



**Council**

**Public Hearing**

**Date of Meeting: April 27<sup>th</sup>, 2026**

**TO:** Mayor Gilroy and Council

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

**DATE:** April 2<sup>nd</sup>, 2026

**SUBJECT: Public Hearing – By-law to Amend the Land Use By-law 26-05 to rezone PID 25157553, located at 10260 Durham St., Pugwash from Institutional (INS) Zone to the Commercial General (CGen) Zone.**

**ORIGIN:** On January 06, 2026, Planning Staff received an application to rezone PID 25157553, located at 10260 Durham St., Pugwash from Institutional (INS) Zone to the Commercial General (CGen) Zone.

PID	Location	Current Zone	Proposed Zone	Proposed Use
25157553	Pugwash	Institutional (INS) Zone	Commercial General (CGen) Zone	Mixed use building (commercial and residential)

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

MGA Section 205: Requirements for Adoption of Planning Documents

*MPS Policy 5-18 Council shall consider proposals to rezone lands in the Commercial 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: No motions to consider at this Public Hearing stage.**

**BACKGROUND:** The subject property, located in Pugwash along Durham St, is the former site for the Pugwash Fire Hall. In 2009, the Pugwash Fire Dept moved locations, from the subject property to the new fire hall located at 11057 NS-6, Pugwash. The new location provides the volunteer firefighters with more space and private parking space.



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The subject property is an undersized lot, being approximately 446sqm in area, the parcel does not meet the minimum lot size of 450sqm required for the Institutional Zone. The existing building on the lot is 325.16 in size, accounting for roughly 73 percent of the lot coverage. Due to the building size and lot coverage, the existing building is a non-conforming structure, on an undersized lot. The owner is proposing to retrofit the building to create commercial and residential uses. The intent would be to establish one (1) rentable commercial unit and a short-term rental unit on the second floor of the building. The applicant has included a concept elevation and floor plan. These plans are concept plans only and may change to comply with the National Building Code and the NS Fire Code.

### **DISCUSSION:**

The non-conforming structure status means the building can be renovated, granted the renovation does not further infringe on the By-law requirement that created the non-conformity. This means the proposed renovations required for the new use would align with non-conforming regulation requirements, granted the proposed changes would not increase the lot coverage or change the building footprint.

According to section 6 of the LUB, parking will be required for the proposed commercial use, personal service shops and retail, requiring 1 parking spot per 50sqm of Commercial Floor Area (CFA). As the proposed CFA is 51.28 sqm, only 2 parking spaces are required. Due to the size of the existing building, parking will be located off-site, as permitted under section 6.9 of the LUB. The owner has obtained written permission from the Village of Pugwash to utilize the Market parking lot as overflow parking for the proposed commercial use. This is an acceptable location for off-site parking, as policy 4-16 of the MPS states parking regulations are established in the LUB for the purpose of reducing parking overflow into adjacent neighborhoods, but necessarily at peak parking demands at all times. The owner also intends to establish one parking stall in front of the building location, as this space is currently used as temporary parking. The relocation of parking to the Farmers Market Parking lot aligns with the intent of the MPS as well as meets the Site Plan Approval criteria. According to Section 6 of the LUB, there are no parking requirements for residential land use in the CMix zone. This is because the CMix zone is not intended to support high density residential development, where the provision of parking is more critical for the effective operation of residential development. Since the residential use would be one short term rental unit, parking would not be an essential component for operation. The proposed concept does provide one interior parking space dedicated to the residential component.

**FINANCIAL IMPLICATIONS:** The rezoning and redevelopment of the subject lands will result in a change in property taxes. Furthermore, the redevelopment of the subject property stimulates the local economy by bringing in more commercial business

**ENVIRONMENTAL IMPLICATIONS:** No environmental concerns at this time. The subject property is not located within a 2.6m horizontal elevation from the Northumberland Coast and is not located within a watercourse/shoreline buffer. The subject property is serviced by Municipally owned central water and wastewater system. At the permitting phase, the owner will be responsible for establishing connections or upgrades to the system.



