

# HERITAGE HOUSE LAW OFFICE

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**VIA EMAIL  
VIA COURIER**

February 8, 2019

Maria Jacobs, MCIP, LPPANS  
Planning and Development  
Halifax Regional Municipality  
jacobsm@halifax.ca

**RE: Charles DALRYMPLE -Development Agreement**

We are writing on behalf of our client Charles Dalrymple, who is the registered owner of property located at 4442 Clam Bay Road, Clam Harbour, Nova Scotia. This letter has been prepared to supplement his Application for Approval from the Department of the Environment to operate a Salvage Yard, by way of Development Agreement with the Halifax Regional Municipality.

Below you will find a letter of rationale, which addresses the following:

- 1) A description of the proposal and the background for why Mr. Dalrymple is pursuing a Planning Application
- 2) A description of how the Development Agreement satisfies the applicable Municipal Planning Strategy Policy and how the application relates to adjacent uses.

Also enclosed are the following required items:

- 1) A site plan (survey) and legal description of the property
- 2) The Planning Application Development Agreement form

- 3) Engineering Report from Stantec Consulting Limited
- 4) A copy of our provincial Salvage Yard Approval Application (approval has not been provided yet as it is pending this Development Agreement)
- 5) A copy of a Zoning Confirmation Letter from Eastern Shore (West)

### **Description of the Proposal and Rationale**

The proposed site consists of two parcels of land made up of 11.087 acres located in Clam Harbour, Nova Scotia. The properties are under the PIDs 00603761 and 00560938. These parcels are in the Halifax Regional Municipality and are governed by the Eastern Shore (West) Land-Use By-Laws. They are designated as Mixed Use.

The proposed purpose of the facility will be the collection of end of life vehicles for removing all reusable parts for resale and recycling to obtain any remaining marketable material, including the collection of metal waste products which can be processed and marketed to existing national metal companies.

Mr. Dalrymple will be the sole operator of the proposed Salvage Yard site. He has more than 25 years of experience in the automotive industry and is very familiar with end of life vehicles and the process of operating a salvage facility.

Mr. Dalrymple proposes to operate a salvage yard as a means to his livelihood. He also proposes to operate this facility as it will benefit the community as a whole. There are no salvage yards in the immediate area. In fact, to the best of Mr. Dalrymple's knowledge there are no other salvage yards operating in Eastern Shore (West) at all. As such, this proposed development would serve a vital need in the community. The attached report from Stantec Consulting Limited further outlines the rationale for this proposal as well as a detailed description of the proposed site, facility, and operations.

## **Municipal Planning Strategy Policy Considerations**

In preparing this Planning Application, Mr. Dalrymple reviewed the applicable Municipal Land-Use By-Laws as well as the Municipal Planning Strategy for Eastern Shore (West). In particular, the Eastern Shore (West) Municipal Planning Strategy contains a section regarding Salvage Yards, which Mr. Dalrymple has reviewed.

It is Mr. Dalrymple's contention that his Application meets the requirements of the By-Laws, and, further, that his Application is in accordance with the Municipal Planning Strategy, as outlined below.

Mr. Dalrymple's proposal would encourage the development of the rural economy. There are currently no salvage yards operating in Eastern Shore (West) to the best of Mr. Dalrymple's knowledge. As such, Mr. Dalrymple's application is meeting a need in the community and supporting growth and development on the Eastern Shore.

In particular, MU-14 of the Municipal Planning Strategy outlines the considerations for Council in approving a salvage facility in Eastern Shore (West). Mr. Dalrymple has ensured his proposal addresses these considerations, as outlined in the enclosed Stantec Consulting Limited Report, as well as below. Additionally, Mr. Dalrymple has reviewed IM-10, and believes that the enclosed Stantec Consulting Limited Report addresses such considerations, and is further addressed below. Mr. Dalrymple does not believe that adjacent properties will be affected by his proposal. The adjacent uses of property abutting the proposed site include residential homes as well as woodland and vacant lands.

In assisting Council in their consideration of this proposal we have addressed below each consideration listed in MU-14:

- a) The proposed site allows for reasonable separation of the proposed salvage yard from surrounding residential development

- b) The site of the proposed salvage yard is not located on environmentally sensitive land
- c) The scale and appearance of the proposed site will not affect adjacent or detract from its surroundings; in particular, this proposed site is setback from the roadway and is hidden by trees. It is not visible from the road or to the public
- d) The development will not cause any issues with traffic or any traffic hazards. It will be safely accessible from Clam Bay Road.
- e) The proposed site will have appropriate signage, landscaping, parking, and displays, in accordance with municipal policies
- f) Visual and auditory intrusions would be limited, as the area is densely covered by surrounding woodland
- g) Mr. Dalrymple's proposal will be done in accordance with the consulting engineer's recommendations, in order to ensure protection of the surrounding natural environment
- h) Mr. Dalrymple intends to maintain the site to appropriate standards on an on-going basis
- i) The site will have appropriate business hours so as to eliminate any risk of nuisance to the community
- j) Mr. Dalrymple's site has appropriate sewage disposal and appropriate water supply
- k) Mr. Dalrymple is seeking the appropriate approval to operate a salvage yard from the Province of Nova Scotia. The Provincial Application is also enclosed.
- l) Mr. Dalrymple's proposal is in accordance with Policy IM-10, as required by MU-14. Specifically, the proposal is in accordance with the intent of this Municipal Planning Strategy in that it brings economic development to the Shore, and serves a need in the community. There is adequate on-site sewage and water disposal, adequate proximity to road networks, and necessary controls will be taken to reduce any impact on adjacent properties. Additionally, there is no possibility that any historic sites or buildings will be damaged. Lastly, the engineering report from Stantec Consulting Limited outlines the ways in which the proposed site is suitable for its proposed use as a salvage yard, in terms of its natural, geological, and environmental characteristics.

**Conclusion**

Thank you for considering this proposal. We look forward to hearing from you regarding this matter at your earliest convenience, so that we may set up a time to go over the Application in person.

Sincerely,



HERITAGE HOUSE LAW OFFICE  
Mark J. Charles

