



**Subject:** *The Tire Man - MPS and LUB Mapping Amendments*  
**To:** CAO for Planning Advisory Committee, November 21<sup>st</sup>, 2023  
**Date Prepared:** November 8, 2023  
**Related Motions:** PAC23(41), C23(247), PAC23(54), C23(341)  
**Prepared by:** Lee-Ann Martin, Planner and Development Officer  
**Approved by:** John Woodford, Director of Planning and Development

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### Summary

The Municipality has received an application from The Tire Man to redesignate and rezone a portion of property in Mount Uniacke from Rural Use (RU) zone and designation to the Regional Commercial (RC) zone and designation. This report further outlines the application including the policy analysis, and recommends that approval be given.

### Financial Impact Statement

A negative financial impact from this application is not anticipated.

### Recommendation

That Planning Advisory Committee recommend that Council give Second Reading and approve the application.

### Recommended Motion

*Planning Advisory Committee recommends that Council:*

- *Give Second Reading and approve a proposal for a portion of PID 45337722 to change the designation from Rural Use (RU) to Regional Commercial (RC) and the zone from Rural Use (RU) to Regional Commercial (RC).*

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## Background

In May 2023, the Municipality received an application from Dave St. Laurent from *The Tire Man* to redesignate and rezone a portion of property in Mount Uniacke from Rural Use (RU) Zone to the Regional Commercial (RC) Zone. This application would also require a change in the land use designation to the Regional Commercial (RC) Designation. This final report provides further details on the application including the policy analysis, and recommends that approval be given to the application.

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## Subject Property

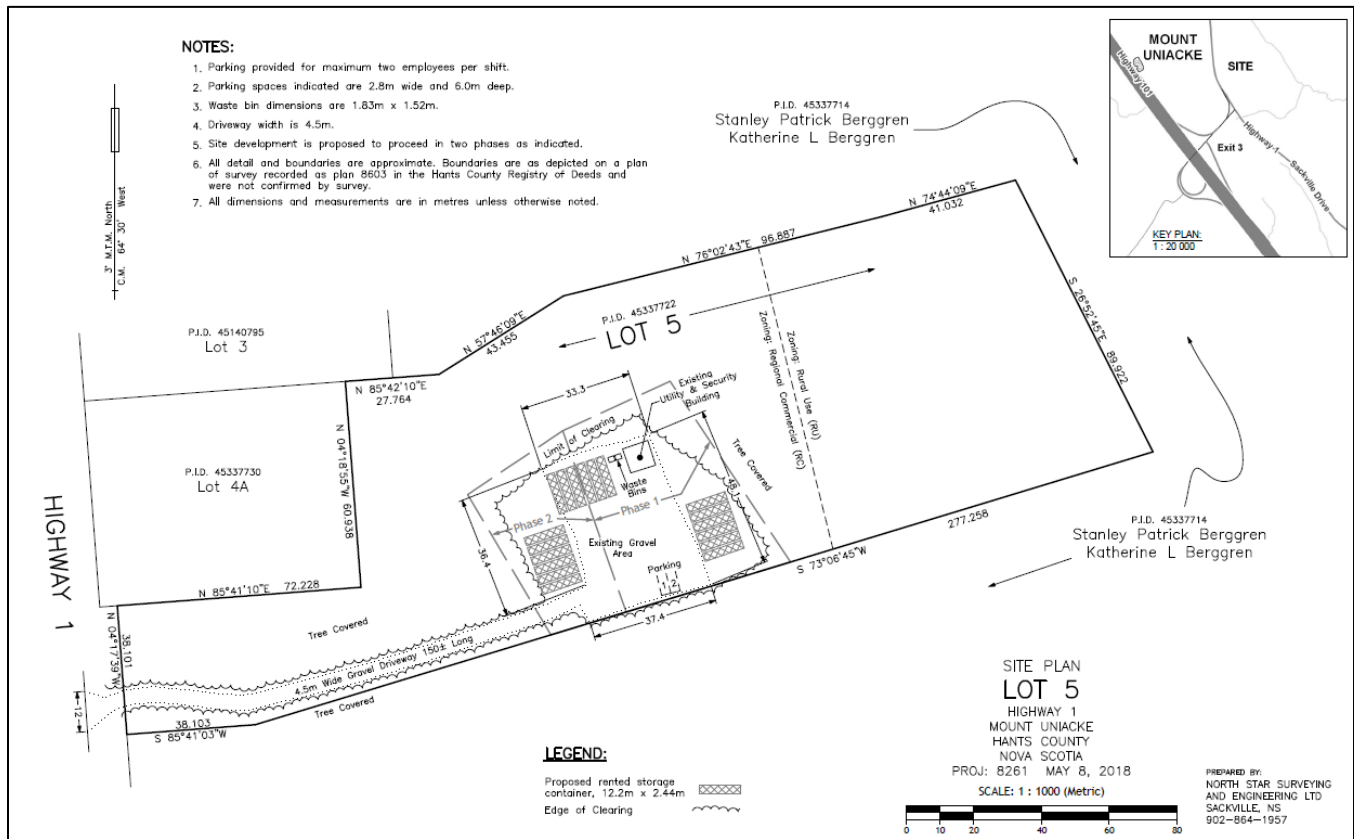
An excerpt of the zoning map and aerial photography map below show the location of the subject property identified as PID 45337722, which is accessed via Highway 1, Mount Uniacke. The property totals 2.29 Ha and is the current location for “The Tire Man” business. The property is currently split zoned as Regional Commercial (RC) zoning and Rural Use (RU) zoning at the rear of the property. The property is also located within the Mount Uniacke Growth Management Area.