## **Council**

## **Public Hearing**

**Date of Meeting: April 27<sup>th</sup>, 2026**

**COMMUNITY ENGAGEMENT:** This Public Hearing was duly advertised in accordance with the requirements of the MGA. Notices were placed on the municipal website over two weeks prior to the scheduled hearing date, on April 10<sup>th</sup>, 2026. Furthermore, a notice was placed in a locally circulated newspaper at least 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 and Elevations**

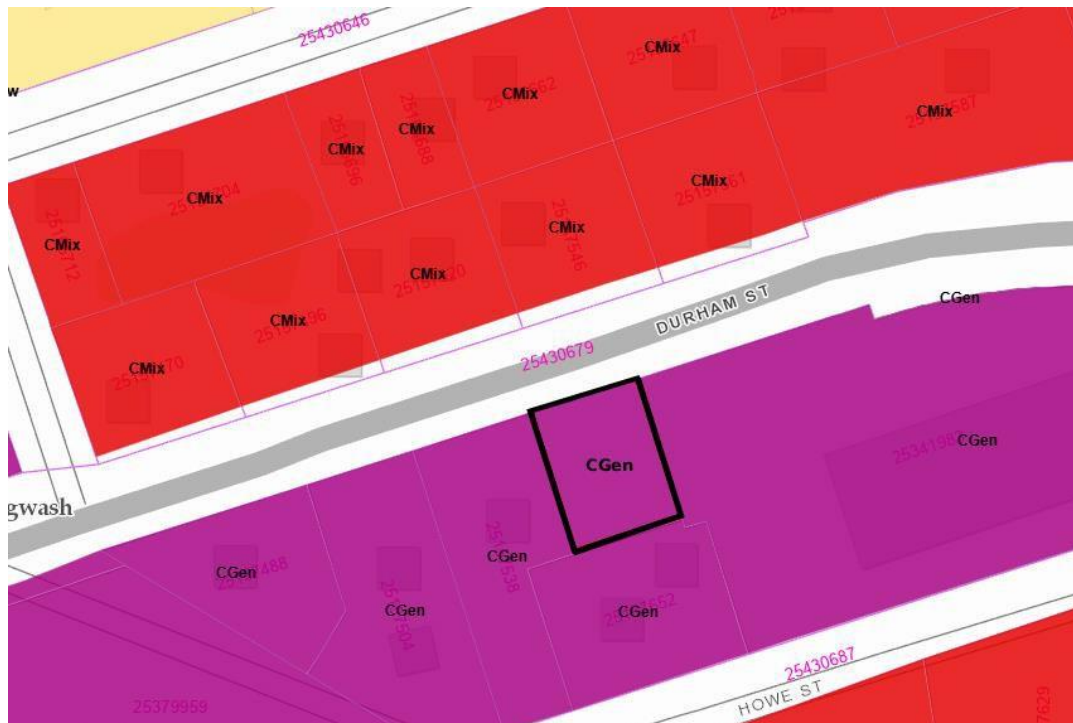
**Attachment D: Letter of Parking Permission from Village of Pugwash**

**Attachment E: Policy Review**

**Attachment A: Zoning Map Change**



**Changes to**



**Attachment B: Aerial and Street Images**



Attachment C: Concept Elevation and Floor Plans



10260 DURHAM STREET, PUGWASH



EXISTING BUILDING



RENDERINGS - PROPOSED  
CONCEPT ONLY



KEY PLAN  
SCALE: 1:1000



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**Attachment D: Letter of Parking Permission from Village of Pugwash**



PO Box 220  
124 Water Street  
Pugwash, Nova Scotia, B0K 1L0  
Phone: 902.243.2946  
Fax: 902.243.2126

March 11, 2026

Lee Weir  
11103 Highway 6  
Pugwash Nova Scotia  
B0K 1L0

Dear Mr. Weir,

Due to the limited parking available at 10260 Durham Street, Pugwash, the Village Commission of Pugwash would like to suggest an alternative parking option for your upcoming business activities at this address.

The Commission is supportive of you making use of the parking area at **10222 Durham Street**, Pugwash, known locally as the Train Station parking lot. We want to ensure that businesses continue to thrive in our community, and we are pleased to support where we can.

Sincerely,

On behalf of the Pugwash Village Commission,

**Christie Blackie**  
Clerk Treasurer  
Village of Pugwash



**Council**

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**Date of Meeting: April 27<sup>th</sup>, 2026**

**Attachment E: Policy Review**

The following is an analysis of the MPS policies which enable the rezoning of the subject property.

The following policies set out the legislative authority for rezoning the subject lands to CGen.

