


## Notice of Adoption: By-laws 26-01 and 26-02

### Details

 Published: 02 April 2026

### Notice of Adoption

Second Reading and Adoption of these By-laws took place on March 25<sup>th</sup>, 2026 at a Regular Council meeting.

The purpose of the adopted By-laws are:

#### **By-law to Amend the Land Use By-law 26-01**

- to rezone PID 25244914, 150 Junction Rd., Springhill from Mixed-use (CMix) Zone to General Commercial (CGen) Zone.

#### **By-law to Amend the Land Use By-law 26-02**

- to rezone a portion of PID 25144049, 3544 Kolbec Rd., Port Howe from Agriculture (AG) Zone to Commercial Recreation (CRec) Zone.

Any aggrieved person, the Provincial Director of Planning, or the Council of any adjoining municipality may, within fourteen days of the publishing of this notice, appeal to the Nova Scotia Utility and Review Board (1-855-442-4448 / [board@novascotia.ca](mailto:board@novascotia.ca)) in accordance with the provision of the Municipal Government Act.

For a copy, please click here: [By-laws - Municipality of Cumberland](#) For further information, please call 902-667-1142, 1-888-756-6262 (toll free), or email [clerk@cumberlandcounty.ns.ca](mailto:clerk@cumberlandcounty.ns.ca)

Peter McCracken

Deputy CAO / Municipal Clerk



**COUNCIL**

**SECOND READING**

**Date: March 25<sup>th</sup>, 2026**

**TO:** Mayor and Council

**FROM:** Glen Boone, Director of Development and Planning

**DATE:** March 18<sup>th</sup>, 2026

**SUBJECT:** **Second Reading – By-law to Amend the Land Use By-law 26-02 to rezone a portion of PID 25144049, located at 3544 Kolbec Rd., Port Howe, from Agriculture (AG) Zone to Commercial Recreation (CRec) Zone**

**ORIGIN:** On September 25<sup>th</sup>, 2025, Planning staff received an application to rezone a portion of PID 25144049, located at 3544 Kolbec Rd., Port Howe (Subject Property), from Agriculture (AG) to Commercial Recreation (CRec) to enable the development of a campground.

PID	Location	Current Zone	Proposed Zone	Proposed Use
A portion of 25144049	Port Howe	Agriculture (AG)	Commercial Recreation (CRec)	Campground

**LEGISLATIVE AUTHORITY:** MGA PART VIII PLANNING AND DEVELOPMENT

MGA Section 205: Requirements for Adoption of Planning Documents

*MPS Policy 5-35 Council shall consider proposals to rezone lands in the Resource designation to any other zone permitted in that designation. Council shall not approve a rezoning unless council is satisfied;*

- (a) If the proposed zone is the Highway Commercial Zone, the lands are located at an interchange of Highway 104;*
- (b) If the proposed change is not prohibited by any other policy in this Plan;*
- (c) The purpose of the proposed zone as described in the respective policy creating that zone, is consistent with the location and characteristics of the lands and with the proposed use of the lands*
- (cA) the proposal is not premature due to impacts on wildlife corridors or due to the presence of geohazards; and*
- (d) The proposal meets the general criteria for amending the land use bylaw, set out in Policy 6-19.*

**RECOMMENDATION:** That Council approve Second Reading of the By-law to Amend the Land Use By-law 26-02 to rezone a portion of PID 25144049, 3544 Kolbec Rd., Port Howe from Agriculture (AG) Zone to Commercial Recreation (CRec) Zone.

**BACKGROUND:** The subject property, located in Port Howe along the Kolbec Rd, currently is 40 acres of Agriculturally (AG) Zoned land. The proponent is looking to develop 5 acres for a campground, leaving the 36 acres of land remaining. The Applicant has cleared the 5 acres of land they are proposing to use for the campground, as the property owner currently has a single-unit Short-Term Rental on the clear portion of land.



## COUNCIL

## SECOND READING

**Date: March 25<sup>th</sup>, 2026**

Under the current AG zoning, the subject property may be used for a single unit, short term rental, however a campground is not a permitted land use. The subject property is a waterfront lot located along the River Philip. Further to the existing short-term rental, the subject land also contains an informal travelled way, which grants access to three adjacent properties.

### **DISCUSSION:**

The subject lands are adjacent to the River Philip, as such all structures associated with the proposed development are required to maintain a 15m buffer from the Ordinary High-Water Mark (OHWM). This is in conformance represented in the Concept site plan, included in this report at Attachment D.

To enable the proposed development approval for a commercial driveway will be required, Staff have requested the Applicant obtain a commercial driveway permit. This was achieved since the Public Hearing and has been added as Attachment . Staff have required the applicant to initiate the permit application process with NS Environment and Climate Change(NSECC) for the installation of a new On-Site Sewage System (OSS). The applicant has informed staff that an application has been submitted to NSECC and they are awaiting further comment.

The Subject Property was assigned the AG zoning during the initial zoning assignment in 2018, based on Soil Class. As the current property is not being used for Agricultural purposes, the importance towards maintaining the Agricultural zoning would be for the purpose of maintaining reserve farmland and for accommodating adjacent land uses. The subject property makes up 0.072% of AG zoned land within the district. This property also does not contribute to any existing AG farmland networks. Considering the lack of impact the rezoning will have on the district's ability to support existing and future agriculture uses, rezoning the land would be appropriate.

The Applicant has noted the desire to expand the proposed campground. The Applicant intends to upgrade the infrastructure as needed to accommodate the increased service load, providing landscaping for privacy and aesthetic purposes, and exploring the provision of outdoor recreational activities/Common areas. The applicant does not have a specific growth plan, as expansion efforts would be dependent on the revenue collected each camping season, only expanding to an extent in which they are able to support financially. While a specific expansion plan and timeline is not in place, the campground will be limited to the 5 acres that staff is recommended to be rezoned.

There currently exists three private properties along the eastern property line of the subject lands, containing single unit dwellings. As the remaining portion of the lot is wooded, there is ample screening from any adjacent properties, external to the project.



## COUNCIL

## SECOND READING

Date: March 25<sup>th</sup>, 2026

**FINANCIAL IMPLICATIONS:** No direct financial implications or costs to the Municipality. The rezoned portion of the lot will be re-assessed to commercial which will result in higher property tax revenue.

**ENVIRONMENTAL IMPLICATIONS:** The subject property is located adjacent to the River Philip. As such a 15m buffer from the River's OHWM is required to be maintained. The Proposed campground is not intended to be located within this buffer. In addition, the Flood Hazard Zone (HzFL) is adjacent to the proposed campground site. At this time the zoning change will utilize the HzFI as the boundary and no sites are to be developed within the flood area as this time.

