor District 7
	P. Morton	Deputy Warden
	R. Zwicker	Councillor District 10
	M. Laycock	Chief Administrative Officer
	M. LeMay	Director of Planning and Development
	S. Campbell	Municipal Planner
	B. Carrigan	Director of Public Works
	K. Kehoe	Director of Parks and Recreation
	C. Lowe	Municipal Accountant
	R. Brown	Municipal Clerk
	C. Remme	Executive Assistant/Communications Coordinator

There were 4 members of the public in attendance.

Warden Zebian advised that this was a Public Hearing required by Part 8 of the *Municipal Government Act* stating the sessions, hosted by Council, provide members of the public with an opportunity to bring forward concerns and ask the applicant and planning staff questions regarding the proposed amendments. He went on to say that upon completion of the Public Hearing, the Council meeting will resume, and members of Council may then ask questions and make comments.

Warden Zebian called on Municipal Planner, Sara Campbell, to speak on the application.

The Municipal Planner reviewed the presentation (attached).

Warden Zebian called for any oral or written submissions in favour of the proposed development. There were none.

Warden Zebian called for any oral or written submissions in against the proposed amendment. There were none.

Warden Zebian declared the Public Hearing adjourned at 7:09 p.m.

Abraham Zebian, Warden

Rhonda Brown, Municipal Clerk



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**Development Agreement:
194 Falmouth Dyke Road; PID #45394210
Public Hearing
April 10, 2018**

Background

- ▶ Received an application from Natasha Veinot to permit a chiropractic clinic
- ▶ The clinic will be contained within a single unit dwelling being constructed on the property