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## Development Proposal

The purpose of this proposal is to amend the Generalized Future Land Use Map (GFLUM) and the Land Use Bylaw Map to change the designation and zone from the portion of property that is currently zoned Rural Use (RU) to the Regional Commercial (RC) zone and designation to enable the expansion of the Automobile Repair and Maintenance use on the property. The plan below shows the original site plan application for the property. The applicant has indicated the desired growth of the business and the need to expand onto the portion of land that is zoned Rural Use is necessary. As the present use of Automobile Repair and Maintenance is not a permitted use in the Rural Use zone, the applicant has requested to have the portion of the property rezoned and redesignated to be consistent with the rest of the zoning on the property and to enable future expansion of the business.



## Discussion

### STRATEGIC ALIGNMENT

The Strategic Plan outlines Economic Prosperity as one of its key strategies. This application will allow an existing local business in East Hants the opportunity to expand and grow their business to further support the community.

### LEGISLATIVE AUTHORITY

The Municipal Government Act, Part VIII gives legislative authority for this application. This section outlines the process for these amendments to be considered, including the advertisements for a Public Hearing.

### FINANCIAL CONSIDERATIONS

A negative financial impact is not anticipated from this application as this application is to allow for the future expansion of the existing business. No new buildings are proposed as part of the application.

### MUNICIPAL PLANNING STRATEGY POLICY ANALYSIS

Staff have completed a review the proposed amendments based on the applicable policies contained in the Municipal Planning Strategy (MPS). Staff requested comments from external agencies including Nova Scotia Public Works. A detailed table of the evaluative criteria from the enabling policies and corresponding comments from Staff and reviewing agencies is attached as Appendix B.

The property will have to be redesignated and rezoned to enable the expansion of the existing business. If approved, the applicant will then have to go through the site plan approval process prior to obtaining any building permits.

In evaluating this application, Staff have referred to MPS polices associated with the Mount Uniacke Growth Management Area and the Regional Commercial (RC) designation, as well as general policies related to amending the MPS and the Land Use Bylaw (LUB). The application was found to be consistent with and supported by the policies outlined in the MPS and therefore, the recommendation is for Council to approve the application.