Servicing is not required for each individual campsite, but the provision of washrooms is required for the campground as a whole. The applicant intends to develop a communal washroom for the campground, providing gendered washroom facilities in accordance with the NS Building Regulations. The applicant has initiated the process for obtaining approval from NS Environment and Climate Change for OSS installation for the proposed development. A copy of their approval from NSECC will be required at the future permitting stage.

**COMMUNITY ENGAGEMENT:** The public hearing was held on February 18<sup>th</sup>, 2026. At that time no member of the public asked to speak, and staff had received no written comments or calls on the proposal. The proponent was unable to attend the session to present but advised if any questions from the Public or Council had been received, they would address the same prior to second reading report. The Public Hearing had been duly advertised in accordance with MGA Section 206. Notices were placed on the municipal website on February 02, 2026, two weeks prior to the scheduled hearing date. Furthermore, a notice was placed in The Chronicle Herald on February 11, 2026, one week prior to the public hearing and a Planning Notice sign was placed on the property. In addition, several public notices were posted on our social media channels and reminders on the main website

### **ALTERNATIVES:**

- Council may defer the issue to a later date,
- Request further information or
- Reject the proposed amendment based on conflict with a policy in the Municipal Planning Strategy.

### **ATTACHMENTS:**

**Attachment A: Zoning Map Change**  
**Attachment B: Aerial and Street Images**  
**Attachment C: Concept Site Plan**  
**Attachment D: Policy Review**  
**Attachment E: NSPW Driveway Approval**

**Attachment A: Zoning Map Change**



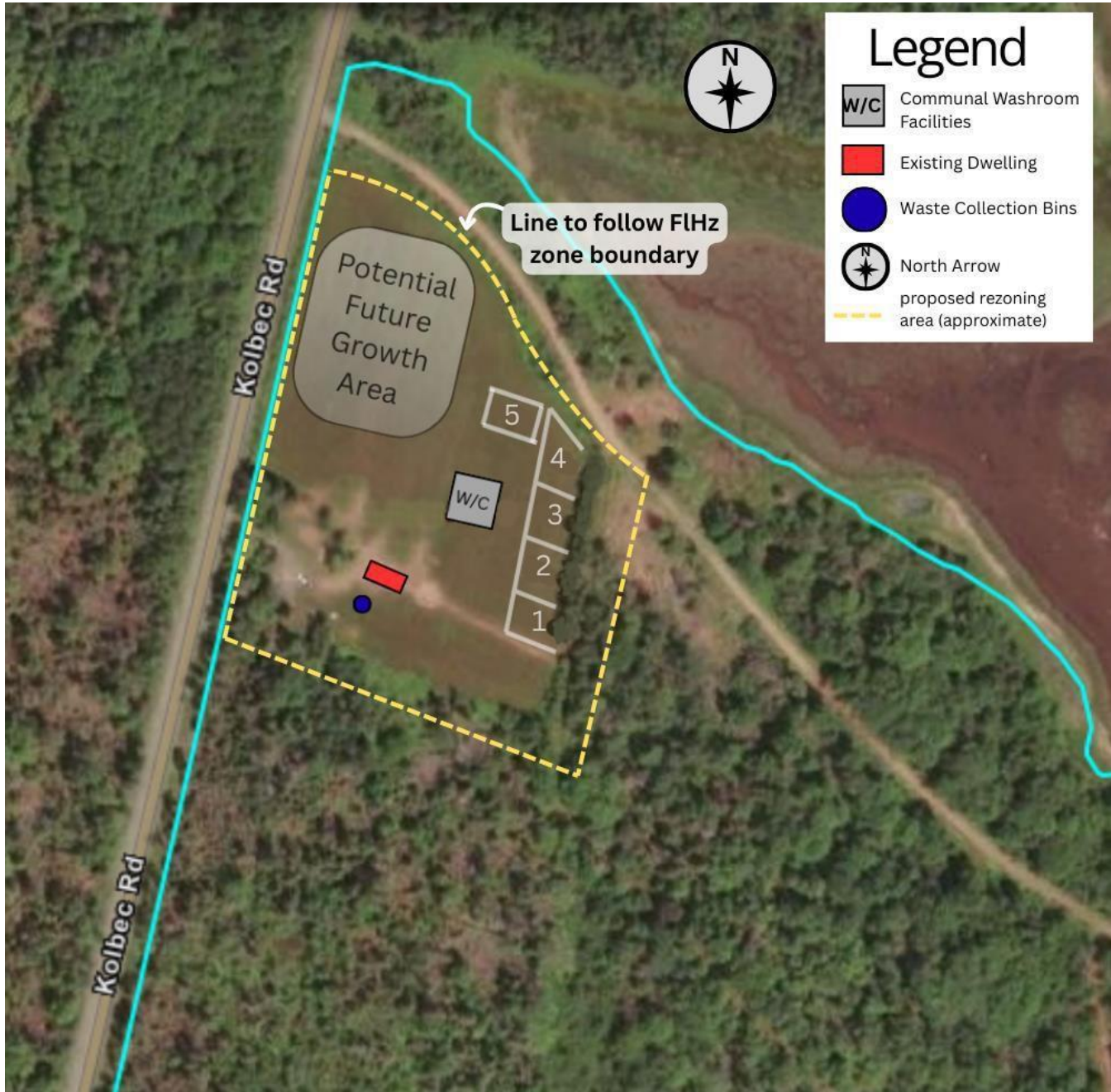
**Changes to**



**Attachment B: Aerial and Street Images**



**Attachment C: Concept Site Plan**





**COUNCIL**

**SECOND READING**

**Date: March 25<sup>th</sup>, 2026**

**Attachment D: Policy Review**

The tables below reflect the comments of Staff’s Policy review on the enabling policies of the proposed rezoning. Each table addresses a different enabling policy, including all relevant sub-clauses.

<b>MPS Policy 5-24: Council shall, on the zoning map of the Land Use By-law, permit the following zones within the Resource Designation:</b>	
<ul style="list-style-type: none"> <li>(a) Agriculture Zone</li> <li>(b) Commercial Recreation ...</li> </ul>	
<b>Comment</b>	
Both the AG Zone and the CRec Zone are permitted within the Resource Designation, therefore no MPS change is required to enable this rezoning.	

