

# Notice of Public Hearing By-law to Amend the Land Use By-law 26-03

## Details

 Published: 03 March 2026

Notice of Public Hearing By-law to Amend the Land Use By-law 26-03 on Wednesday, March 18, 2026 at 4:00 pm at the Upper Nappan Service Centre.

(Visit [cumberlandcounty.ns.ca](http://cumberlandcounty.ns.ca) to verify meeting schedule.)

**Purpose:** To rezone a portion of PID 25067778, 530 John Black Rd., East Amherst from Country Residential (RCou) Zone to the Rural Resource (Rsrc) Zone.

Hearing documents can be viewed at [plancumberland.ca/hearings](http://plancumberland.ca/hearings) or by contacting our office at 902-667-1142. Public Hearings are open to the public.

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



COUNCIL  
FIRST READING  
Date: February 25, 2026

**TO:** Mayor and Council  
**FROM:** Glen Boone, Director of Development and Planning  
**DATE:** February 13, 2026  
**SUBJECT:** **First Reading – By-law to Amend the Land Use By-law 26-03 to rezone a portion of PID 25067778, located at 530 John Black Rd., East Amherst from Country Residential (RCou) Zone to the Rural Resource (Rsrc) Zone.**

**ORIGIN:** On January 05, 2026, Planning Staff received an application from Natural Forces Solar to rezone a portion of PID 25067778, located 530 John Black Rd, East Amherst, from Country Residential (RCou) to Rural Resource (Rsrc) to enable the development of a commercial solar project.

PID	Location	Current Zone	Proposed Zone	Proposed Use
25067778	East Amherst	Country Residential (RCou) Zone	Rural Resource (Rsrc) Zone	Commercial Solar Project

**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 First Reading of the By-law to Amend the Land Use By-law 26-03 to rezone a portion of PID 25067778, 530 John Black Rd., East Amherst, from Country Residential (RCou) Zone to the Rural Resource (Rsrc) Zone, AND to Amend section 5.3 of the LUB to add policy 5.3.6, AND add Vegetative Buffer as a definition under section 14 of the LUB, AND schedule a Public Hearing.

**BACKGROUND:** The subject property, located in East Amherst along John Black Rd, is 250 acres of land zoned Country Residential. The property is in an area in the County located on the outskirts of the Town of Amherst (TOA), that contains a mixture of land uses, including but not limited to residential, agricultural and commercial recreation (golf course). The portion of the subject property considered for rezoning is currently largely wooded, with two wind turbines.



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The Intermunicipal Agreement (IMA) between TOA and the Municipality can result in the extension of sewer services from the Town of Amherst down John Black road. The land could be eligible for TOA Sewer Services, subject to connection approval from the Town of Amherst and potential service agreements with developers. Staff has considered this potential which is why the rezoning is limited to the back portion of the subject property.

Natural Forces Solar, with permission of the current property owner, are looking to establish a Solar project on the subject lands, which will provide clean energy for up to 700 homes, spanning from East Amherst to Tidnish. The proposed project would have the capacity of 5.25 MW<sub>AC</sub>

Natural Forces Solar has identified this parcel as an ideal location for the proposed project, due to a wind turbine already being located on the subject property. Co-locating the proposed solar project with the existing wind project allows for the sharing of infrastructure. Furthermore, co-locating is beneficial for the electrical grid, as the projects produce power at different times, providing more reliability to the power grid.

Should Council approve the rezoning, the applicant would be aiming to begin construction for this project in late Spring 2026, finishing construction before the end of 2026.

### **DISCUSSION:**

The subject property currently is zoned Country Residential, which would permit solar collectors, however policy 5.3.1 only permits solar collectors as an accessory use. As the property currently only has a wind turbine on the property, both the solar use and wind use would not necessarily be ancillary to the other, making the commercial solar use a second main use. Policy 5.3.2 permits solar collectors as a main use in the Rural Resource Zone.

As noted in the discussion section above, the surrounding context of the subject property contains a mixture of land uses, including but not limited to residential, agricultural and a commercial recreation (golf course). The recent approval of the IMA and the By-law to Amend the Public Sewers By-law 25-08 creates the potential for extension of Town Water and Sewer services, permitting 400 sewers connections to properties within the Municipality. The surrounding context and the new potential for central services makes the subject property a potential candidate for residential development. For this reason, staff is proposing only rezoning a portion of the subject lands to Rural Resource (Rsrc) and maintaining the RCou zoning on the front portion of the lot, in alignment with surrounding properties and potential future use of the land. The proposed Rsrc zoning boundary would be set back 365.03m from John Black Road, ensuring ample room for residential development to still occur. Further to this, the proponent intends to maintain a buffer from the zoning change boundary, maintaining 10m of trees intact, acting as visual screening from the public road.