Council’s decision on this application is not appealable to the Nova Scotia Utility and Review Board as it involves an amendment to the policy mapping.

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## Citizen Engagement

Planning staff have complied with the Citizen Engagement Policies of the Municipal Planning Strategy when processing the amendments. An advertisement outlining the proposal and indicating that it is under review by staff was placed in the August 16, 2023 edition of the *Chronicle Herald*. As part of the review process for MPS amendments, a Public Information Meeting (PIM) was required to hear input from the community. A letter was mailed to all property owners within 300 metres of the subject property indicating the date, time and location of the PIM and stating that residents would have an opportunity to ask questions regarding the application. A notice of the PIM was also be placed in the *Chronicle Herald*.

The Public Information Meeting was held on September 12, 2023 in Mount Uniacke. Three (3) members of Council and the applicant attended the meeting. There were no members of the public in attendance. There were no questions or concerns were raised at the meeting.

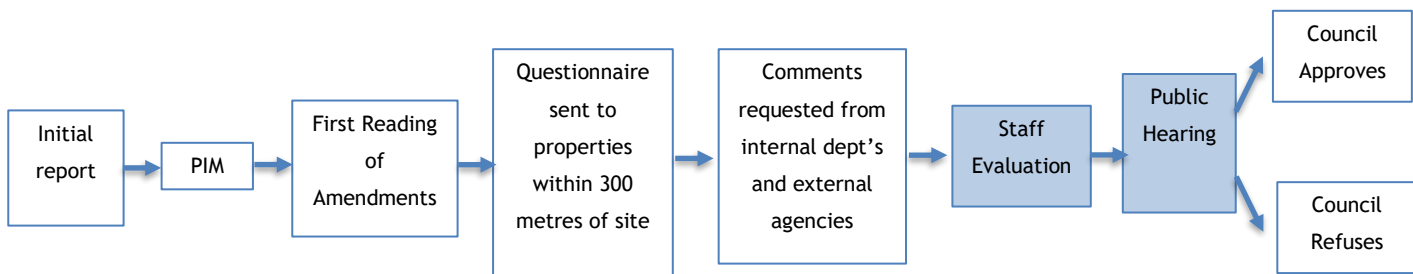
A letter and questionnaire were mailed to all property owners and residents within 300m of the subject property. This provided another opportunity for residents to express their thoughts on the proposal. 25 questionnaires were mailed out and one (1) was returned. It stated that the application would not affect their property. The response has been provided to PAC and Council to review prior to any decision on the application being made.

A further letter will be mailed to residents and property owners detailing the Public Hearing for this application. A notice of Public Hearing will also be placed for two consecutive weeks in the *Chronicle Herald* providing date, location and information on how to participate at the Hearing.

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## Conclusion

Staff have completed the review for the proposal to change the Rural Use (RU) zoned portion of subject property to the Regional Commercial (RC) Designation and the Regional Commercial (RC) Zone. The proposed amendments have been evaluated using all applicable policies in the Municipal Planning Strategy and were found to be consistent. Therefore, staff are recommending approval of the application.



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## Recommendation

That Planning Advisory Committee recommend that Council give Second Reading and approve the application.

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## Alternatives

If PAC does not support this application, they can choose to recommend to Council that Council refuse the application.

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## Attachments

Appendix A- Public Information Meeting Notes

Appendix B- Policy Analysis

Appendix C- Amendment Sheets

## Public Information Meeting Notes

PLN23-008 - The Tire Man

Proposed Municipal Planning Strategy and Land Use Bylaw Mapping Amendments - Mount Uniacke

September 12, 2023

**Staff Members:**

John Woodford, Director of Planning & Development (Chair)

Lee-Ann Martin, Planner and Development Officer

Abigail Reynolds, Administrative Assistant

**Applicant:**

Dave St. Laurent (The Tire Man)

**Public In attendance:**

Councillor Mitchell

Councillor Hebb

Deputy Warden Perry

**Questions and Comments:**

- No questions or comments were raised.