<b>MPS Policy 6-19 Council shall consider proposals to rezone lands in the Resource designation to any other zone permitted in that designation. Council shall not approve the rezoning unless council is satisfied.</b>	
<b>Requirement</b>	<b>Comment</b>
(a) <i>if the proposed zone is the Highway Commercial Zone, the lands are located at an interchange of Highway 104.</i>	N/A
(b) <i>The proposed change is not prohibited by any other policy in this plan.</i>	Not prohibited by any other Policy
(c) <i>the purpose of the proposed zone is consistent with the location and the characteristics of the lands;</i>	Proposed zone is consistent.
(cA) <i>the proposal is not premature due to impacts on wildlife corridors or due to the presence of geohazards</i>	No risks towards wildlife corridors or geohazards identified
(d) <i>The Proposal meet the general criteria for amending the Land Use Bylaw, set out in Policy -19</i>	See Policy analysis below

<b>MPS 6-19 Council shall not amend the Land Use Bylaw or approve a development agreement unless Council is satisfied the proposal;</b>	
<b>Requirement:</b>	<b>Comment:</b>
(a) <i>Is consistent with the intent of this Municipal Planning Strategy</i>	Yes.
(b) <i>Does not conflict with any Municipal or Provincial Programs, by-laws, or regulations in effect in the Municipality.</i>	No conflicts
(c) <i>Is not premature or inappropriate due to:</i>	
(i) <i>The ability of the Municipality to absorb the public costs related to the project.</i>	No public costs related to the project.
(ii) <i>Impacts on existing drinking water supplies, both private and public.</i>	No impacts to the drinking water supplied identified.
(iii) <i>the adequacy of central water and sewage services or, where such services are not available, the suitability of the site to accommodate on-site water and sewage services</i>	OSS will be used to service the campground. A washroom building will be established. OSS requires approval for installation from NSECC.



**COUNCIL**


**SECOND READING**

**Date: March 25<sup>th</sup>, 2026**

<p>(iv) <i>The creation of any excessive traffic hazards or congestion on road, cycling, and pedestrian networks within, adjacent to, or leading to the proposal</i></p>	<p>No traffic hazards identified. The applicant is in the process of obtaining a commercial driveway permit.</p>
<p>(v) <i>The adequacy of fire protective services and equipment;</i></p>	<p>Subject property is located in the Pugwash Fire District, within a 10m travel time from the nearest Fire Hall.</p>
<p>(vi) <i>The adequacy and proximity of schools and other community facilities.</i></p>	<p>Subject property is 10min drive from the Village of Pugwash. Provided adequate community amenities for the campground. Subject property is in close proximity to other CRec zoned land.</p>
<p>(vii) <i>The creation of a new or worsening of a known pollution problem in the area, including, but not limited to, soil erosion and siltation of watercourses.</i></p>	<p>All structures associated with the development shall respect the 2.6m vertical elevation buffer and maintain a 15m buffer from the OHWM of the River Philip</p>
<p>(viii) <i>The potential to create flooding or serious drainage issues including within the proposal site and in nearby areas</i></p>	<p>No concerns regarding flooding and drainage. Portions of the land is currently zoned FLHz zone, however the proposed development is not intended to be located within these areas. Portions currently zoned FLHz are not being considered for rezoning.</p>
<p>(ix) <i>Impacts on sensitive environments, as identified on Schedule B</i></p>	<p>No sensitive environment identified on schedule B for the subject property.</p>
<p>(ixA) <i>Impacts on wildlife corridors</i></p>	<p>No anticipated impacts to wildlife corridors.</p>
<p>(x) <i>Impacts on known habitat for species at risk</i></p>	<p>River Philip is also a known Salmon Run, which is an at-risk species in NS. The vertical and horizontal setbacks act as protection towards the Salmon habitat. No impacts to the Salmon habitat are anticipated. anticipated.</p>
<p>(xA) <i>risks presented by geohazards</i></p>	<p>No geohazards identified</p>
<p>(xi) <i>the suitability of the site in terms of grades, soil and geological conditions, the location of watercourses and wetlands, and proximity to utility right-of-way</i></p>	<p>Site is suitable, no building shall be located within the shoreline buffer (MPS 4.16) OR below the required 2.6m coastal elevation ( MPS 4.17.1A(a) ) campsites locations may require a location certificate at permitting stage.</p>
<p>(xii) <i>negative impacts on the viability of existing businesses in the surrounding community, including, but not limited to, the risk of land use conflicts that could place limits on existing operational procedures.</i></p>	<p>No negative impacts towards existing businesses and surrounding uses.</p>

# Notice of Public Hearing - By-law to Amend the Land use By-law 26-01 and the By-law to Amend the Land Use By-law 26-02

## Details

 Published: 02 February 2026

A Public Hearing regarding the By-law to Amend the Land use By-law 26-01 and the By-law to Amend the Land Use By-law 26-02 for the Municipality of Cumberland will be held at **4 pm, Wednesday, February 18<sup>th</sup>, 2026**, in the Council Chambers of the Upper Nappan Service Centre.

Note that this meeting may be rescheduled or conducted online, visit [cumberlandcounty.ns.ca](http://cumberlandcounty.ns.ca) to verify meeting schedule.

### **By-law to Amend the Land Use By-law 26-01**

- Rezone PID 25244914, 150 Junction Rd., Springhill from Mixed-use (CMix) Zone to General Commercial (CGen) Zone.

### **By-law to Amend the Land Use By-law 26-02**

- Rezone a portion of PID 25144049, 3544 Kolbec Rd., Port Howe from Agriculture (AG) Zone to Commercial Recreation (CRec) Zone.

Hearing documents can be viewed at [plancumberland.ca/hearings](http://plancumberland.ca/hearings) or by contacting our office at 902-667-2313.

Public Hearings are open to the public.

You may participate by submitting comments by email to: [Planning@cumberlandcounty.ns.ca](mailto:Planning@cumberlandcounty.ns.ca) or by mail to: Planning Dept, Upper Nappan Service Centre, 1395 Blair Lake Rd, Upper Nappan, NS B4H 3Y4.



COMMITTEE OF THE WHOLE  
PUBLIC HEARING  
Date: February 18<sup>th</sup>, 2026

**TO:** Mayor and Council  
**FROM:** Glen Boone, Director of Development and Planning  
**DATE:** February 12<sup>th</sup>, 2026  
**SUBJECT:** **Public Hearing– By-law to Amend the Land Use By-Law 26-02 to rezone a portion of PID 25144049, located at 3544 Kolbec Rd, Port Howe, from Agriculture (AG) Zone to Commercial Recreation (CRec) Zone**

**ORIGIN:** On September 25<sup>th</sup>, 2025, Planning staff received an application to rezone a portion of PID 25144049, located at 3544 Kolbec Rd, Port Howe (Subject Property), from Agriculture (AG) to Commercial Recreation (CRec) to enable the development of a campground.

