

Item 10.1.1

HALIFAX

Public Hearing for Case 22198

Development Agreement for a Salvage
Yard at 4442 Clam Harbour Road, Clam
Bay

Harbour East- Marine Drive Community Council
May 6, 2021

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Applicant Proposal

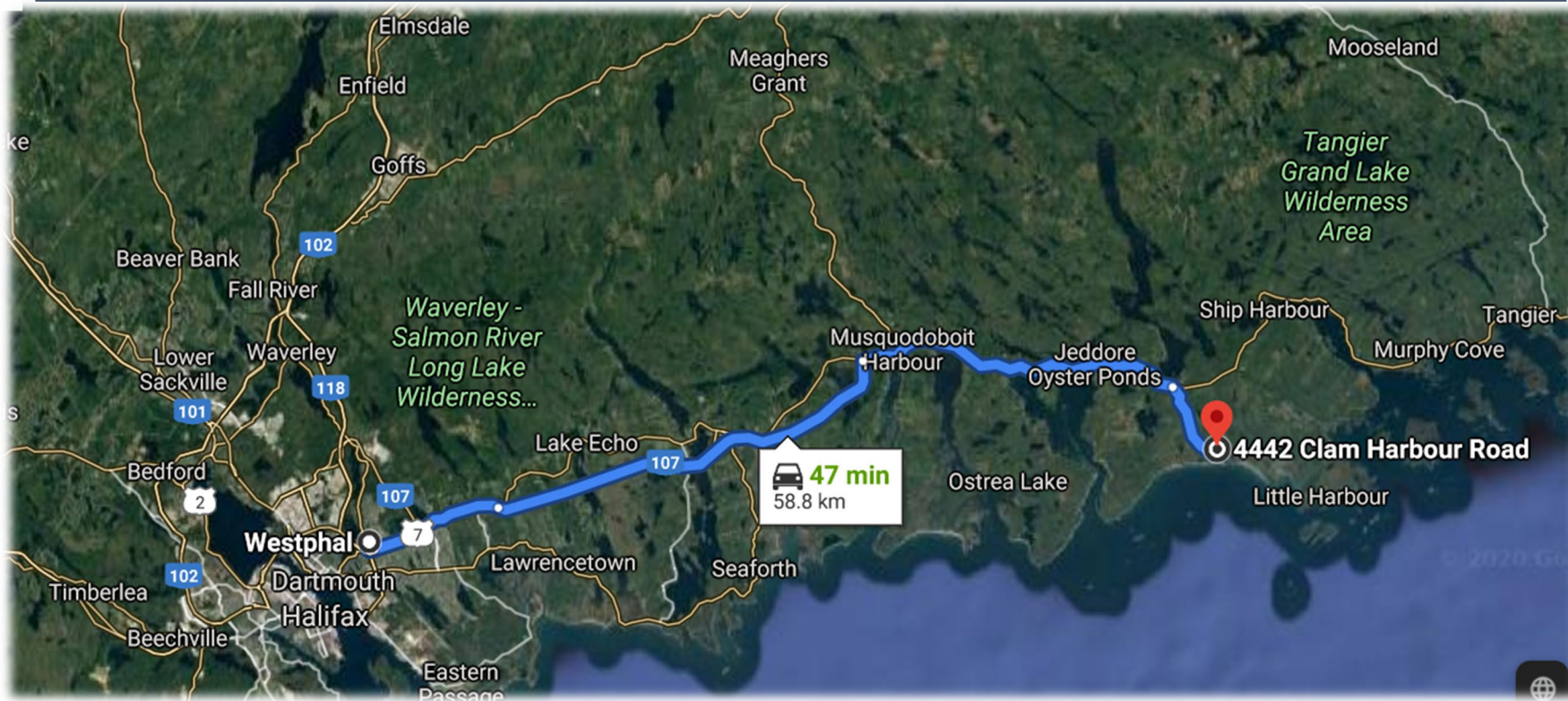
Applicant: Mark Charles, Heritage House Law on behalf of property owner.