Falmouth Dyke Road



24.01.2018 13:18

194 Falmouth Dyke Road

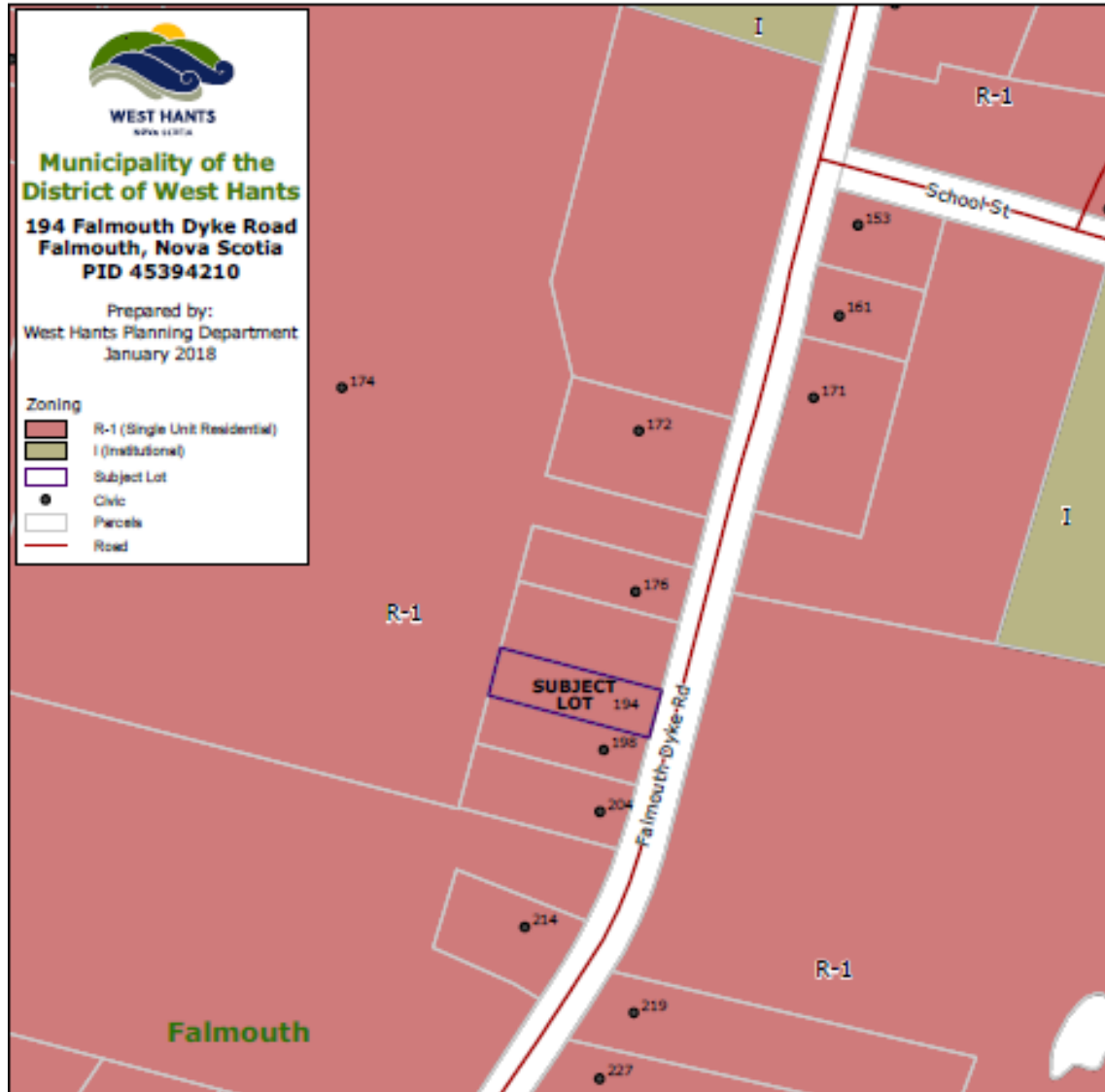


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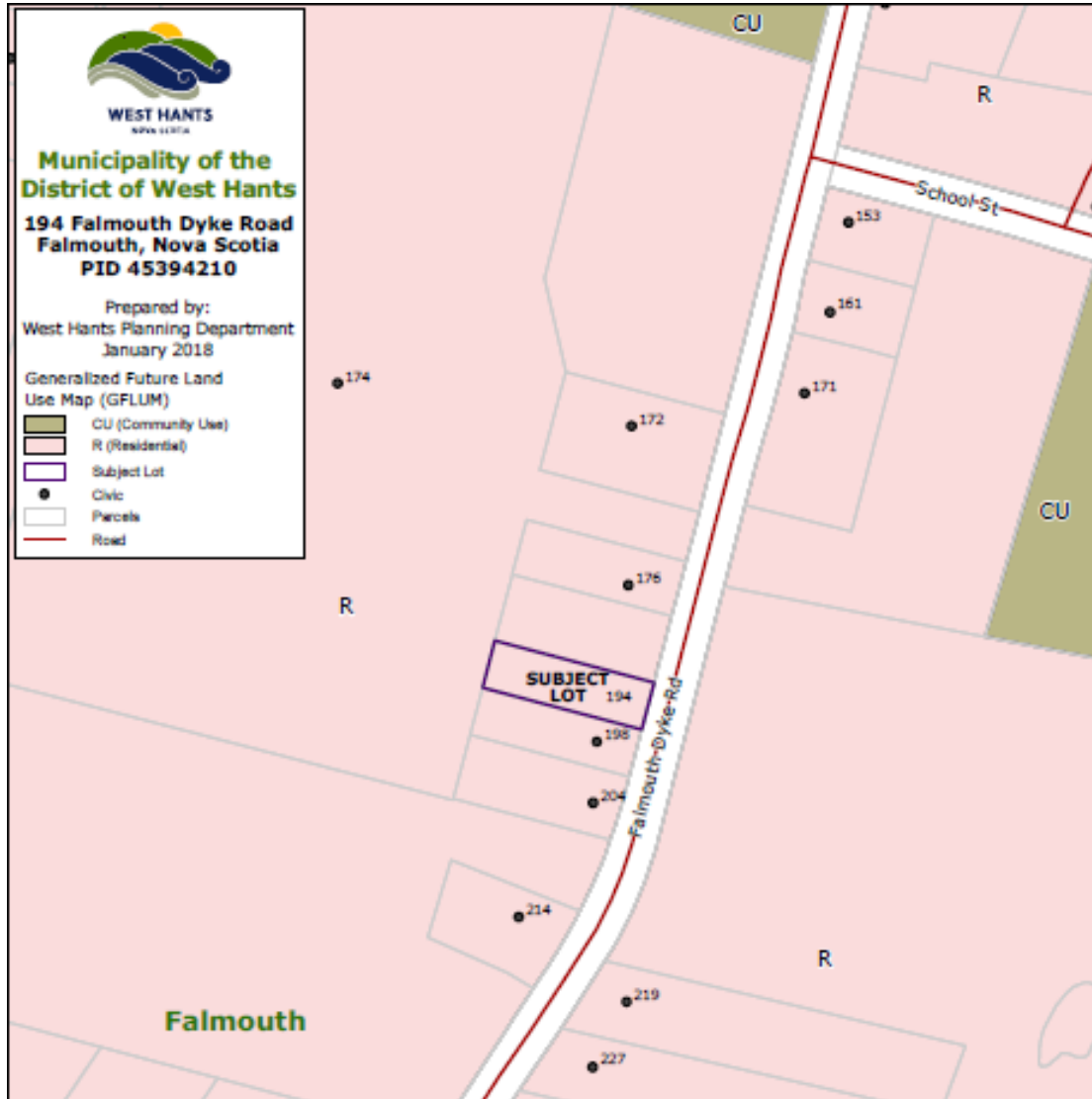
194 Falmouth Dyke Road