Staff feel the proposed rezoning aligns well with both the existing uses, adjacent uses and potential future uses.



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**FINANCIAL IMPLICATIONS:** The location and technical details allow for the efficient use of land and infrastructure. Natural Forces Solar has been building relationships with businesses who are high electricity consumers, these users may be eligible to offset their energy consumption through a subscription to the East Amherst Solar project. Another potential off-taker for the proposed East Amherst solar project would be individual residents. This project has been submitted to the NS Community Solar Program. If accepted, up to 450 of the potential 700 subscription slots would be available to residents near the project. Staff has discussed with PVSC the potential property tax benefit once the project is operational.

**ENVIRONMENTAL IMPLICATIONS:** No significant environmental concerns. Water and sewer services are not required for the project. Some tree clearing will be required for proposed development, however the proposed text amendments will ensure this project, along with any other commercial solar project, maintains a 10m vegetative buffer. The vegetative buffer will aid in creating visual screening for the project from the public road, as well as with assisting with stormwater runoff on the site.

The Owner will be required to maintain a buffer from any wetlands. This is shown on their site plan, as a 20m buffer is provided.

**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: Letter from the Applicant**

**Attachment E: Proposed Text Amendments**

**Attachment F: Policy Review**

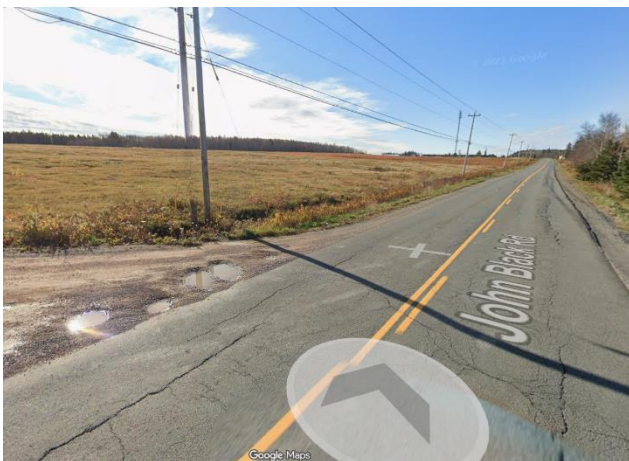
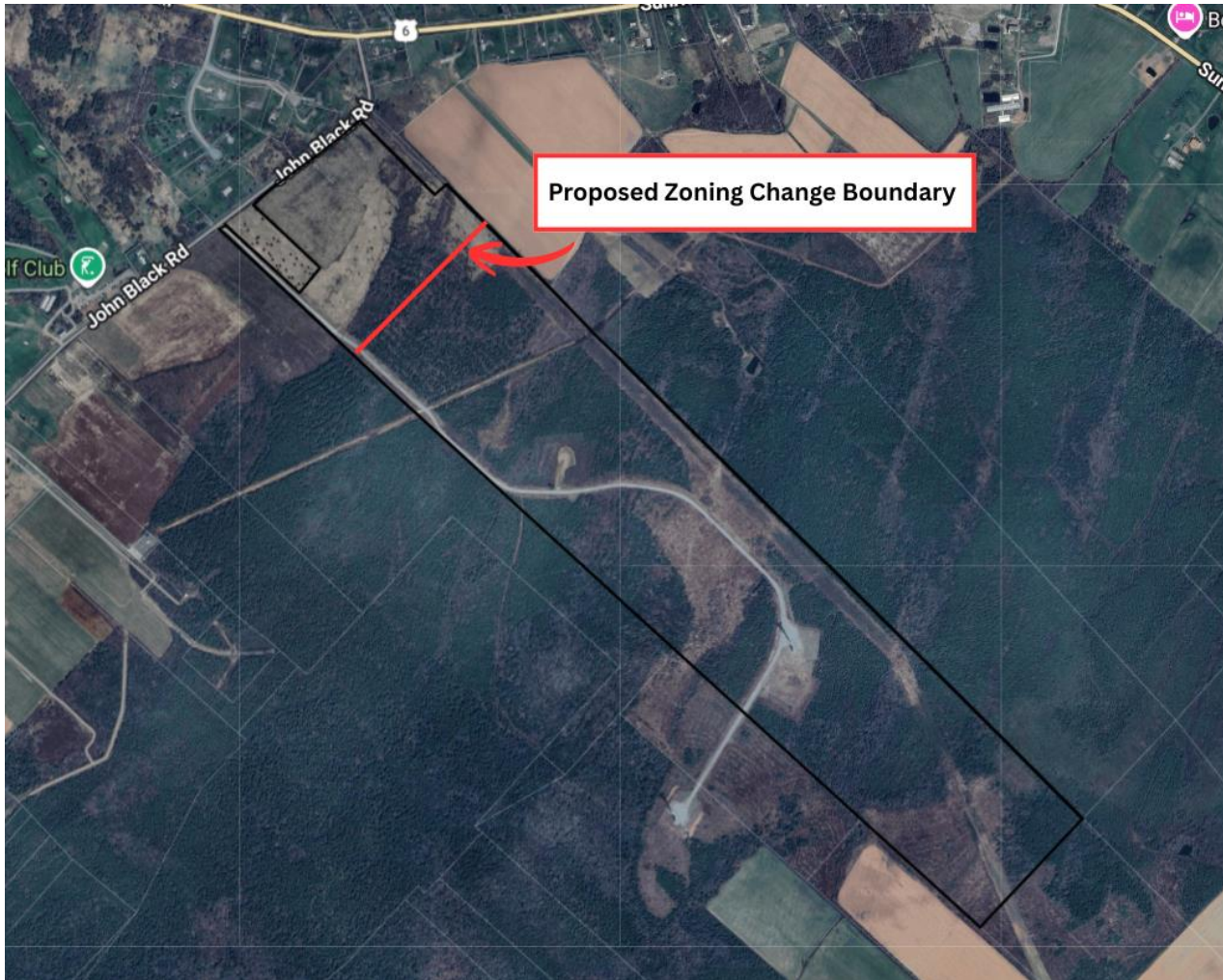
**Attachment A: Zoning Map Change**