PID	Location	Current Zone	Proposed Zone	Proposed Use
A portion of 25144049	Port Howe	Agriculture (AG)	Commercial Recreation (CRec)	Campground

**LEGISLATIVE AUTHORITY:** MGA PART VIII PLANNING AND DEVELOPMENT

MGA Section 205: Requirements for Adoption of Planning Documents

*MPS Policy 5-35 Council shall consider proposals to rezone lands in the Resource designation to any other zone permitted in that designation. Council shall not approve a rezoning unless council is satisfied;*

- (a) If the proposed zone is the Highway Commercial Zone, the lands are located at an interchange of Highway 104;*
- (b) If the proposed change is not prohibited by any other policy in this Plan;*
- (c) The purposed of the proposed zone as described in the respective policy creating that zone, is consistent with the location and characteristics of the lands and with the proposed use of the lands*
- (cA) the proposal is not premature due to impacts on wildlife corridors or due to the presence of geohazards; and*
- (d) The proposal meets the general criteria for amending the land use bylaw, set out in Policy 6-19.*

**RECOMMENDATION:** No motions to consider at the Public Hearing stage.

**BACKGROUND:** The subject property, located in Port Howe along the Kolbec Rd, currently is 40 acres of Agriculturally (AG) Zoned land. The proponent is looking to develop 5 acres for a campground, leaving the 36 acres of land remaining. The Applicant has cleared the 5 acres of land they are proposing to use for the campground, as the property owner currently has a single-unit Short-Term Rental on the clear portion of land.



**COMMITTEE OF THE WHOLE  
PUBLIC HEARING**

**Date: February 18<sup>th</sup>, 2026**

Under the current AG zoning, the subject property may be used for a single unit, short term rental, however a campground is not a permitted land use. The subject property is a waterfront lot located along the River Philip. Further to the existing short-term rental, the subject land also contains an informal travelled way, which grants access to three adjacent properties.

**DISCUSSION:**

The subject lands are adjacent to the River Philip, as such all structures associated with the proposed development are required to maintain a 15m buffer from the Ordinary High-Water Mark (OHWM). This is conformance represented in the Concept site plan, included in this report at Attachment D.

To enable the proposed development approval for a commercial driveway will be required, Staff has requested the Applicant obtain a commercial driveway permit prior to a public hearing being held. Staff have required the applicant to initiate the permit application process with NS Environment and Climate Change(NSECC) for the installation of a new On-Site Sewage System (OSS). The applicant has informed staff that an application has been submitted to NSECC and they are awaiting further comment.

The Subject Property was assigned the AG zoning during the initial zoning assignment in 2018, based on Soil Class. As the current property is not being used for Agricultural purposes, the importance towards maintaining the Agricultural zoning would be for the purpose of maintaining reserve farmland and for accommodating adjacent land uses. The subject property makes up 0.072% of AG zoned land within the district. This property also does not contribute to any existing AG farmland networks. Considering the lack of impact the rezoning will have on the district's ability to support existing and future agriculture uses, rezoning the land would be appropriate.

The Applicant has noted the desire to expand the proposed campground. The Applicant intends to upgrade the infrastructure as needed to accommodate the increased service load, providing landscaping for privacy and aesthetic purposes, and exploring the provision of outdoor recreational activities/Common areas. The applicant does not have a specific growth plan, as expansion efforts would be dependent on the revenue collected each camping season, only expanding to an extent in which they are able to support financially. While a specific expansion plan and timeline is not in place, the campground will be limited to the 5 acres that staff is recommended to be rezoned.

There currently exists three private properties along the eastern property line of the subject lands, containing single unit dwellings. As the remaining portion of the lot is wooded, there is ample screening from any adjacent properties, external to the project.



**COMMITTEE OF THE WHOLE  
PUBLIC HEARING**

**Date: February 18<sup>th</sup>, 2026**

**FINANCIAL IMPLICATIONS:** No direct financial implications or costs to the Municipality. The rezoned portion of the lot will be re-assessed to commercial which will result in higher property tax revenue.

**ENVIRONMENTAL IMPLICATIONS:** The subject property is located adjacent to the River Philip. As such a 15m buffer from the River's OHWM is required to be maintained. The Proposed campground is not intended to be located within this buffer. In addition, the Flood Hazard Zone (HzFL) is adjacent to the proposed campground site. At this time the zoning change will utilize the HzFI as the boundary and no sites are to be developed within the flood area as this time.

Servicing is not required for each individual campsite, but the provision of washrooms is required for the campground as a whole. The applicant intends to develop a communal washroom for the campground, providing gendered washroom facilities in accordance with the NS Building Regulations. The applicant has initiated the process for obtaining approval from NS Environment and Climate Change for OSS installation for the proposed development. A copy of their approval from NSECC will be required at the future permitting stage.

**COMMUNITY ENGAGEMENT:** This public hearing was duly advertised in accordance with the MGA Section 206. Notices were placed on the municipal website on February 2<sup>nd</sup>, 2026, two weeks prior to the scheduled hearing date. Furthermore, a notice was placed in the Chronicle Herald February 11<sup>th</sup>, 2026, one week prior to the public hearing and a Planning Notice Sign was placed on the property.

**ALTERNATIVES:**

- Council may defer the issue to a later date,
- Request further information or
- Reject the proposed amendment based on conflict with a policy in the Municipal Planning Strategy.

**ATTACHMENTS:**

**Attachment A: Zoning Map Change**  
**Attachment B: Aerial and Street Images**  
**Attachment C: Concept Site Plan**  
**Attachment D: Policy Review**