<b>MPS Policy 5-18 Council shall consider proposals to rezone lands in the Commercial 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>
<i>(a) if the proposed zone is the Highway Commercial Zone, the lands are located at an interchange of Highway 104.</i>	N/A
<i>(b) The proposed change is not prohibited by any other policy in this plan.</i>	Not prohibited
<i>(c) the purpose of the proposed zone is consistent with the location and the characteristics of the lands;</i>	Proposed zone consistent with location and characteristics of the lands.
<i>(d) The Proposal meet the general criteria for amending the Land Use Bylaw, set out in Policy -19</i>	Criteria met, see analysis below

<b>MPS 5-17 Council shall, in the Land Use By-law, establish the General Commercial Zone, intended to permit a wide range of commercial uses in an urban setting. Permitted uses shall include a very wide range of commercial uses, as well as dwellings located above or behind a ground- floor commercial use. Zone standards shall be flexible to accommodate the wide range of needs from the diversity of permitted uses.</b>
<b>Comment:</b>
While the applicant initially requested the CMix zone, staff feels the CGen zone would be a better fit, as a CMix zoning would create a policy conflict at the permitting stage. This proposal makes sure of off-site parking to meet the parking requirements of the LUB, however a requirement for off-site parking is that the parcel in which the parking to reallocated to must be the same zoning as the subject lands. By rezoning the subject property to CGen, not only does the proposed use align with the intention of the zone, but the proposed zone also would not create any conflicts at the implementation stage.

<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>
<i>(a) Is consistent with the intent of this Municipal Planning Strategy</i>	Yes, rezoning is consistent.
<i>(b) Does not conflict with any Municipal or Provincial Programs, by-laws, or regulations in effect in the Municipality.</i>	Does not Conflict
<i>(c) 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 project.



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<p><i>(ii) Impacts on existing drinking water supplies, both private and public.</i></p>	<p>Site is to be serviced by central MCC Water. No concerns at this time.</p>
<p><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></p>	<p>Site has existing connections to Municipal Central Water and Sewer. The applicant is working with MCC Public Works staff to confirm capacity allocation requirements can be met. No concerns regarding adequacy of capacity at this time.</p>
<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>Parking requirements are met through the provision of “off-site” Free Parking, provided by the Village Commission of Pugwash (See attachment D)</p>
<p><i>(v) The adequacy of fire protective services and equipment;</i></p>	<p>Fire and protective services are adequate. Pugwash Fire Dept is a HUB station.</p>
<p><i>(vi) The adequacy and proximity of schools and other community facilities.</i></p>	<p>Within walking distance, residents would have access to adequate community amenities. While there is no shouldered sidewalk available on the Durham St, there is road shoulder which can accommodate pedestrian use.</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>No pollution problems worsened by the proposed development. No substantial changes to the building footprint are proposed.</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 changes to the building footprint are proposed, therefore there are no changes anticipated with respect to the Stormwater drainage on the site.</p>
<p><i>(ix) Impacts on sensitive environments, as identified on Schedule B</i></p>	<p>No sensitive environments identified.</p>
<p><i>(ixA) Impacts on wildlife corridors</i></p>	<p>None identified.</p>
<p><i>(x) Impacts on known habitat for species at risk</i></p>	<p>None identified</p>



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(xA) <i>risks presented by geohazards</i>	None identified
(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, site is not located within a watercourse buffer or coastal elevation.
(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>	By the Pugwash Farmers market allocating a min of 2 spaces to the tenants and customers of 1020 Durham St, there will be a decrease in available parking at the Pugwash Farmers Market by 2 spaces.

The following policies permit the development as proposed, once the land is rezoning.

<b>MPS 4-16 Council shall, through the Land Use By-law, establish minimum automobile parking requirements aimed at reducing parking overflow into adjacent neighborhoods, but not necessarily accommodating peak parking demand at all times.</b>
Comment:
This policy sets out the intent behind the requirement and regulation of parking. Due to the lack of ability to accommodate parking on the property, off-site parking must be established to ensure parking overflow is minimize and does not substantially impact residential areas in Pugwash. The allocation of parking spaces for the proposed development through the Village Commission of Pugwash is an acceptable alternative to on-site parking. The off-site parking ensures parking overflow can be minimized. While parking overflow may occur on days the Pugwash Farmers market is held, accommodating peak traffic flows is not the intent of the parking requirements of the LUB. Therefore, it is of the opinion of staff that the parking requirements are able to be met for the proposed development.

<b>MPS 4-18 Council shall, through the Land Use By-law, establish provisions to consider and guide the administration of parking lots that are intended to fulfill the minimum parking requirements, but are located off-site or are shared among multiple premises.</b>
Comment
The policy enables the use of shared and/or off-site parking. This policy also provides the rationale that as long as the conditions of off-site or shared parking are met, the proposed parking will fulfill the intent of the MPS with respect to parking regulations.

The following section of the LUB addresses the applicable requirements for development permitting that are further regulated through the Site Plan Agreement process.