**Changes to**



**Attachment B: Aerial and Street Images**







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Attachment D: Letter from the Applicant



201 Brownlow Ave, Unit 26  
Dartmouth, NS B3B 1W2  
902-422-9663  
[solarinfo@naturalforces.ca](mailto:solarinfo@naturalforces.ca)

Municipal Council of the County of Cumberland  
1395 Blair Lake Rd, Upper Nappan, N.S.  
B4H 3Y4

Dear Municipal Council of the County of Cumberland,

On behalf of Natural Forces Solar, this covering letter explains our application for rezoning of the parcel of land at civic address 530 John Black Road, East Amherst; PID 25067778.

We are requesting that the parcel be rezoned from its current designation of "RCou - Country Residential" to "Rsrc - Rural Resource". We make this request so we may apply for a development permit to install a commercial solar farm; solar photovoltaic (PV) equipment is not permitted as a main use in RCoU, but the LUB does permit PV projects as-of-right in Rsrc.

We believe that the proposed East Amherst solar farm project, site and updated zoning, are an appropriate fit as the parcel already hosts a wind turbine and associated infrastructure (i.e. access roads and electrical connection equipment). Co-locating wind and solar projects can have benefits for electrical grids, due to energy being produced at alternating times of day and year. The landowner would continue to use the remainder of the parcel as they are now, for wild blueberries and forestry, activities which are also characteristic of Rsrc zoning.

Our intention is for our installation timeline to begin in spring 2026 and conclude before the end of 2026. This would be subject to a number of factors, but we anticipate a completion date no later than the end of 2027. Prior to proceeding with any installation work, we will conduct community engagement sessions near the project site. The purpose of these community engagement sessions is to share information about the project and its benefits with those who live and work near the site. We will listen to and respond to any concerns that community members may have. We always aim to recruit local workers and firms for construction and maintenance of our projects, providing employment benefits to the community.

Please find attached our proposed site plan, illustrating the tree line and large front set-back (238 m / 781 ft at its narrowest). These features preserve the view plane for observers along John Black Road. Also attached are screenshots from Google's Street View, demonstrating the present view plane, and illustrating the distance to the existing tree line.

The proposed project will occupy 11 fenced hectares (26 acres) and have a capacity of 5.25 MW<sub>AC</sub>. A system of this size can provide clean electricity for up to 700 homes. This clean electricity will be consumed by residents and businesses within the local electrical distribution zone, which spans as far as Tidnish, Port Howe, and Kolbec.

Many thanks for your careful consideration of our assessment. I trust that you will not hesitate to get in touch if you have any questions or concerns.