## Appendix B

Policy	Comments
<p><b>Mount Uniacke Growth Management Area</b></p> <p>GM16 Council shall encourage both residential and commercial development within the Mount Uniacke Growth Management Area.</p>	<p>The proposal would enable commercial development under the RC Zone.</p>
<p><b>MPS Amendment Criteria</b></p>	
<p><b>IM13 Council shall consider map amendments to this Strategy when:</b></p>	
<p>a) A request is received for a zoning amendment that is not consistent with this Strategy's maps, but is consistent with the intent of this Strategy.</p>	<p>The requested zoning amendment is not consistent with the Generalized Future Land Use Map and requires a concurrent amendment to the MPS. This change is consistent with policy for the Mount Uniacke GMA.</p>
<p>b) Where the boundaries of the comprehensively planning area are altered.</p>	<p>Not applicable to the proposal.</p>
<p>c) Where a request for a comprehensive development is made and it is not already designated as such; and studies show that intent of the Strategy could be met through said proposal.</p>	<p>Not applicable to the proposal.</p>
<p>d) The boundaries of the planning area are not altered.</p>	<p>Not applicable to the proposed application.</p>
<p>e) Housekeeping amendments are not warranted.</p>	<p>Not applicable to the proposal.</p>
<p><b>Land Use Bylaw Amendment Criteria</b></p>	
<p><b>IM14</b> It shall be the policy of Council to consider amendments to the Land Use Bylaw provided the amendment is consistent with the intent of the Municipal Planning Strategy.</p>	<p>This proposal is consistent with relevant MPS Policies.</p>
<p><b>IM15</b> It shall be the policy of Council to consider an application for amendment to the Land Use Bylaw only if the application has identified a proposed use for the property. Council shall give consideration to both the proposed use and to the impact of other uses permitted in the requested zone.</p>	<p>The proposal is to allow the expansion of the existing business on the property.</p>
<p><b>IM16</b> It shall be the policy of Council to consider an application for amendment to the Land Use Bylaw</p>	<p>The property meets all lot requirements for the RC Zone.</p>

<p>only if the site meets all of the lot size and zone standards for the zone sought.</p>	
<p><b>IM17</b> Council shall consider the Land Use Bylaw Amendments within the applicable Generalized Future Land Use designation as subject to the policies of this Strategy</p>	<p>This LUB amendment is only possible with a concurrent amendment to the MPS to redesignate the property to RC.</p>
<p><b>IM18 Council shall, in considering amendments to the Land Use Bylaw, in addition to all other criteria as set out in the policies of this Strategy, have regard for the following matters:</b></p>	
<p>a) Whether the proposed development is in conformance with the intent of this Strategy and with the requirements of all other Municipal Bylaws and regulations as applicable matters.</p>	<p>The proposed development is in conformance with the Mount Uniacke Growth Management Area and the RC Zone.</p>
<p>b) Whether Planning Staff have initiated a review of this Strategy, or any of the Official Community Plan documents.</p>	<p>An update to the Official Community Plan was completed in September 2023.</p>
<p><b>IM19 Council shall consider if the proposal is premature or inappropriate by reason of:</b></p>	
<p>a) The financial capability of the Municipality to absorb any costs relating to the development.</p>	<p>A negative financial impact is not anticipated from the application.</p>
<p>b) The adequacy of municipally approved water and wastewater services or if services are not provided, the adequacy of physical site conditions for private on-site septic and water system. Council shall consider comments from the Municipal Infrastructure and Operations Department or Nova Scotia Environment as applicable.</p>	<p>No municipal services are available in this area. There are existing on-site services on this property</p>
<p>c) The adequacy and proximity of school, recreation, and any other community facilities. Council shall consider comments from Municipal departments and the appropriate School Board as applicable.</p>	<p>Not applicable to the application and it does not involve residential development.</p>
<p>d) The potential for significantly reducing the continuation of agricultural land uses.</p>	<p>Not applicable to the proposed application.</p>
<p>NS Public Works have yet to comment on the application.</p>	



<p>e) The adequacy of existing or proposed road networks in, adjacent to, or leading to the development and ability of the proposed development to satisfy applicable stopping sight distances. Council shall consider comments from the appropriate Municipal Engineer and/or Nova Scotia Transportation and Infrastructure Renewal.</p>	
<p>f) The potential for the contamination of watercourses or the creation of erosion or sedimentation. Council shall consider comments from relevant Provincial Departments as applicable.</p>	<p>Not applicable to this application.</p>
<p>g) Creating a leap frog, scattered, or ribbon development pattern as opposed to compact and orderly development.</p>	<p>The proposed change will not create a leap frog, scattered or ribbon development pattern. The surrounding area contains other Regional Commercial zoned lands.</p>
<p>IM20 Council shall consider if the proposed development is shown on a professionally drawn site plan as being in compliance with the applicable sections of the Subdivision Bylaw, with the following matters of the Land Use Bylaw:</p>	<p>The application is to allow for the future expansion of the existing business and for the zoning to be consistent across the whole property. No new lots are proposed.</p>
<p>a) Type of use.</p>	<p>Automobile Repair and Maintenance Use permitted through site plan approval under the RC Zone.</p>
<p>b) Number of buildings.</p>	<p>No new proposed buildings at this time.</p>
<p>c) Yard setbacks.</p>	<p>Future construction would have to comply with the setback requirements of the RC Zone of the Land Use Bylaw.</p>
<p>d) Height, bulk, stepback requirements, and lot coverage of any proposed structures.</p>	<p>Future construction would have to comply with all requirements of RC Zone in the Land Use Bylaw.</p>
<p>e) External appearance of any structures where design standards are in effect.</p>	<p>No design standards are in effect.</p>
<p>f) Street layout and design.</p>	<p>No new roads or driveways are proposed as part of this application.</p>
<p>g) Access to and egress from the site, parking.</p>	<p>The property has an existing driveway. Any new access to and egress from the property is subject to the approval of NS Public Works</p>
<p>h) Open storage and outdoor display.</p>	<p>All LUB regulations will have to be met.</p>

i) Signage.	All LUB regulations will have to be met.
j) Similar matters of planning concern.	All LUB regulations will have to be met.
IM21 Council shall consider the suitability of the proposed site in terms of the environmental features of the site, particularly susceptibility to flooding and other nuisance factors, and where applicable, comments from relevant Provincial Departments concerning the suitability of the site for development.	The subject property generally appears suitable for the proposed rezoning and redesignation to allow the business expansion.
IM22 Council shall consider the provision of buffering, screening, and access control to minimize potential incompatibility with adjacent and nearby land uses, rail lines and traffic arteries.	Site Plan Approval will be required for future expansion to the business. At this time, the plan will be reviewed for compliance with the buffering requirements of the Land Use Bylaw and RC Zone.
IM23 Council shall consider the extent to which the proposed development, where applicable, provides for efficient pedestrian circulation and integrates pedestrian walkways and sidewalks within adjacent developments.	Sidewalks are not required in the Mount Uniacke Growth Management Area and there are no sidewalks along Highway 1 in Mount Uniacke.
IM24 Council shall consider the proposed development is shown to manage stormwater on-site in a manner which does not negatively impact on other properties.	A stormwater management plan is required under the site plan approval criteria for Separated Commercial uses.
IM25 Council shall consider massing, and compatibility of the proposed development's external appearance with adjacent buildings by means of design features, roof type, exterior cladding materials, and overall architectural style that is reasonably consistent with the style and character of the community or compliments the character of the community.	There are no design standards in effect in the RC Zone.
<b>IM26 Council shall consider the following matters in Growth Management Areas and other areas where applicable to determine if the proposed development contributes to a favourable community form, and the proposed development's ability to:</b>	
a) Provide for efficient pedestrian movement into, out of, and within the development, especially	Sidewalks are not required in the Mount Uniacke Growth Management Area.

<p>between commercial and residential neighbourhoods, as well as the ability for pedestrian routes to link with existing sidewalks, active transportation routes and walking trails on abutting lands to provide for a cohesive network of same.</p>	
<p>b) Council shall consider, where appropriate, the impact of the development on the comfort and design of proposed streets and existing street users. This shall include whether the proposed development is human scaled, is easily accessible to active transportation users, and if it promotes visual variety and interest for active transportation users.</p>	<p>No new streets or sidewalks are proposed with this application.</p>

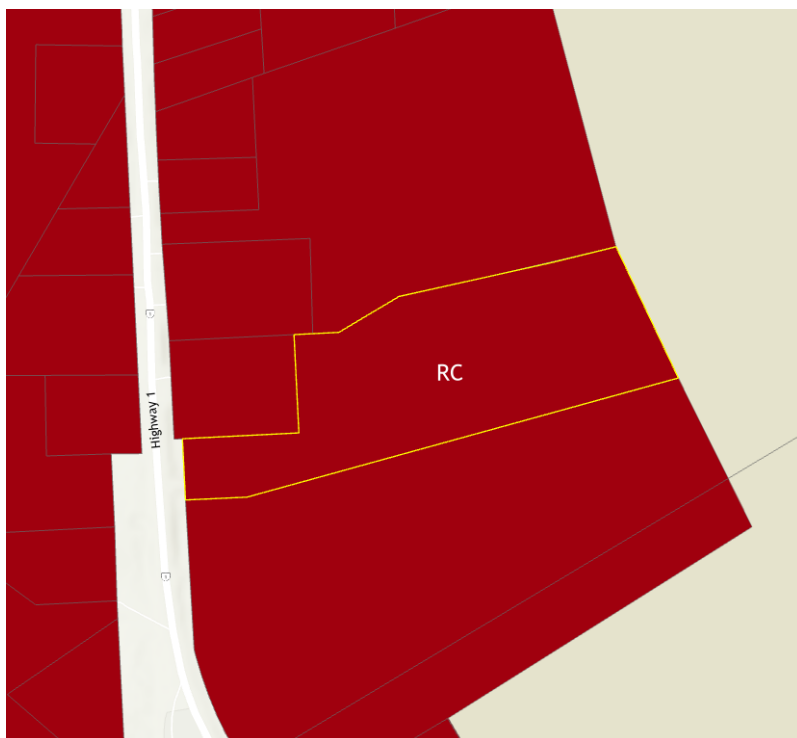
## Appendix C

### Draft Amendment Sheet

The Municipality of East Hants  
Official Community Plan  
Municipal Planning Strategy

#### Generalized Future Land Use Map 4: Mount Uniacke Growth Management Areas Generalized Future Land Use Map 8: Official Community Plan Areas

The GFLUM designation of a portion of PID 45337722, shown on the Generalized Future Land Use Map 4: Mount Uniacke Growth Management Area and Generalized Future Land Use Map 8: Official Community Plan Areas, is changing from Rural Use (RU) to Regional Commercial (RC).



## Draft Amendment Sheet

The Municipality of East Hants  
Official Community Plan  
Land Use Bylaw

**Land Use Bylaw Map 4: Mount Uniacke Growth Management Area**  
**Land Use Bylaw Map 8: Official Community Plan Areas**

The zoning of a portion of PID 45337722, shown on the Land Use Bylaw Map 4: Mount Uniacke Growth Management Area and Land Use Bylaw Map 8: Official Community Plan Areas, is changing from Rural Use (RU) to Regional Commercial (RC).