**Attachment A: Zoning Map Change**



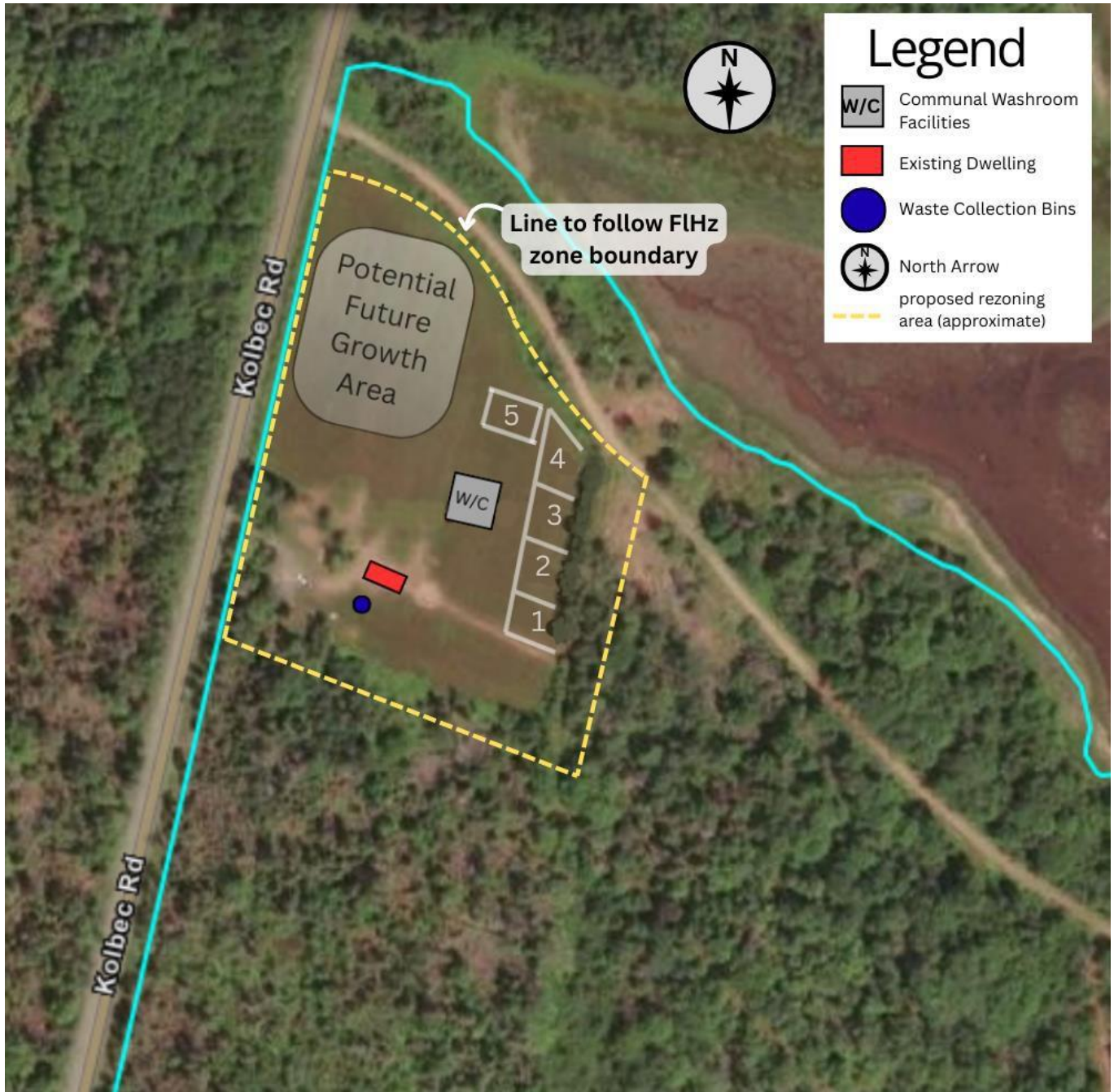
**Changes to**



**Attachment B: Aerial and Street Images**



**Attachment C: Concept Site Plan**





**COMMITTEE OF THE WHOLE  
PUBLIC HEARING  
Date: February 18<sup>th</sup>, 2026**

**Attachment D: Policy Review**

The tables below reflect the comments of Staff's Policy review on the enabling policies of the proposed rezoning. Each table addresses a different enabling policy, including all relevant sub-clauses.

<b>MPS Policy 5-24: Council shall, on the zoning map of the Land Use By-law, permit the following zones within the Resource Designation:</b>	
<ul style="list-style-type: none"> <li>(a) Agriculture Zone</li> <li>(b) Commercial Recreation ...</li> </ul>	
<b>Comment</b>	
Both the AG Zone and the CRec Zone are permitted within the Resource Designation, therefore no MPS change is required to enable this rezoning.	

<b>MPS Policy 6-19 Council shall consider proposals to rezone lands in the Resource designation to any other zone permitted in that designation. Council shall not approve the rezoning unless council is satisfied.</b>	
<b>Requirement</b>	<b>Comment</b>
(a) <i>if the proposed zone is the Highway Commercial Zone, the lands are located at an interchange of Highway 104.</i>	N/A
(b) <i>The proposed change is not prohibited by any other policy in this plan.</i>	Not prohibited by any other Policy
(c) <i>the purpose of the proposed zone is consistent with the location and the characteristics of the lands;</i>	Proposed zone is consistent.
(cA) <i>the proposal is not premature due to impacts on wildlife corridors or due to the presence of geohazards</i>	No risks towards wildlife corridors or geohazards identified
(d) <i>The Proposal meet the general criteria for amending the Land Use Bylaw, set out in Policy -19</i>	See Policy analysis below

<b>MPS 6-19 Council shall not amend the Land Use Bylaw or approve a development agreement unless Council is satisfied the proposal;</b>	
<b>Requirement:</b>	<b>Comment:</b>
(a) <i>Is consistent with the intent of this Municipal Planning Strategy</i>	Yes.
(b) <i>Does not conflict with any Municipal or Provincial Programs, by-laws, or regulations in effect in the Municipality.</i>	No conflicts
(c) <i>Is not premature or inappropriate due to:</i>	
<i>(i) The ability of the Municipality to absorb the public costs related to the project.</i>	No public costs related to the project.
<i>(ii) Impacts on existing drinking water supplies, both private and public.</i>	No impacts to the drinking water supplied identified.
<i>(iii) the adequacy of central water and sewage services or, where such services are not available, the suitability of the site to accommodate on-site water and sewage services</i>	OSS will be used to service the campground. A washroom building will be established. OSS requires approval for installation from NSECC.