Sincerely,

J. Mitchell Van Oosten,  
Manager of Project Development



**Attachment E: Proposed LUB Text Amendments**

<b>5.3</b>	<b>Solar Collectors</b>
	Solar collector systems shall be permitted as an accessory use in all zones.
5.3.1	
5.3.2	Solar collector systems shall be permitted as a main use in the Rural Resource ( <b>Rsrc</b> ) Zone, Agriculture (AG) Zone, Rural Industrial ( <b>IRur</b> ) Zone, Wellfield 3B (W3B) Zone, and Commercial Recreation ( <b>CRec</b> ) Zone. Solar collector systems developed as a main use shall meet the zone requirements for main buildings.
5.3.3	Solar collector systems may be mounted as free-standing structures or on buildings.
5.3.4	Solar collector systems mounted on buildings may exceed the maximum building height in the zone by up to 2 metres.
5.3.5	Solar collector systems installed as free-standing structures in the Agriculture (AG) Zone shall be mounted on helical piles or on ballasted foundations resting on the surface of the ground.
<b>5.3.6</b>	<b>Solar collector systems developed as a main use shall maintain a 10m vegetative buffer from the common property line of any existing adjacent residential developments. Natural existing vegetation shall be maintained within the 10m vegetative buffer.</b>
<b>5.4</b>	<b>Home-based Businesses</b>
	<b>Personal Office or Studio</b>
5.4.1	Nothing in this By-law shall prevent the use of a portion of any dwelling unit or building accessory to a dwelling unit as personal office or studio for residents of the dwelling unit provided the personal office or studio is not intended to be visited by members of the public.
5.4.2	No development permit is required for a personal office or studio.
	<b>Instruction of One Student at a Time</b>
5.4.3	Nothing in this By-law shall prevent the use of a portion of any dwelling unit or building accessory to a dwelling unit for the instruction of one student at a time.
5.4.4	No development permit is required for the instruction of one student at a time.
	<b>Level 1 Home-based Business</b>
5.4.5	Level 1 home-based businesses shall meet the following requirements:
(a) Permitted Uses	<ul style="list-style-type: none"> <li>(i) Art Gallery Sales</li> <li>(ii) Bed and Breakfast – 10 or Fewer Sleeping Units</li> <li>(iii) Business Office</li> <li>(iv) Commercial School – 6 or Fewer Students</li> <li>(v) Craft Product Workshop</li> <li>(vi) Day Care Centre – 6 or Fewer Dependents</li> <li>(vii) Household Item Repair Services</li> <li>(viii) Personal Service Shop</li> <li>(ix) Pet Grooming</li> <li>(x) Retail Store</li> </ul>
(b) Maximum Number of On-site, Non-resident Employees	2
(c) Maximum Floor Area of Home Based-Business	25 percent of the gross floor area of the dwelling unit or 50 m <sup>2</sup> , whichever is less. The maximum floor area shall not apply to bed and breakfasts or day care centres.
(d) Outdoor Storage and Display	Outdoor storage and display are not permitted.



Proposed Vegetative Buffer Definition:

**Vegetative buffer** means an area of land set aside for preservation of its natural vegetative state. Removal of plants is not permitted, with the exception of poisonous or non-native plant species. In addition, no fill/cutting activities or storage of materials is permitted in these areas.

**Attachment F: Policy Review**

<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> <ul style="list-style-type: none"> <li>(a) Agriculture Zone</li> <li>(b) Commercial Recreation Zone</li> <li>(c) Country Commercial Zone</li> <li>(d) Country Residential Zone</li> <li>(e) Flood Hazard Zone</li> <li>(f) Highway Commercial Zone</li> <li>(g) Institutional Zone</li> <li>(h) Parks and Open Space Zone</li> <li>(h.1) Recreational Residential Zone</li> <li>(i) Rural Industrial</li> <li>(j) Rural Resource</li> </ul>	
<p><b>Comment</b></p> <p>As both the Country Residential and the Rural Resource Zone are permitted within the Resource designation, no MPS amendments would be required to enable the zoning change.</p>	

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



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<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, proposed rezoning aligns with policy of the MPS
(b) <i>Does not conflict with any Municipal or Provincial Programs, by-laws, or regulations in effect in the Municipality.</i>	Does not conflict
(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 associated with the project.
(ii) <i>Impacts on existing drinking water supplies, both private and public.</i>	No anticipated impacts to existing water supplies
(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>	As stated in the IMA and the Sewer Line Bylaw, TOA servicing will be available at this site, subject to Town Approval. The applicant does not currently have a need for sewer as no structures will be built on the lands.
(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>	No excessive traffic hazards identified
(v) <i>The adequacy of fire protective services and equipment;</i>	Located within the TOA Fire District. Adequate fire protective services are available
(vi) <i>The adequacy and proximity of schools and other community facilities.</i>	N/A
(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>	No pollution problems are anticipated.
(viii) <i>The potential to create flooding or serious drainage issues including within the proposal site and in nearby areas</i>	No flooding or drainage issues anticipated.
(ix) <i>Impacts on sensitive environments, as identified on Schedule B</i>	No anticipated impact to sensitive environments
(ixA) <i>Impacts on wildlife corridors</i>	No anticipated impact to wildlife corridors
(x) <i>Impacts on known habitat for species at risk</i>	No anticipated impacts
(xA) <i>risks presented by geohazards</i>	No anticipated impacts
(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>	Site is suitable, all structures and land uses associated with the project respect the required 15m



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	buffer from all watercourses, including wetlands.
<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>	Portion of land being rezoned would be set back from the main road 365 meters. As the land supports residential development, an adequate parcel of RCou land would remain as reserve residential land.