<b>LUB 13.7.1 Where a zone permits off-site parking lots by site plan approval, the Development Officer shall approve a site plan where the requirements of this Land Use By-law and the following matters have been addressed:</b>	
The site plan agreement shall be registered on title for the lot containing the off-site parking lot and on all lots from which required automobile parking is shifted.	A copy of the site plan agreement will be registered on title for PID to ensure parking stalls allocated to the subject property enures.



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<p>he off-site parking lot shall be located in the same zone and within 300 metres of the lot(s) from which automobile parking is being shifted.</p>	<p>Proposed location of the allocated parking stalls are within 300m of the subject lands and is also zoned CGen, the same zone proposed for the subject land.</p>
<p>The number of automobile parking spaces provided shall be equal to the number of required automobile parking spaces shifted from each use or lot to the off-site parking lot.</p>	<p>The allocation of 2 parking stalls at the Farmers Market parking lot does not create a compliance issue to the Village of Pugwash with respect to parking requirements. This allows the commercial use to meet the parking requirements of the zone.</p>
<p>Vehicular access points shall not be wider than 10 metres.</p>	<p>The owner will work with Staff to limit the vehicular access point at the permitting stage. Currently, access is approximately 18m in width.</p>
<p>Pedestrian access points shall be separated from vehicular access points. A minimum of one pedestrian access point shall be provided per street frontage.</p>	<p>This condition is met.</p>
<p>Pedestrian access points shall be between 1.5 and 2 metres wide.</p>	<p>Proposed and existing pedestrian access points are between 1.5 and 2m in width, pedestrian walkways will be defined and delineated at permitting stage.</p>

# News

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## **Notice of Public Hearing By-law to Amend the Land Use By-law 26-05 - Monday, April 27, 2026, at 4 pm, Upper Nappan Service Centre.**

### Details

 Published: 10 April 2026

To rezone PID 25157553, 10260 Durham St., Pugwash from Institutional (INS) Zone to the Commercial General (CGen) 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.



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**Date of Meeting: April 27<sup>th</sup>, 2026**

**TO:** Mayor Gilroy and Council

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

**DATE:** April 2<sup>nd</sup>, 2026

**SUBJECT: Public Hearing – By-law to Amend the Land Use By-law 26-05 to rezone PID 25157553, located at 10260 Durham St., Pugwash from Institutional (INS) Zone to the Commercial General (CGen) Zone.**

**ORIGIN:** On January 06, 2026, Planning Staff received an application to rezone PID 25157553, located at 10260 Durham St., Pugwash from Institutional (INS) Zone to the Commercial General (CGen) Zone.

PID	Location	Current Zone	Proposed Zone	Proposed Use
25157553	Pugwash	Institutional (INS) Zone	Commercial General (CGen) Zone	Mixed use building (commercial and residential)

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

MGA Section 205: Requirements for Adoption of Planning Documents

*MPS Policy 5-18 Council shall consider proposals to rezone lands in the Commercial designation to any other zone permitted in that designation. Council shall not approve a rezoning unless council is satisfied;*

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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: No motions to consider at this Public Hearing stage.**

**BACKGROUND:** The subject property, located in Pugwash along Durham St, is the former site for the Pugwash Fire Hall. In 2009, the Pugwash Fire Dept moved locations, from the subject property to the new fire hall located at 11057 NS-6, Pugwash. The new location provides the volunteer firefighters with more space and private parking space.



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### **DISCUSSION:**

The non-conforming structure status means the building can be renovated, granted the renovation does not further infringe on the By-law requirement that created the non-conformity. This means the proposed renovations required for the new use would align with non-conforming regulation requirements, granted the proposed changes would not increase the lot coverage or change the building footprint.

According to section 6 of the LUB, parking will be required for the proposed commercial use, personal service shops and retail, requiring 1 parking spot per 50sqm of Commercial Floor Area (CFA). As the proposed CFA is 51.28 sqm, only 2 parking spaces are required. Due to the size of the existing building, parking will be located off-site, as permitted under section 6.9 of the LUB. The owner has obtained written permission from the Village of Pugwash to utilize the Market parking lot as overflow parking for the proposed commercial use. This is an acceptable location for off-site parking, as policy 4-16 of the MPS states parking regulations are established in the LUB for the purpose of reducing parking overflow into adjacent neighborhoods, but necessarily at peak parking demands at all times. The owner also intends to establish one parking stall in front of the building location, as this space is currently used as temporary parking. The relocation of parking to the Farmers Market Parking lot aligns with the intent of the MPS as well as meets the Site Plan Approval criteria. According to Section 6 of the LUB, there are no parking requirements for residential land use in the CMix zone. This is because the CMix zone is not intended to support high density residential development, where the provision of parking is more critical for the effective operation of residential development. Since the residential use would be one short term rental unit, parking would not be an essential component for operation. The proposed concept does provide one interior parking space dedicated to the residential component.