Zoned – Single Unit Residential (R-1)



General Future Land Use - Residential



Document Review

- ▶ Section 5.6 of the MPS indicates the intention to provide local commercial uses compatible with residential areas outside the commercial core.
- ▶ **Policy 5.6.4** states that
 - ▶ *“It shall be the policy of Council to consider new local commercial uses in Growth Centres outside of the Commercial designation by development agreement”*

Document Review Cont.

- ▶ Section 6.1 of the Land Use By-law (LUB), *Development Agreements*, states that
- ▶ *"The following developments may be considered only by development agreement in accordance with the Municipal Government Act and the Municipal Planning Strategy: ...*
 - ▶ *(h) Local commercial uses outside the Commercial designation of Growth Centres in accordance with Policy 5.6.4 of the Municipal Planning Strategy;*
- ▶ A chiropractic clinic is considered a personal service shop which is a permitted Local Commercial use

Specific Criteria

- ▶ **Policy 5.6.4** establishes criteria to be considered by Council
- ▶ In summary, the criteria are met since:
 - ✓ the proposed use will not adversely affect adjacent land uses;
 - ✓ adequate on-site parking is provided;
 - ✓ DTIR has stated that no negative impact to the provincial road network is anticipated;
 - ✓ adequate buffering will be provided; and
 - ✓ maintenance of the proposed use will be satisfactory.

General Criteria

- ▶ **Policy 16.3.1** states general criteria for any development agreements considered in West Hants.
- ▶ In summary:
 - ✓ the proposal is not premature or inappropriate for the area
 - ✓ no municipal costs related to the proposal are anticipated