**COMMITTEE OF THE WHOLE  
PUBLIC HEARING**

**Date: February 18<sup>th</sup>, 2026**

<i>(iv) The creation of any excessive traffic hazards or congestion on road, cycling, and pedestrian networks within, adjacent to, or leading to the proposal</i>	No traffic hazards identified. The applicant is in the process of obtaining a commercial driveway permit.
<i>(v) The adequacy of fire protective services and equipment;</i>	Subject property is located in the Pugwash Fire District, within a 10m travel time from the nearest Fire Hall.
<i>(vi) The adequacy and proximity of schools and other community facilities.</i>	Subject property is 10min drive from the Village of Pugwash. Provided adequate community amenities for the campground. Subject property is in close proximity to other CRec zoned land.
<i>(vii) The creation of a new or worsening of a known pollution problem in the area, including, but not limited to, soil erosion and siltation of watercourses.</i>	All structures associated with the development shall respect the 2.6m vertical elevation buffer and maintain a 15m buffer from the OHWM of the River Philip
<i>(viii) The potential to create flooding or serious drainage issues including within the proposal site and in nearby areas</i>	No concerns regarding flooding and drainage. Portions of the land is currently zoned FLHz zone, however the proposed development is not intended to be located within these areas. Portions currently zoned FLHz are not being considered for rezoning.
<i>(ix) Impacts on sensitive environments, as identified on Schedule B</i>	No sensitive environment identified on schedule B for the subject property.
<i>(ixA) Impacts on wildlife corridors</i>	No anticipated impacts to wildlife corridors.
<i>(x) Impacts on known habitat for species at risk</i>	River Philip is also a known Salmon Run, which is an at-risk species in NS. The vertical and horizontal setbacks act as protection towards the Salmon habitat. No impacts to the Salmon habitat are anticipated. anticipated.
<i>(xA) risks presented by geohazards</i>	No geohazards identified
<i>(xi) the suitability of the site in terms of grades, soil and geological conditions, the location of watercourses and wetlands, and proximity to utility right-of-way</i>	Site is suitable, no building shall be located within the shoreline buffer (MPS 4.16) OR below the required 2.6m coastal elevation ( MPS 4.17.1A(a) ) campsites locations may require a location certificate at permitting stage.
<i>(xii) negative impacts on the viability of existing businesses in the surrounding community, including, but not limited to, the risk of land use conflicts that could place limits on existing operational procedures.</i>	No negative impacts towards existing businesses and surrounding uses.



**COUNCIL**

**FIRST READING**

**Date: January 28<sup>th</sup>, 2026**

**TO:** Mayor and Council  
**FROM:** Glen Boone, Director of Development and Planning  
**DATE:** January 21<sup>st</sup>, 2026  
**SUBJECT:** **First Reading – By-law to Amend the Land Use By-Law 26-02 to rezone a portion of PID 25144049, located at 3544 Kolbec Rd, Port Howe, from Agriculture (AG) Zone to Commercial Recreation (CRec) Zone**

**ORIGIN:** On September 25<sup>th</sup>, 2025, Planning staff received an application to rezone a portion of PID 25144049, located 3544 Kolbec Rd, Port Howe (Subject Property), from Agriculture (AG) to Commercial Recreation (CRec) to enable the development of a campground.

PID	Location	Current Zone	Proposed Zone	Proposed Use
A portion of 25144049	Port Howe	Agriculture (AG)	Commercial Recreation (CRec)	Campground

**LEGISLATIVE AUTHORITY: MGA PART VIII PLANNING AND DEVELOPMENT**

MGA Section 205: Requirements for Adoption of Planning Documents

*MPS Policy 5-35 Council shall consider proposals to rezone lands in the Resource designation to any other zone permitted in that designation. Council shall not approve a rezoning unless council is satisfied;*

- (a) If the proposed zone is the Highway Commercial Zone, the lands are located at an interchange of Highway 104;*
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- (cA) the proposal is not premature due to impacts on wildlife corridors or due to the presence of geohazards; and*
- (d) The proposal meets the general criteria for amending the land use bylaw, set out in Policy 6-19.*

**RECOMMENDATION: That Council approve First Reading of By-Law to Amend the Land Use By-Law 26-02 to rezone a portion of PID 25144049 from Agriculture (AG) Zone to Commercial Recreation (CRec) Zone AND to schedule a Public Hearing.**

**BACKGROUND:** The subject property, located in Port Howe along the Kolbec Rd, currently is 40 acres of Agriculturally (AG) Zoned land. The proponent is looking to develop 5 acres for a campground, leaving the 36 acres of land remaining. The Applicant has cleared the 5 acres of land they are proposing to use for the campground, as the property owner currently has a single-unit Short-Term Rental on the clear portion of land.



## COUNCIL

## FIRST READING

**Date: January 28<sup>th</sup>, 2026**

Under the current AG zoning, the subject property may be used for a single unit, short term rental, however a campground is not a permitted land use. The subject property is a waterfront lot located along the River Philip. Further to the existing short-term rental, the subject land also contains an informal travelled way, which grants access to three adjacent properties.

### **DISCUSSION:**

The subject lands are adjacent to the River Philip, as such all structures associated with the proposed development are required to maintain a 15m buffer from the Ordinary High-Water Mark (OHWM). This is conformance represented in the Concept site plan, included in this report at Attachment D.

To enable the proposed development approval for a commercial driveway will be required, Staff has requested the Applicant obtain a commercial driveway permit prior to a public hearing being held. Furthermore, Staff has requested the applicant initiate the Approval from NS Environment and climate change for the installation of a new On-Site Sewage System (OSS), prior to Public Hearing.

The Subject Property was assigned the AG zoning during the initial zoning assignment in 2018, based of Soil Class. As the current property is not being used for Agricultural purposes, the importance towards maintaining the Agricultural zoning would be for the purpose of maintaining reserve farmland and for accommodating adjacent land uses. The subject property makes up 0.072% of AG zoned land within the district. This property also does not contribute to any existing AG farmland networks. Considering the lack of impact the rezoning will have on the district's ability to support existing and future agriculture uses, rezoning the land would be appropriate.

The Applicant has noted the desire to expand the proposed campground. The Applicant intends to upgrade the infrastructure as needed to accommodate the increased service load, providing landscaping for privacy and aesthetic purposes, and exploring the provision of outdoor recreational activities/Common areas. The applicant does not have a specific growth plan, as expansion efforts would be dependent on the revenue collected each camping season, only expanding to an extent in which they are able to support financially. While a specific expansion plan and timeline is not in place, the campground will be limited to the 5 acres that staff is recommended to be rezoned.

There currently exists three private properties along the eastern property line of the subject lands, containing single unit dwellings. As the remaining portion of the lot is wooded, there is ample screening from any adjacent properties, external to the project.



## COUNCIL

## FIRST READING

Date: January 28<sup>th</sup>, 2026

**FINANCIAL IMPLICATIONS:** No direct financial implications or costs to the Municipality. The rezoned portion of the lot will be re-assessed to commercial which will result in higher property tax revenue.

**ENVIRONMENTAL IMPLICATIONS:** The subject property is located adjacent to the River Philip. As such a 15m buffer from the River's OHWM is required to be maintained. The Proposed campground is not intended to be located within this buffer. In addition, the Flood Hazard Zone (HzFL) is adjacent to the proposed campground site. At this time the zoning change will utilize the HzFI as the boundary and no sites are to be developed within the flood area as this time.

Servicing is not required for each individual campsite, but the provision of washrooms is required for the campground as a whole. The applicant intends to develop a communal washroom for the campground, providing gendered washroom facilities in accordance with the NS Building Regulations. Prior to holding a Public Hearing, the applicant is required to initiate approval from NS Environment and Climate Change for OSS installation for the proposed development. This full approval will be required at future permitting stage.