**FINANCIAL IMPLICATIONS:** The rezoning and redevelopment of the subject lands will result in a change in property taxes. Furthermore, the redevelopment of the subject property stimulates the local economy by bringing in more commercial business

**ENVIRONMENTAL IMPLICATIONS:** No environmental concerns at this time. The subject property is not located within a 2.6m horizontal elevation from the Northumberland Coast and is not located within a watercourse/shoreline buffer. The subject property is serviced by Municipally owned central water and wastewater system. At the permitting phase, the owner will be responsible for establishing connections or upgrades to the system.



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**Date of Meeting: April 27<sup>th</sup>, 2026**

**COMMUNITY ENGAGEMENT:** This Public Hearing was duly advertised in accordance with the requirements of the MGA. Notices were placed on the municipal website over two weeks prior to the scheduled hearing date, on April 10<sup>th</sup>, 2026. Furthermore, a notice was placed in a locally circulated newspaper at least 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**

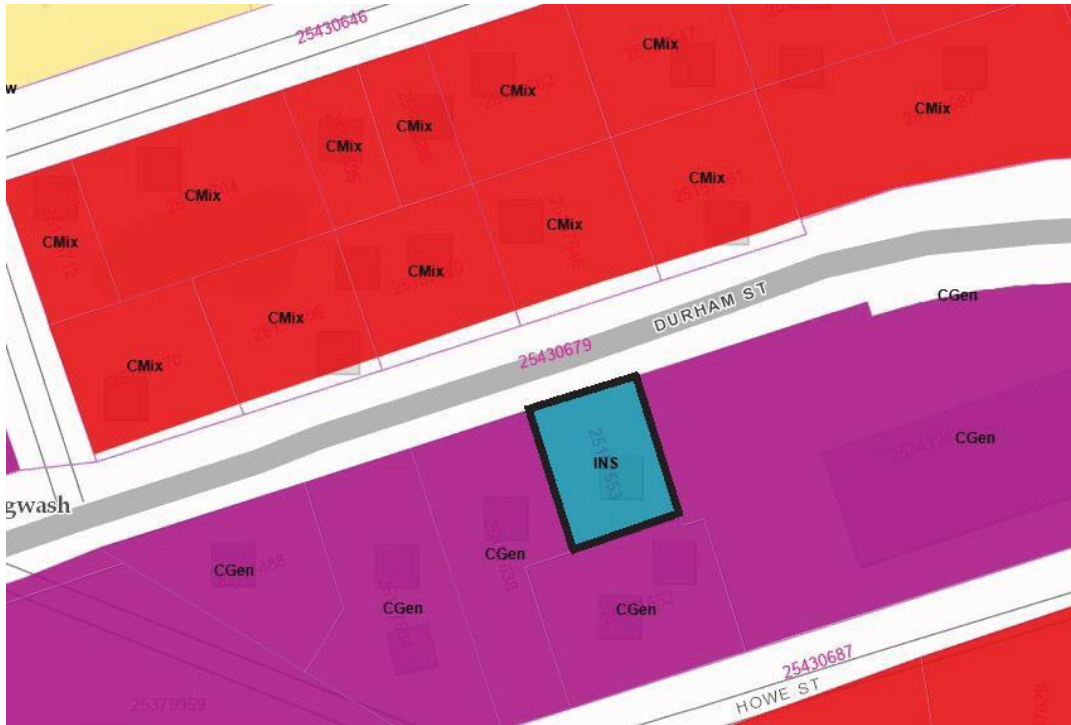
**Attachment B: Aerial and Street Images**

