

**MEMORANDUM**

**TO:** Mayor and Council  
**FROM:** Will Balsler, Junior Planner, Development Officer  
**DATE:** December 16, 2020  
**RE: First Reading on Development Agreement for PID 25074808, 324 Nappan Road, Upper Nappan**

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**Background:** On August 12, 2020, Planning and Development staff received an application from Tim Rose (the "applicant"), owner of Rose's Mobile 1 Enterprises LTD. (RM1 Enterprises) regarding the property at 324 Nappan Road, Upper Nappan - PID 25074808 (the "subject property").

The subject property is owned by Rose's Mobile 1 Enterprises LTD. and is located on the corner of the Nappan Road and Stillman Road. The application is for a development agreement to permit the development of a Transportation Services Operation (with limited heavy traffic). From the Land Use Bylaw:

***TRANSPORTATION SERVICES** means a building, structure, land, or part thereof used for the purpose of transporting any kind of item or thing by truck or other vehicle, including, but not limited to, loading facilities, storage, and maintenance facilities, but does not include the transport of people.*

**Regulatory and Land Use Context:**

Current Zone: Agriculture

The subject property is designated as Resource on Schedule A of the Municipal Planning Strategy (MPS). The current Agriculture zoning of the property does not allow Transportation Services.

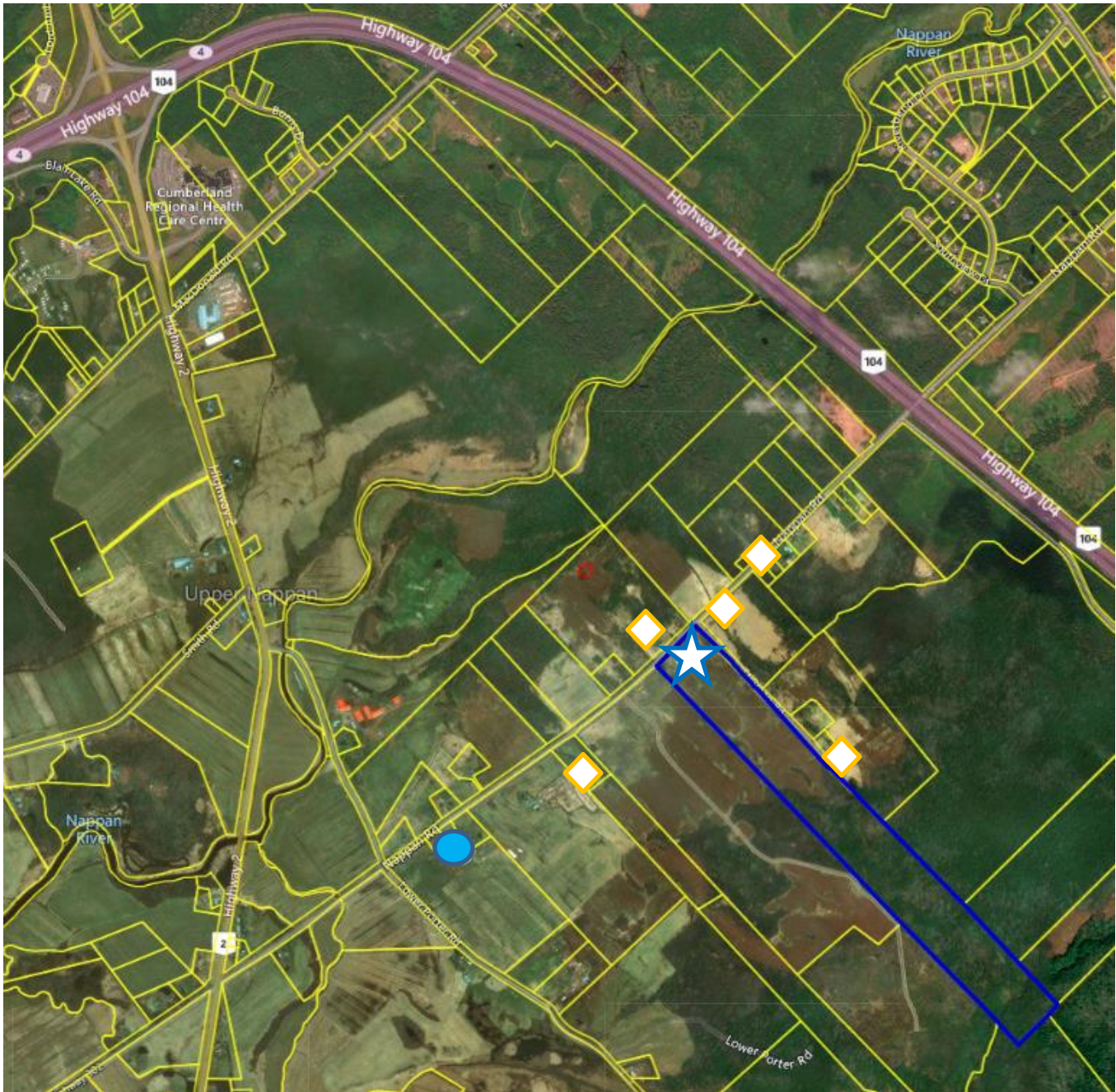
A majority of the neighboring properties are forested or cleared fields. There are dwellings located around the property, one directly across Nappan Road, another at the end of Stillman Road, one on the eastern side of Stillman Road, along with a cluster of dwellings some 350m East along the Nappan Road. There is a large agricultural operation to the Southwest, at the corner of Nappan Road and Lower Porter Road, shown as a blue circle on the attached map.

*MPS Policy 6-16: Council may enter into a development agreement for a specific proposal in lieu of amending the map of the Land Use By-law to accommodate that proposal. Council shall not approve the development agreement unless Council is satisfied that:*

- (a) a zone exists that could accommodate the proposal and the placement of that zone on the proposed site would meet the requirements for amending the map of the Land Use By-law set out in Policy 6-10; and*
- (b) the proposal is consistent with the general criteria set out in Policy 6-19.*

In regards to section (a) of MPS Policy 6-16 above, the Rural Industrial zone permits the development of Transportation Services and is within the Resource Designation. Staff are recommending a Development Agreement as opposed to a Rezoning as the Rural Industrial zone allows other far more intensive uses that are not compatible with the surrounding area.

Satellite Imagery for context:  represents dwellings



**Next Steps:** If the Development Agreement passes first reading, staff will prepare advertisements for the public hearing to be held prior to second reading and place a Notice on the property to further advise the community of the upcoming hearing. Staff will also finalize a draft agreement to be presented at the Public Hearing.

**Recommendation:** Give notice of intention to enter an agreement and call a public hearing for January 20, followed by a second reading.

**Alternative:** Council can decide to reject the proposed amendment, or request that further information be provided