Location: 4442 Clam Harbour Road, Clam Bay

Proposal: Request for a Development Agreement for an existing Salvage Yard Operation



Site Context



Site Context



Size: 11.02 acres, and 36.4 acres of remaining lands



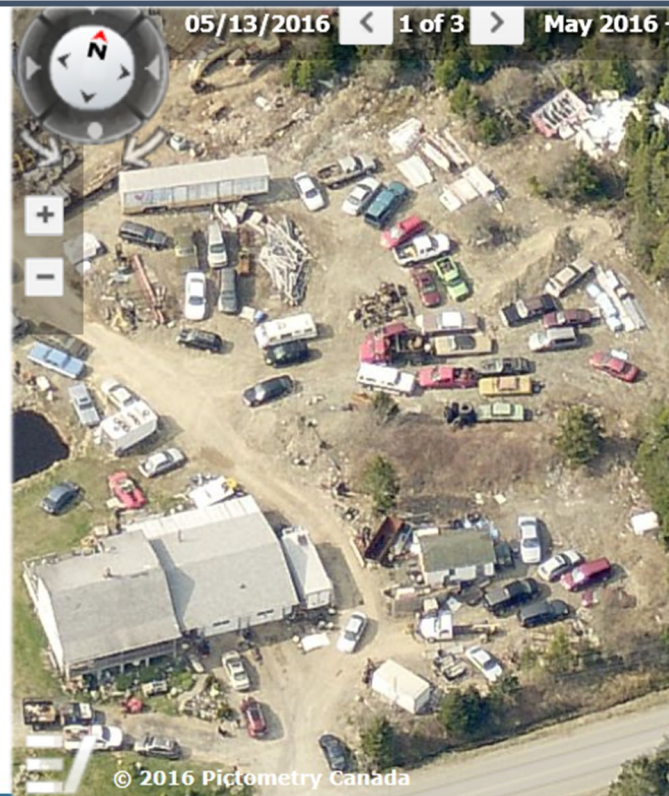
Existing home, garage and landscaping

Site Visits – 2018 and 2020



Compliance

- **2018**
 - A guilty plea was entered
- **2020**
 - Issued a compliance order
- **A Development Agreement**
 - The path to put the business into compliance with the regulations of the Eastern Shore West Plan Area

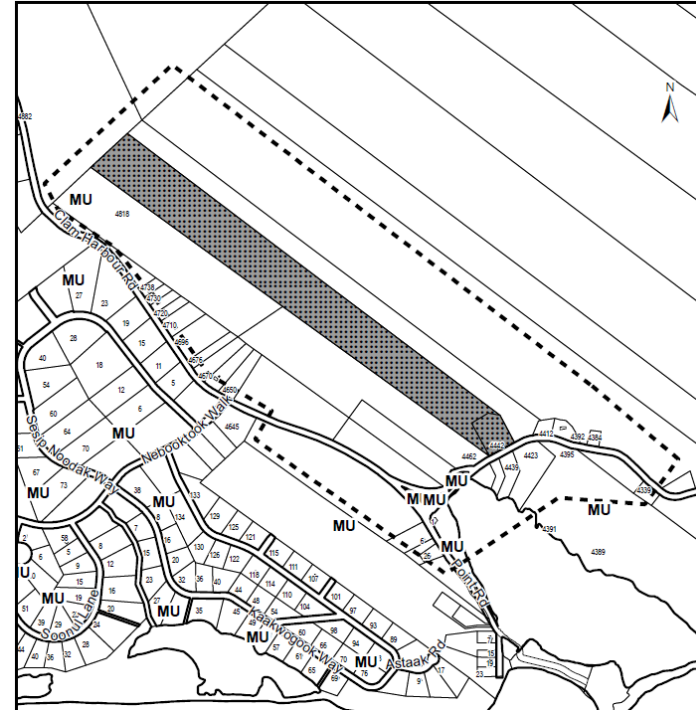


By-law Overview

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Eastern Shore (West) Plan Area - Land use By-law

- **Zone**
 - MU (Mix Use) Zone
- **Designation**
 - Mix Use
- **Existing Use**
 - Salvage Yard operation and minor auto repair shop



Policy Overview

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Eastern Shore (West) Plan Area - Land use By-law

Designation:

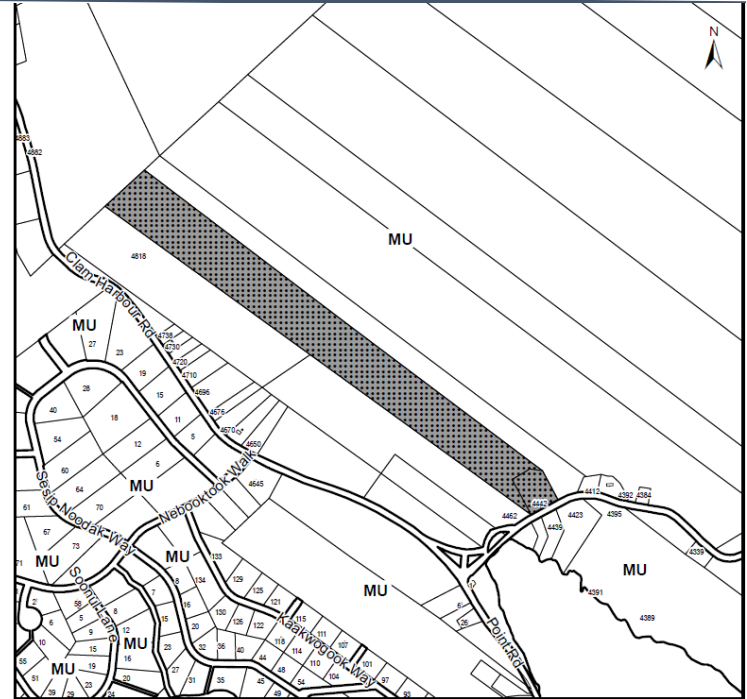
Mixed Use

Intent of designation:

Some control over the number and location of salvage yards.

Enabling Policy:

MU-14 to consider salvage yards in accordance with the development agreement provisions and with regard to the listed criteria.

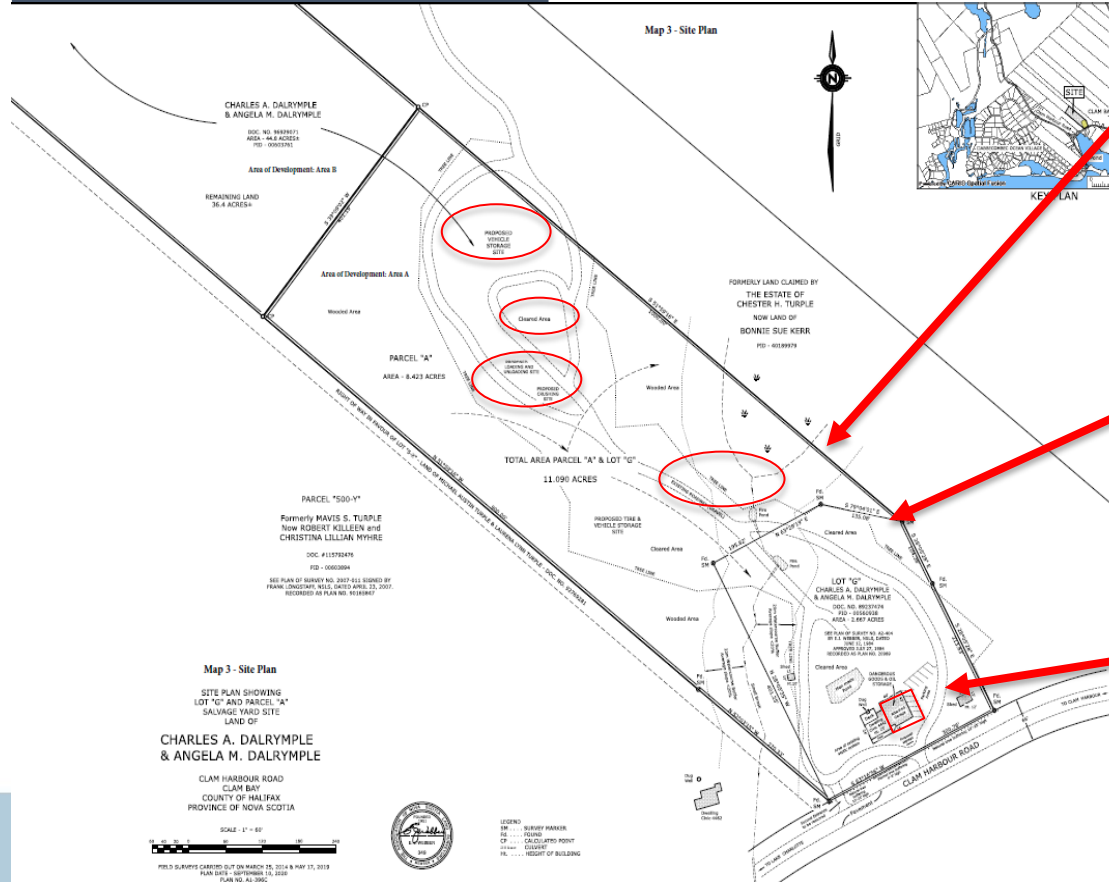


Development Agreement Criteria

- In considering a Development Agreement for a Salvage Yard, Council must have regard for the following:
 - **Separation distance** from watercourses and environmentally sensitive features
 - Scale and appearance from neighboring properties
 - **Safe access** to and from the site
 - **Maintained** on an on-going basis
 - Provisions for obtaining **appropriate permits and licenses**



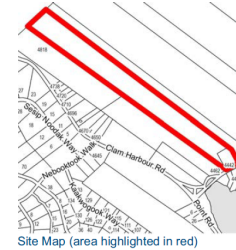
Proposed Site Plan



- 20 m setback from watercourse
- Treed buffer from neighbours
- Landscaping and buffering view from road
- Designated locations for storage
- Stormwater management plan
- 1 driveway access and on-site parking
- Auto repair shop

Public Engagement

- Consultation achieved through the
 - HRM website, Mail out notifications;
 - Newspaper ads; and
 - Public information meeting (October 16, 2019)
- Feedback
 - Support the business in the community
 - Impact on environment



Notification of an upcoming PUBLIC INFORMATION MEETING

WEDNESDAY, OCTOBER 16, 2019 AT 7PM
SHIP HARBOUR COMMUNITY HALL - 214 WEST SHIP HARBOUR
ROAD, LAKE CHARLOTTE

CASE 22198:
Application by Mr. Charles of Heritage House Law, on behalf of Mr. Dalrymple, for a development agreement to allow the continued operation of the existing salvage yard and small job mechanic services at 4442 Clam Harbour Bay Road, Lake Charlotte. This application is to bring the existing operation into compliance with the Municipal Planning Strategy and Land Use By-law for Eastern Shore (West). The purpose of the meeting is to receive feedback on the proposal and upgrades.

[MORE INFORMATION: HALIFAX.CA/PLANNING/APPLICATIONS](https://www.halifax.ca/planning/applications)

Project Contact

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halifax.ca

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Notifications Mailed



58

Meeting Attendees



39

Emails/Calls Received



2

Website Views (March 1 – May 4 2021)



58

Staff Recommendation

Staff recommend that Harbour East/ Marine Drive Community Council recommend to:

1. Approve the proposed development agreement which shall be substantially of the same form as set out in Attachment A of this report; and
2. Require the agreement be signed by the property owner within 240 days, or any extension therefore granted by Council on request of the property owner, from the date of final approval by Council and any other bodies as necessary, including applicable appeal periods, whichever is later; otherwise this approval will be void and obligations arising hereunder shall be at an end.

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Thank You

Maria Jacobs



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