**Attachment C: Concept Site Plan and Elevations**

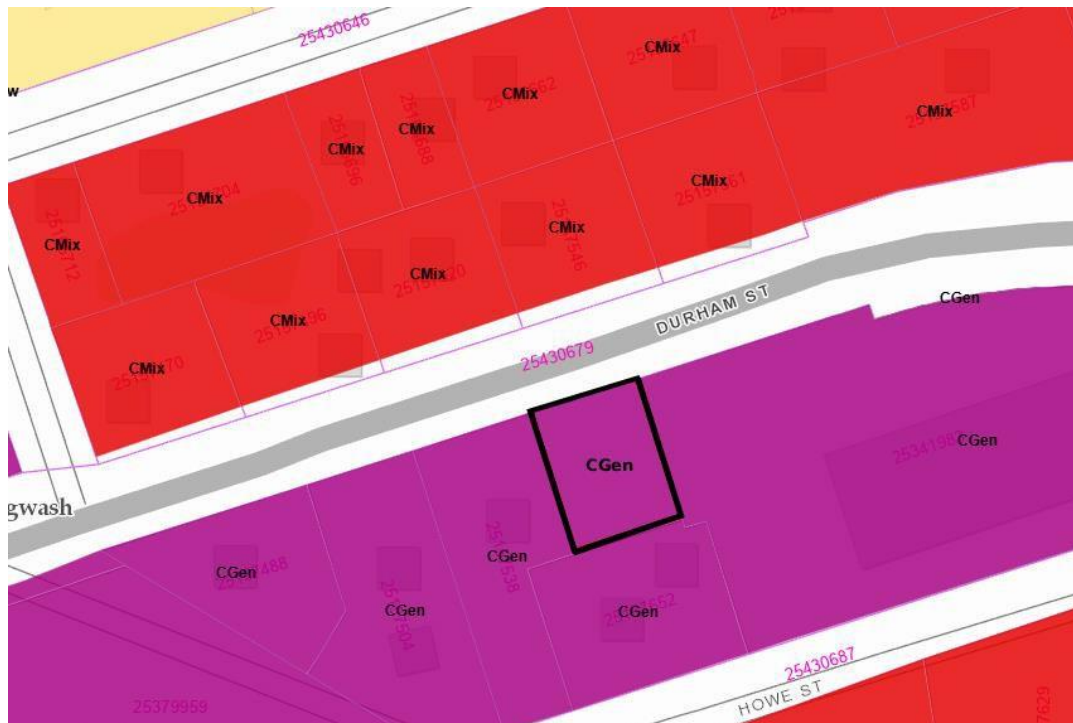
**Attachment D: Letter of Parking Permission from Village of Pugwash**

**Attachment E: Policy Review**

**Attachment A: Zoning Map Change**



**Changes to**



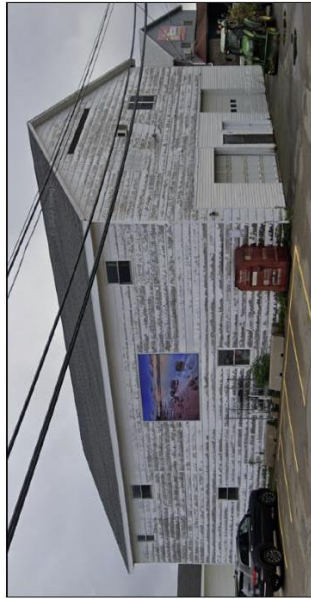
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Attachment C: Concept Elevation and Floor Plans



10260 DURHAM STREET, PUGWASH



EXISTING BUILDING



RENDERINGS - PROPOSED  
CONCEPT ONLY



KEY PLAN  
SCALE: 1:1000



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**Attachment D: Letter of Parking Permission from Village of Pugwash**



PO Box 220  
124 Water Street  
Pugwash, Nova Scotia, B0K 1L0  
Phone: 902.243.2946  
Fax: 902.243.2126

March 11, 2026

Lee Weir  
11103 Highway 6  
Pugwash Nova Scotia  
B0K 1L0

Dear Mr. Weir,

Due to the limited parking available at 10260 Durham Street, Pugwash, the Village Commission of Pugwash would like to suggest an alternative parking option for your upcoming business activities at this address.

The Commission is supportive of you making use of the parking area at **10222 Durham Street**, Pugwash, known locally as the Train Station parking lot. We want to ensure that businesses continue to thrive in our community, and we are pleased to support where we can.

Sincerely,

On behalf of the Pugwash Village Commission,

**Christie Blackie**  
Clerk Treasurer  
Village of Pugwash



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**Attachment E: Policy Review**

The following is an analysis of the MPS policies which enable the rezoning of the subject property.

The following policies set out the legislative authority for rezoning the subject lands to CGen.

<b>MPS Policy 5-18 Council shall consider proposals to rezone lands in the Commercial 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>
<i>(a) if the proposed zone is the Highway Commercial Zone, the lands are located at an interchange of Highway 104.</i>	N/A
<i>(b) The proposed change is not prohibited by any other policy in this plan.</i>	Not prohibited
<i>(c) the purpose of the proposed zone is consistent with the location and the characteristics of the lands;</i>	Proposed zone consistent with location and characteristics of the lands.
<i>(d) The Proposal meet the general criteria for amending the Land Use Bylaw, set out in Policy -19</i>	Criteria met, see analysis below