Conclusion

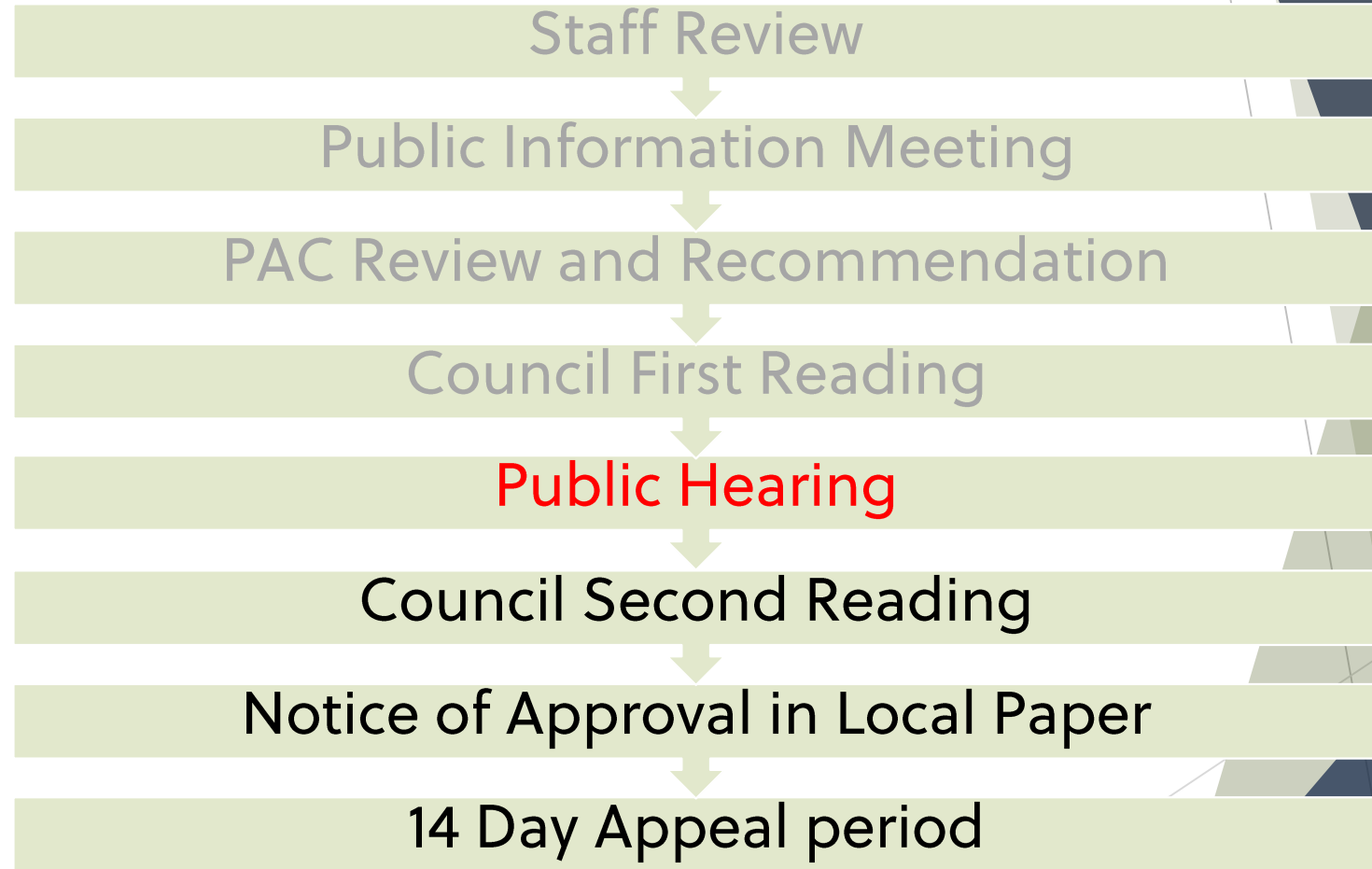
- ▶ Proposed development agreement is considered within the context of both specific and general MPS policies
- ▶ Consistent with the intent, objectives and policies of MPS
- ▶ A chiropractic clinic is permitted as a Local Commercial use
- ▶ Reasonable to enter into a development agreement for this use

Process

Notices were placed in the local paper & properties within 300' were notified of the Public Information Meeting and Public Hearing

No comments were received from the public

All statutory requirements have been met





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Recommendation

Should Council wish to proceed following the Public Hearing, the following motion would be in order:

- ▶ **that Council gives Second Reading to and approves entering into a development agreement to allow a chiropractic clinic at 194 Falmouth Dyke Road, Falmouth; PID # 45394210, which is substantively the same as the draft set out in Appendix C of the report to the Planning Advisory Committee dated February 15, 2018.**