**COMMUNITY ENGAGEMENT:** If Council approves, a public hearing would be held on the above matter, at a future Council Meeting. In accordance with MGA Section 206, notices will be placed on the Municipal Website two weeks prior to the scheduled date. Furthermore, a notice will be placed in a locally circulated newspaper at least one week prior to the public hearing and a Planning Notice Sign will be placed on the property.

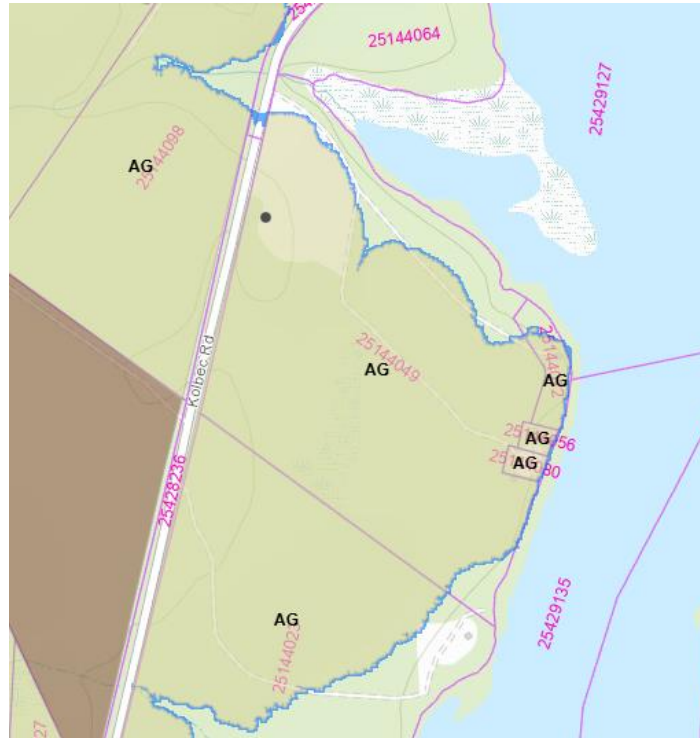
### **ALTERNATIVES:**

- Council may defer the issue to a later date,
- Request further information or
- Reject the proposed amendment based on conflict with a policy in the Municipal Planning Strategy.

### **ATTACHMENTS:**

**Attachment A: Zoning Map Change**  
**Attachment B: Aerial and Street Images**  
**Attachment C: Concept Site Plan**  
**Attachment D: Policy Review**

**Attachment A: Zoning Map Change**



**Changes to**





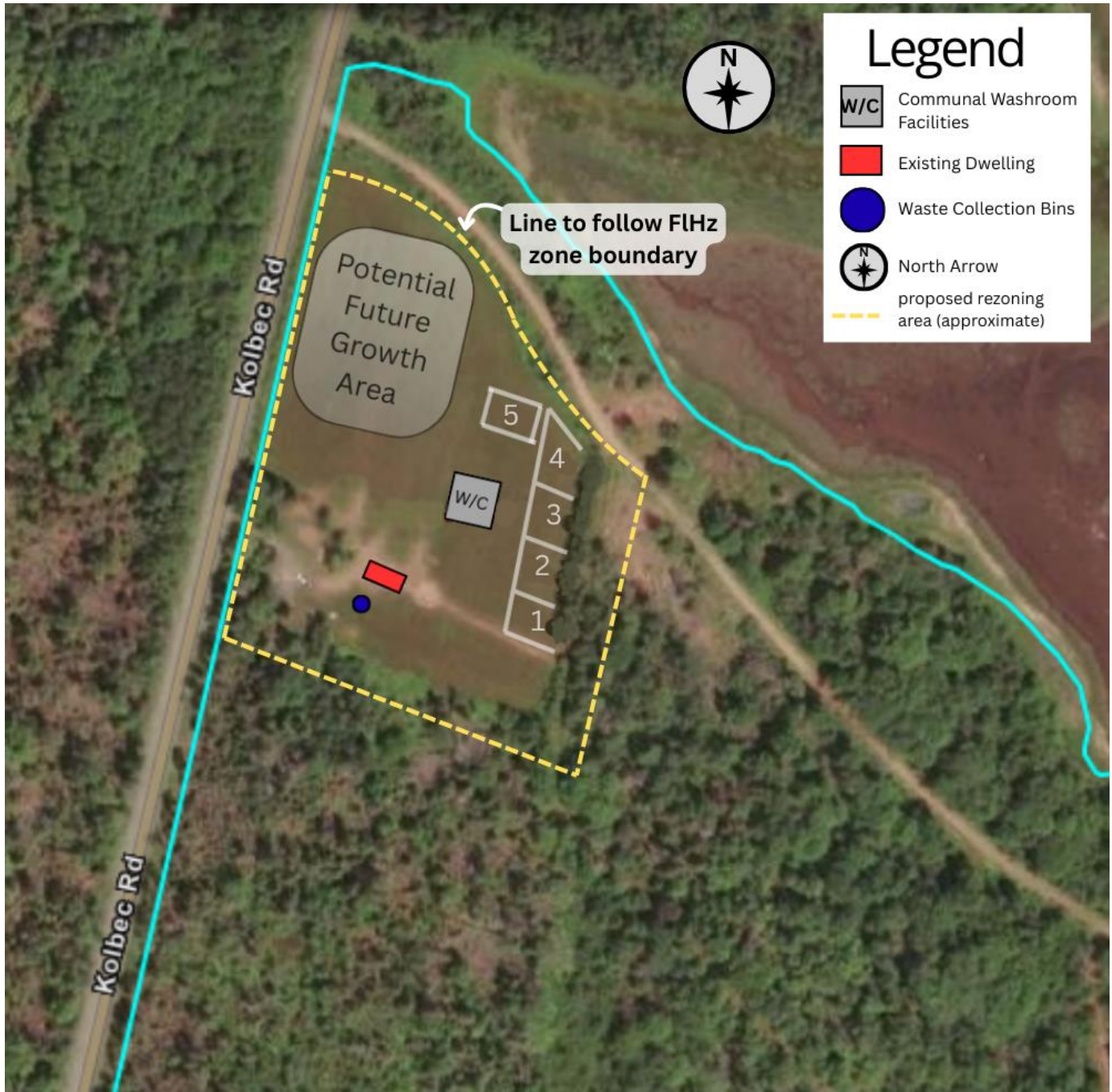
**COUNCIL**  
**FIRST READING**  
**Date: January 28<sup>th</sup>, 2026**

**Attachment B: Aerial and Street Images**





**Attachment C: Concept Site Plan**





**COUNCIL**

**FIRST READING**

**Date: January 28<sup>th</sup>, 2026**

**Attachment D Policy Review**

The tables below reflect the comments of Staff’s Policy review on the enabling policies of the proposed rezoning. Each table addresses a different enabling policy, including all relevant sub-clauses.