<b>MPS 5-17 Council shall, in the Land Use By-law, establish the General Commercial Zone, intended to permit a wide range of commercial uses in an urban setting. Permitted uses shall include a very wide range of commercial uses, as well as dwellings located above or behind a ground- floor commercial use. Zone standards shall be flexible to accommodate the wide range of needs from the diversity of permitted uses.</b>
<b>Comment:</b>
While the applicant initially requested the CMix zone, staff feels the CGen zone would be a better fit, as a CMix zoning would create a policy conflict at the permitting stage. This proposal makes sure of off-site parking to meet the parking requirements of the LUB, however a requirement for off-site parking is that the parcel in which the parking to reallocated to must be the same zoning as the subject lands. By rezoning the subject property to CGen, not only does the proposed use align with the intention of the zone, but the proposed zone also would not create any conflicts at the implementation stage.

<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>
<i>(a) Is consistent with the intent of this Municipal Planning Strategy</i>	Yes, rezoning is consistent.
<i>(b) Does not conflict with any Municipal or Provincial Programs, by-laws, or regulations in effect in the Municipality.</i>	Does not Conflict
<i>(c) 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 project.



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<p><i>(ii) Impacts on existing drinking water supplies, both private and public.</i></p>	<p>Site is to be serviced by central MCC Water. No concerns at this time.</p>
<p><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></p>	<p>Site has existing connections to Municipal Central Water and Sewer. The applicant is working with MCC Public Works staff to confirm capacity allocation requirements can be met. No concerns regarding adequacy of capacity at this time.</p>
<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>Parking requirements are met through the provision of “off-site” Free Parking, provided by the Village Commission of Pugwash (See attachment D)</p>
<p><i>(v) The adequacy of fire protective services and equipment;</i></p>	<p>Fire and protective services are adequate. Pugwash Fire Dept is a HUB station.</p>
<p><i>(vi) The adequacy and proximity of schools and other community facilities.</i></p>	<p>Within walking distance, residents would have access to adequate community amenities. While there is no shouldered sidewalk available on the Durham St, there is road shoulder which can accommodate pedestrian use.</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>No pollution problems worsened by the proposed development. No substantial changes to the building footprint are proposed.</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 changes to the building footprint are proposed, therefore there are no changes anticipated with respect to the Stormwater drainage on the site.</p>
<p><i>(ix) Impacts on sensitive environments, as identified on Schedule B</i></p>	<p>No sensitive environments identified.</p>
<p><i>(ixA) Impacts on wildlife corridors</i></p>	<p>None identified.</p>
<p><i>(x) Impacts on known habitat for species at risk</i></p>	<p>None identified</p>



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(xA) <i>risks presented by geohazards</i>	None identified
(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, site is not located within a watercourse buffer or coastal elevation.
(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>	By the Pugwash Farmers market allocating a min of 2 spaces to the tenants and customers of 1020 Durham St, there will be a decrease in available parking at the Pugwash Farmers Market by 2 spaces.

The following policies permit the development as proposed, once the land is rezoning.

<b>MPS 4-16 Council shall, through the Land Use By-law, establish minimum automobile parking requirements aimed at reducing parking overflow into adjacent neighborhoods, but not necessarily accommodating peak parking demand at all times.</b>
Comment:
This policy sets out the intent behind the requirement and regulation of parking. Due to the lack of ability to accommodate parking on the property, off-site parking must be established to ensure parking overflow is minimize and does not substantially impact residential areas in Pugwash. The allocation of parking spaces for the proposed development through the Village Commission of Pugwash is an acceptable alternative to on-site parking. The off-site parking ensures parking overflow can be minimized. While parking overflow may occur on days the Pugwash Farmers market is held, accommodating peak traffic flows is not the intent of the parking requirements of the LUB. Therefore, it is of the opinion of staff that the parking requirements are able to be met for the proposed development.

<b>MPS 4-18 Council shall, through the Land Use By-law, establish provisions to consider and guide the administration of parking lots that are intended to fulfill the minimum parking requirements, but are located off-site or are shared among multiple premises.</b>
Comment
The policy enables the use of shared and/or off-site parking. This policy also provides the rationale that as long as the conditions of off-site or shared parking are met, the proposed parking will fulfill the intent of the MPS with respect to parking regulations.

The following section of the LUB addresses the applicable requirements for development permitting that are further regulated through the Site Plan Agreement process.

<b>LUB 13.7.1 Where a zone permits off-site parking lots by site plan approval, the Development Officer shall approve a site plan where the requirements of this Land Use By-law and the following matters have been addressed:</b>	
The site plan agreement shall be registered on title for the lot containing the off-site parking lot and on all lots from which required automobile parking is shifted.	A copy of the site plan agreement will be registered on title for PID to ensure parking stalls allocated to the subject property enures.



