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**Case 22841:
Appeal of Site Plan Approval
20 Majesty Court, Hammonds Plains**

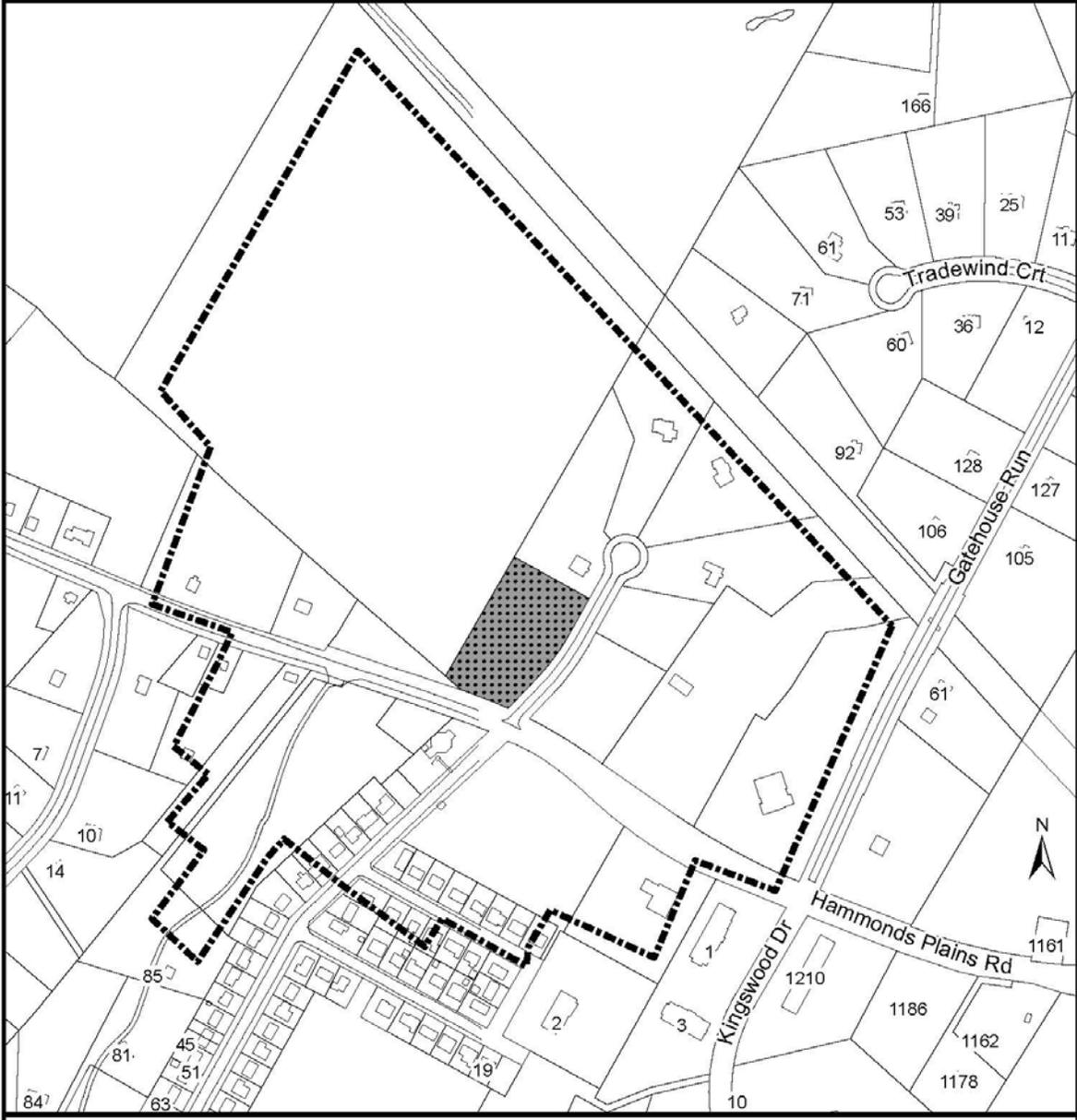
North West Community Council

February 8, 2021

Background

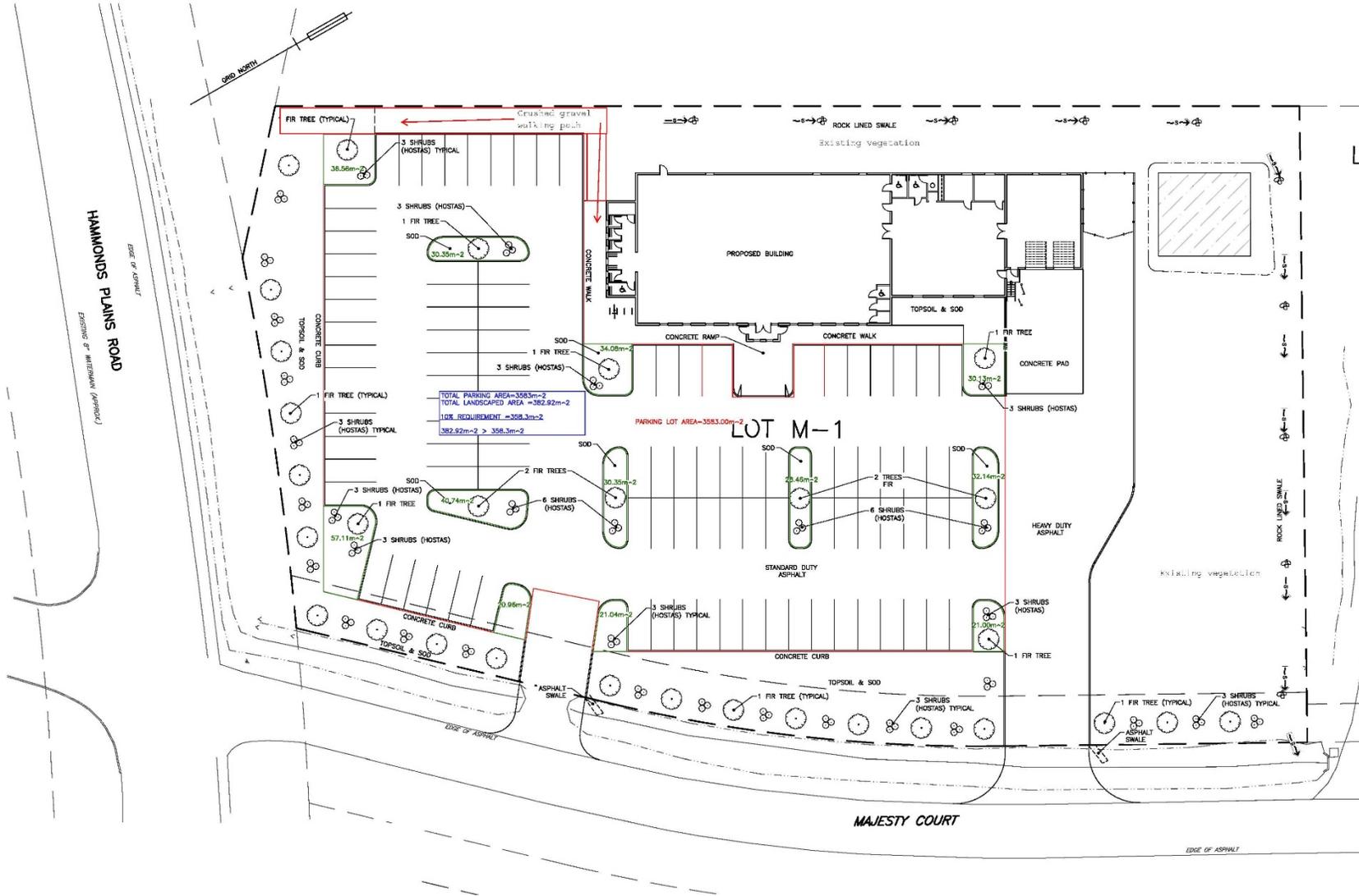
- Property zoned C-5 (Hammonds Plains Commercial) under the Beaver Bank, Hammonds Plains and Upper Sackville Land Use By-law (LUB)
- Site Plan Approval granted by Development Officer to construct a commercial retail store 'Guy's Frenchys'
- Appeal of site plan approval received

Site Context



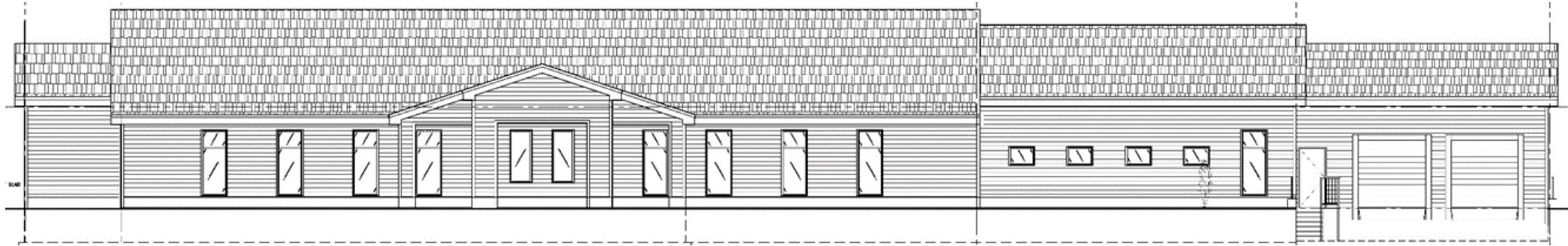
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Proposed Site Plan

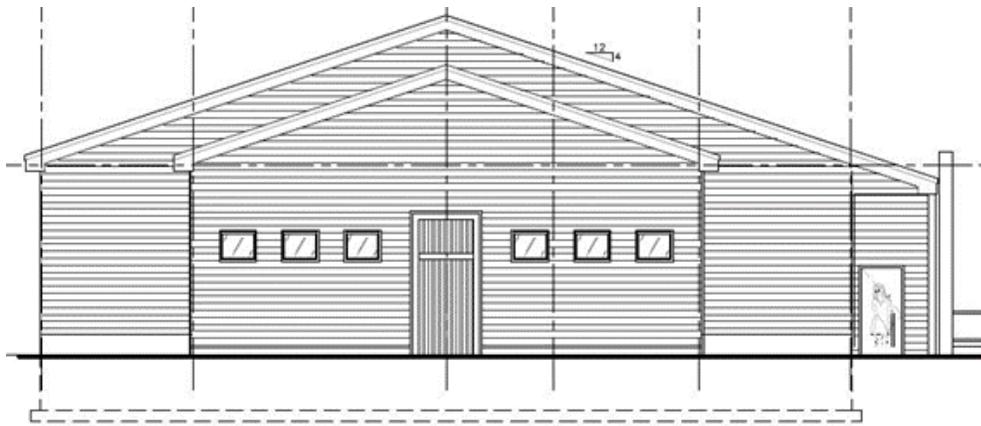


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Proposed Building Elevations



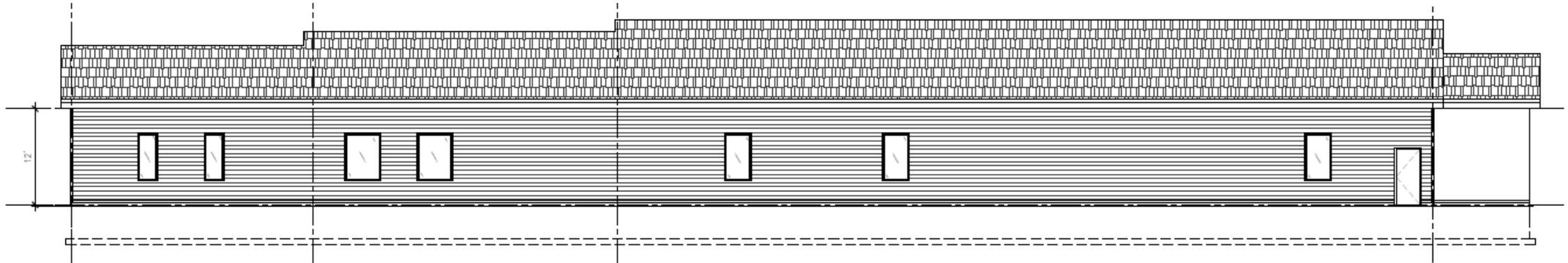
Majesty Court Elevation



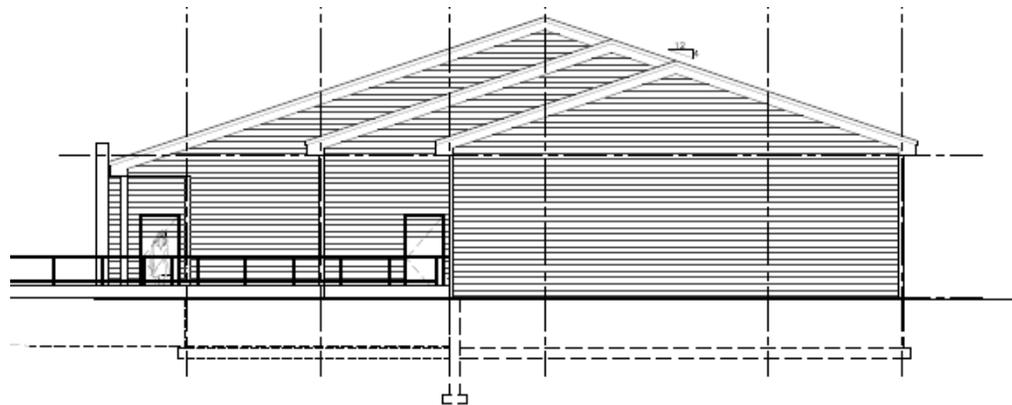
Hammonds Plains Road Elevation

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Proposed Building Elevations



Rear Elevation



Side Elevation

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Site Plan Approval

- Items subject to site plan approval include:
 - landscaping and vegetation
 - pedestrian connections
 - driveway access
 - bicycle storage facilities
 - parking areas
 - refuse screening

Appeal

- Appeal does not object to the granting of site plan approval
- Concerns with additional traffic entering and exiting Hammonds Plains Road from Majesty Court
- Request for a signalized intersection

Staff Response

- Review of Traffic Impact Statement (TIS) concluded that new vehicle trips created by the proposed development are not anticipated to require any upgrades to the existing transportation network
- Traffic concerns are not included in the criteria subject to site plan approval

Site Plan Approval

247 (1) A development officer shall approve an application for site plan approval unless

- a) the matters subject to site-plan approval do not meet the criteria set out in the land-use by-law; or
- b) the applicant fails to enter into an undertaking to carry out the terms of the site plan.

4) The Council, in hearing an appeal concerning a site-plan approval, may make any decision that the development officer could have made.

Alternatives

Denial of the appeal motion would result in the issuance of the site plan approval. This would uphold the Development Officer's decision. **This is the recommended alternative.**

OR

Approval of the appeal motion would result in the refusal of the site plan approval. This would overturn the decision of the Development Officer.

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Questions?