<p><b>MPS Policy 5-24: Council shall, on the zoning map of the Land Use By-law, permit the following zones within the Resource Designation:</b></p> <p>(a) Agriculture Zone          (b) Commercial Recreation ...</p>	
<p><b>Comment</b></p> <p>Both the AG Zone and the CRec Zone are permitted within the Resource Designation, therefore no MPS change is required to enable this rezoning.</p>	

<p><b>MPS Policy 6-19 Council shall consider proposals to rezone lands in the Resource designation to any other zone permitted in that designation. Council shall not approve the rezoning unless council is satisfied.</b></p>	
<b>Requirement</b>	<b>Comment</b>
(a) <i>if the proposed zone is the Highway Commercial Zone, the lands are located at an interchange of Highway 104.</i>	N/A
(b) <i>The proposed change is not prohibited by any other policy in this plan.</i>	Not prohibited by any other Policy
(c) <i>the purpose of the proposed zone is consistent with the location and the characteristics of the lands;</i>	Proposed zone is consistent.
(cA) <i>the proposal is not premature due to impacts on wildlife corridors or due to the presence of geohazards</i>	No risks towards wildlife corridors or geohazards identified
(d) <i>The Proposal meet the general criteria for amending the Land Use Bylaw, set out in Policy -19</i>	See Policy analysis below

<p><b>MPS 6-19 Council shall not amend the Land Use Bylaw or approve a development agreement unless Council is satisfied the proposal;</b></p>	
<b>Requirement:</b>	<b>Comment:</b>
(a) <i>Is consistent with the intent of this Municipal Planning Strategy</i>	Yes.
(b) <i>Does not conflict with any Municipal or Provincial Programs, by-laws, or regulations in effect in the Municipality.</i>	No conflicts
(c) <i>Is not premature or inappropriate due to:</i>	
(i) <i>The ability of the Municipality to absorb the public costs related to the project.</i>	No public costs related to the project.
(ii) <i>Impacts on existing drinking water supplies, both private and public.</i>	No impacts to the drinking water supplied identified.
(iii) <i>the adequacy of central water and sewage services or, where such services are not available, the suitability of the site to accommodate on-site water and sewage services</i>	OSS will be used to service the campground. A washroom building will be established. OSS requires approval for installation from NSECC.



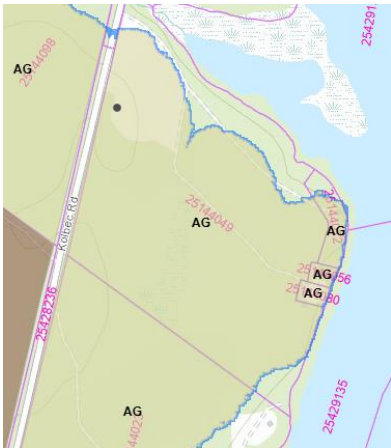
**COUNCIL**

**FIRST READING**

**Date: January 28<sup>th</sup>, 2026**

<p><i>(iv) The creation of any excessive traffic hazards or congestion on road, cycling, and pedestrian networks within, adjacent to, or leading to the proposal</i></p>	<p>No traffic hazards identified. The applicant is in the process of obtaining a commercial driveway permit.</p>
<p><i>(v) The adequacy of fire protective services and equipment;</i></p>	<p>Subject property is located in the Pugwash Fire District, within a 10m travel time from the nearest Fire Hall.</p>
<p><i>(vi) The adequacy and proximity of schools and other community facilities.</i></p>	<p>Subject property is 10min drive from the Village of Pugwash. Provided adequate community amenities for the campground. Subject property is in close proximity to other CRec zoned land.</p>
<p><i>(vii) The creation of a new or worsening of a known pollution problem in the area, including, but not limited to, soil erosion and siltation of watercourses.</i></p>	<p>All structures associated with the development shall respect the 2.6m vertical elevation buffer and maintain a 15m buffer from the OHWM of the River Philip</p>
<p><i>(viii) The potential to create flooding or serious drainage issues including within the proposal site and in nearby areas</i></p>	<p>No concerns regarding flooding and drainage. Portions of the land is currently zoned FLHz zone, however the proposed development is not intended to be located within these areas. Portions currently zoned FLHz are not being considered for rezoning.</p>
<p><i>(ix) Impacts on sensitive environments, as identified on Schedule B</i></p>	<p>No sensitive environment identified on schedule B for the subject property.</p>
<p><i>(ixA) Impacts on wildlife corridors</i></p>	<p>No anticipated impacts to wildlife corridors.</p>
<p><i>(x) Impacts on known habitat for species at risk</i></p>	<p>River Philip is also a known Salmon Run, which is an at-risk species in NS. The vertical and horizontal setbacks act as protection towards the Salmon habitat. No impacts to the Salmon habitat are anticipated. anticipated.</p>
<p><i>(xA) risks presented by geohazards</i></p>	<p>No geohazards identified</p>
<p><i>(xi) the suitability of the site in terms of grades, soil and geological conditions, the location of watercourses and wetlands, and proximity to utility right-of-way</i></p>	<p>Site is suitable, no building shall be located within the shoreline buffer (MPS 4.16) OR below the required 2.6m coastal elevation ( MPS 4.17.1A(a) ) campsite locations may require a location certificate at permitting stage.</p>
<p><i>(xii) negative impacts on the viability of existing businesses in the surrounding community, including, but not limited to, the risk of land use conflicts that could place limits on existing operational procedures.</i></p>	<p>No negative impacts towards existing businesses and surrounding uses.</p>

1. This By-law is titled “By-law to Amend the Land Use By-law 26-02”.
2. Schedule A of the Land Use By-law is hereby amended to reflect the change in zoning for a portion of PID 25144049, located at 3544 Kolbec Rd., Port Howe from Agriculture (AG) Zone to Commercial Recreation (CRec) Zone.



**Changes to**



3. This By-law comes into force upon publication.

**Clerk’s Annotation for Official By-law Book**

Date of First Reading: \_\_\_\_\_

Date of Second Reading: \_\_\_\_\_

\*Date of advertisement of Approval of By-law: \_\_\_\_\_

Date of mailing to Minister a certified copy of the By-law: \_\_\_\_\_

I hereby certify that this is a true copy of the By-law to Amend the Land Use By-law 26-02 approved by the Council the Municipality of Cumberland on \_\_\_\_\_.

Municipal Clerk:

Date: