

Case 23528

1601 Ketch Harbour Road Rezoning Request

Case 23528

Motion:

That Halifax and West Community Council adopt the amendment to the Land Use By-Law (LUB) for Planning District 5, as set out in Attachment A of the staff report dated September 1, 2021.

On behalf of Mr. Chris Purcell we request the following:

- ▶ Community council rezone 1601 Ketch Harbour Road from P-2 (community facility) to R-6 (rural residential).
- ▶ Adopt the amendment to the LUB for Planning District 5 as set out in attachment A of the staff report.

Case 23528

History:

This property was originally zoned C-2 (General Business). The building currently on site was a fire hall. Since then, it has been a convenience store, an arts and crafts store and an oil tank retail outlet (which was an unauthorized use).

In 2008 the property was rezoned to P-2 to allow for a social club. This use was never exercised.

Background:

Mr. Purcell used this property to store fishing gear and a fishing boat. HRM By-Law was notified, and a compliance case was opened.

Upon learning this was an unauthorized use of the property, Mr. Purcell took immediate steps to remedy the situation. Within days the fishing gear was removed and within a week the boat was relocated. The compliance case was closed shortly thereafter.

This application is to allow for the storage of fishing gear and a fishing boat.

Policy Support:

- ▶ The property is designated Residential and fishery support uses are a use identified as permitted in the Residential designation.
- ▶ Within the residential designation, the policy lists a Fishery Support Use as a use which is to be permitted in the residential designation, and the R-6 zone is broadly applied within this design.
- ▶ This property is within the Residential designation and is partially surrounded by R-6 zoning. The R-6 zone is compatible with the surrounding area

Community Concerns and Responses:

Reefer trucks, rats, wetlands, commercial uses and retail/wholesale fish sales are concerns which have been raised by community members.

- ▶ No trucks will be stored on this property, as such there will be no reefer units operating.
- ▶ The issue regarding rats was raised because residents had concerns that fish would be stored on the property. To be clear fish, lobster and other products of the sea will not be store on this property.
- ▶ Setbacks from wetlands are strictly regulated by DOE and these will be adhered-to in compliance with all regulations.

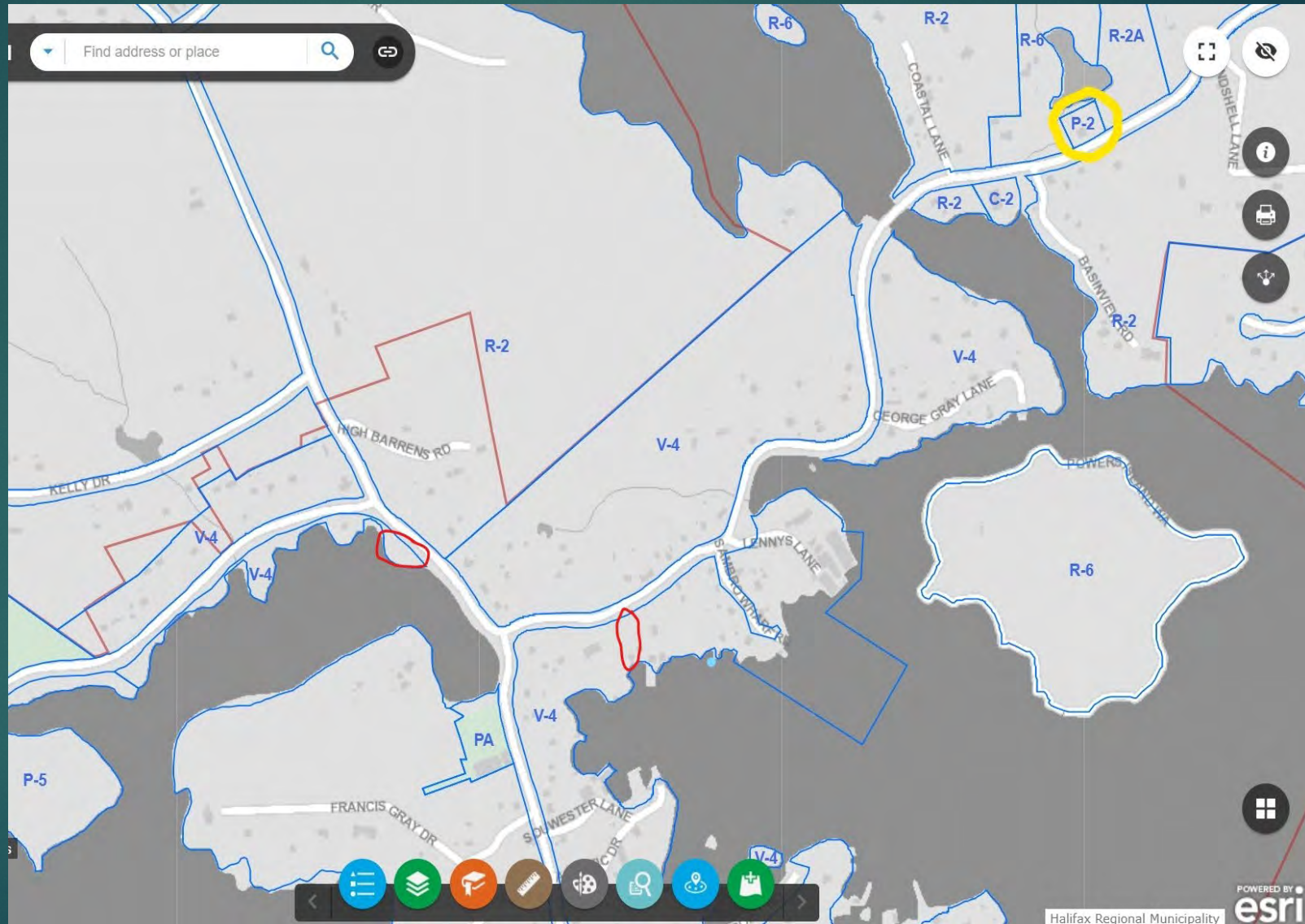
Community Concerns and Responses cont'd:

- ▶ Mr. Purcell is a licensed fisher and he owns a boat in his name. He wants to use this property for his personal fishery use. In this context, he is no different than most if not all fishers in Sambro. There is no intent to move his business interests to this property.
- ▶ Mr. Purcell is asking for this rezoning as a fisher, not as a fish processor. His existing business location allows for the retail and wholesale sale of fish.
- ▶ Oceanview Fisheries and the use of this property will remain as separate entities.
- ▶ An R-6 zone will allow lobsters to be sold from a pick-up truck in the parking lot. This will eliminate any uncertainty with respect to compliance with the LUB.

Additional Context:

- ▶ The V-4 zone (General Building) is a very common zone in Sambro. This zone allows for numerous uses including the retail and wholesale sale of fish.
- ▶ As you will see from the next slide, Mr. Purcell has two properties which are zoned V-4 and are in close proximity to the subject property.
- ▶ Had his intention been to open a business to sell fish he could simply utilize one of his other properties.

Case 23528



Yellow – subject property

Red – properties owned by Mr. Purcell's numbered company

Conclusions:

- ▶ Given the property is designated Residential and fishery support uses are permitted in the Residential designation; and,
- ▶ this property is within the Residential designation and is partially surrounded by R-6 zoning. The R-6 zone is compatible with the surrounding area; and,
- ▶ The staff recommendation supports this application,

we respectfully request that Halifax and West Community Council approve this request.

Case 23528

We appreciate your consideration and are available for any questions you may have.

Thank you.