



Subject: *Central Tire - Development Agreement Application*
To: CAO for Planning Advisory Committee, February 18th, 2025
Date Prepared: February 3, 2025
Related Motions: None
Prepared by: Lee-Ann Martin, Planner & Development Officer
Approved by: John Woodford, Director of Planning and Development

Summary

An application was submitted by Phillip Higgs on behalf of Dennis Penner and Clinton Penner of Central Tire requesting to enter into a Development Agreement for a Transportation and Warehousing use in the Rural Use North (RU-2) zone.

Financial Impact Statement

A financial impact analysis has not been undertaken for this proposal. A summary of any financial impacts will be provided in the final staff report.

Recommendation

That Initial Consideration be given to the Development Agreement and authorize staff to schedule a Public Hearing.

Recommended Motion

Planning Advisory Committee recommends to Council that Council:

- *Give Initial Consideration to enter into a Development Agreement for a Transportation and Warehousing building located on property identified as PID 45148996, Highway 215, East Noel for the purpose of enabling a Public Hearing; and authorize staff to schedule a Public Hearing.*

Background

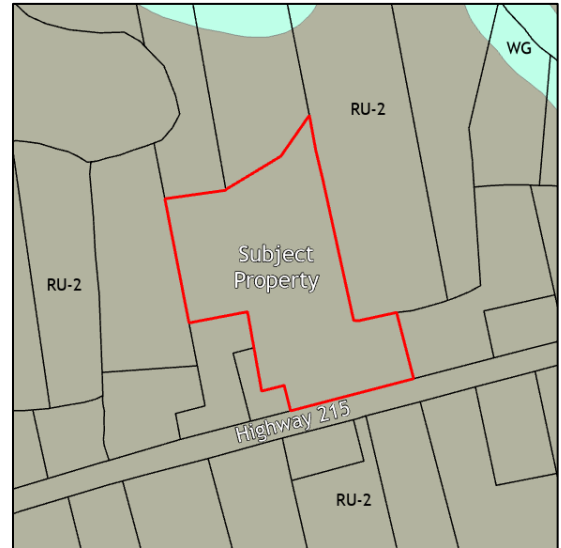
The Municipality received an application from Phillip Higgs on behalf of Dennis Penner and Clinton Penner from Central Tire to enter into a Development Agreement with the Municipality to allow for a 200' x 100' warehousing facility on their property in East Noel. The warehouse will be used of the storage of equipment and material for Central Tire. This report outlines the application and recommends Initial Consideration be given to the application.

Subject Property

The property is located on land identified as PID 45148996, 5209 Highway 215, East Noel.

An excerpt of the zoning map to the right shows the subject property is zoned the Rural Use North (RU-2) Zone as per the East Hants Land Use Bylaw. Surrounding lands are also designated and zoned Rural Use North (RU-2). The property is the location of Central Tire, an automobile repair and maintenance business.

The property totals 2.6 hectares (6.4 acres) and has direct road frontage onto Highway 215. It is not located within an East Hants Growth Management Area or Growth Reserve Area.



Development Proposal

The applicant has requested to enter into a Development Agreement with the Municipality to allow a 200' x 100' warehouse building on their property in East Noel.

The *Transportation and Warehousing* use in the Land Use Bylaw is only permitted by entering into a Development Agreement within the Rural Use North (RU-2) zone. The building will be used for the warehousing of materials associated with the exiting business on the property.

The definition of Transportation and Warehousing as per the Land Use Bylaw is as follows:

Transportation & Warehousing means either a:

- *Use of land primarily engaged in using a fleet of vehicles for the delivery of goods or services. Typical uses include, but are not limited to, taxi services, bus services, and bus lines.*
- **Wholly enclosed building where wares and goods are stored but shall not include a retail store.**



The proposed site plan is attached to this staff report showing the proposed located of the warehouse.

Discussion

The Planning and Development Department will review the proposed application based on the applicable policies contained in the Municipal Planning Strategy. A detailed table of the evaluative criteria from the enabling policies and corresponding comments from staff and reviewing agencies will be attached to the final report.

Policy AR39 (a) of the Municipal Planning Strategy enables any Highway Commercial (HC) zone uses in the Rural Use North (RU-2) zone by entering into a Development Agreement. Council shall also consider policies IM28, IM28, and IM29 when considering the Development Agreement.

STRATEGIC ALIGNMENT

One of the Key Strategies from the Strategic Plan is Economic Prosperity. Supporting the expansion of an existing local business aims to achieve the objective of attracting and retaining business investments within East Hants. This supports the Economic Prosperity key strategy.

LEGISLATIVE AUTHORITY

The legislative authority and process for entering into a development agreement is set out in the Municipal Government Act, Part VIII, and the scheduling of a Public Hearing.

FINANCIAL CONSIDERATIONS

A summary of any financial impact to the Municipality will be provided in the final staff report.

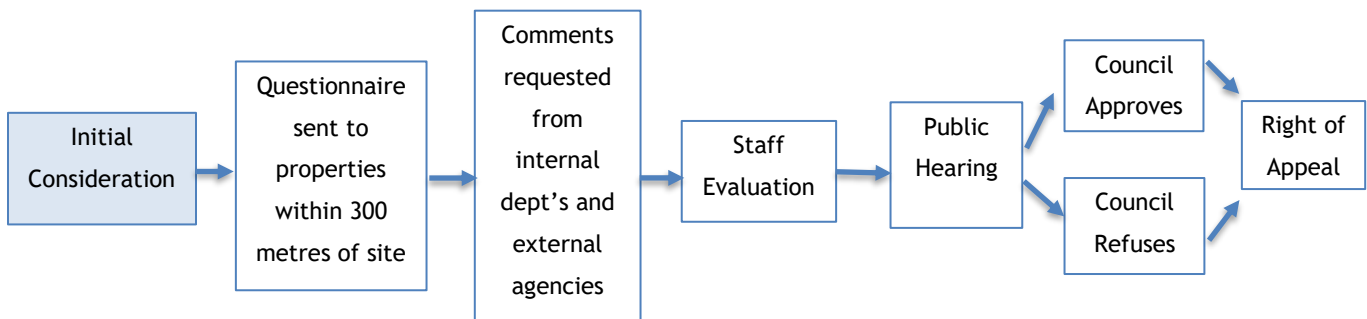
Citizen Engagement

Planning staff will comply with the Citizen Engagement policies of the Municipal Planning Strategy when processing this application. An advertisement outlining the proposal and indicating that it is under review by staff will be placed in the Chronicle Herald and on the municipal website.

A letter and questionnaire will be mailed to all property owners within 300 m of the subject property requesting further comments on the application.

As per the requirements of the *Municipal Government Act*, a Public Hearing will also be required with authorization from Council. Notice of the Public Hearing indicating the date, time and location of the hearing will be mailed to all property owners within 300m of the site, as well as advertised in the *Chronicle Herald* for two consecutive weeks prior to the Hearing. Notice of the Hearing will also be placed on the Municipal website and on social media.

A Public Information Meeting (PIM) is not required for this application as there are no amendments to the Municipal Planning Strategy proposed. A final decision to approve or refuse the application will take place at the Public Hearing.



Alternatives

The Planning Advisory Committee may recommend that the application be refused if they do not support the application. Planning staff do not support this approach and recommend the file be taken to a Public Hearing to allow staff to complete a full review and analysis of the policies which will be included in the final staff report to PAC and Council.

Attachments

Appendix A - Site Plan