**Council**

**Public Hearing**

**Date of Meeting: April 27<sup>th</sup>, 2026**

<p>he off-site parking lot shall be located in the same zone and within 300 metres of the lot(s) from which automobile parking is being shifted.</p>	<p>Proposed location of the allocated parking stalls are within 300m of the subject lands and is also zoned CGen, the same zone proposed for the subject land.</p>
<p>The number of automobile parking spaces provided shall be equal to the number of required automobile parking spaces shifted from each use or lot to the off-site parking lot.</p>	<p>The allocation of 2 parking stalls at the Farmers Market parking lot does not create a compliance issue to the Village of Pugwash with respect to parking requirements. This allows the commercial use to meet the parking requirements of the zone.</p>
<p>Vehicular access points shall not be wider than 10 metres.</p>	<p>The owner will work with Staff to limit the vehicular access point at the permitting stage. Currently, access is approximately 18m in width.</p>
<p>Pedestrian access points shall be separated from vehicular access points. A minimum of one pedestrian access point shall be provided per street frontage.</p>	<p>This condition is met.</p>
<p>Pedestrian access points shall be between 1.5 and 2 metres wide.</p>	<p>Proposed and existing pedestrian access points are between 1.5 and 2m in width, pedestrian walkways will be defined and delineated at permitting stage.</p>



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

**TO:** Mayor Gilroy and Council  
**FROM:** Glen Boone, Director of Development and Planning  
**DATE:** March 18<sup>th</sup>, 2026  
**SUBJECT:** First Reading – By-law to Amend the Land Use By-law 26-05 to rezone PID 25157553, located at 10260 Durham St., Pugwash from Institutional (INS) Zone to the Commercial General (CGen) Zone.

**ORIGIN:** On January 06, 2026, Planning Staff received an application to rezone PID 25157553, located at 10260 Durham St, Pugwash from Institutional (INS) Zone to the Commercial General (CGen) Zone.

PID	Location	Current Zone	Proposed Zone	Proposed Use
25157553	Pugwash	Institutional (INS) Zone	Commercial General (CGen) Zone	Mixed use building (commercial and residential)

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

MGA Section 205: Requirements for Adoption of Planning Documents

*MPS Policy 5-18 Council shall consider proposals to rezone lands in the Commercial 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 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 26-05 to rezone PID 25157553, 10260 Durham St., Pugwash from Institutional (INS) Zone to the Commercial General (CGen) Zone, AND schedule a public hearing.

**BACKGROUND:** The subject property, located in Pugwash along Durham St, is the former site for the Pugwash Fire Hall. In 2009, the Pugwash Fire Dept move locations, from the subject property to the new fire hall located at 11057 NS-6, Pugwash. The new location provides the volunteer firefighters with more space and private parking space.



## COUNCIL

## FIRST READING

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

The subject property is an undersized lot, being approximately 446sqm in area, the parcel does not meet the minimum lot size of 450sqm required for the Institutional Zone. The existing building on the lot is 325.16 in size, accounting for roughly 73 percent of the lot coverage. Due to the building size and lot coverage, the existing building is a non-conforming structure, on an undersized lot. The owner is proposing to retrofit the building to create commercial and residential uses. The intent would be to establish one (1) rentable commercial unit and a short-term rental unit on the second floor of the building. The applicant has included a concept elevation and floor plan. These plans are concept plans and may slightly change to comply with the National Building Code and the NS Fire Code.

### **DISCUSSION:**

The non-conforming structure status means the building can be renovated, granted the renovation does not further infringe on the By-law requirement that created the non-conformity. This means the proposed renovations required for the new use would align with non-conforming regulation requirements, granted the proposed changes would not increase the lot coverage or change the building footprint.

According to section 6 of the LUB, parking will be required for the proposed commercial use, personal service shops and retail, requiring 1 parking spot per 50sqm of Commercial Floor Area (CFA). As the proposed CFA is 51.28 sqm, only 2 parking spots are required. Due to the size of the existing building, parking will be located off-site, as permitted under section 6.9 of the LUB. The owner has obtain written permission from the Village of Pugwash to establish designated parking stalls for the proposed commercial use in the Farmers Market parking lot area. This is an acceptable location for off-site parking, as policy 4-16 of the MPS states parking regulations are established in the LUB for the purpose of reducing parking overflow into adjacent neighborhoods, but necessarily at peak parking demands at all times. Furthermore, not only does the relocation of parking to the Farmers Market Parking lot align with the intent of the MPS, it meets the Site Plan Approval criteria.

According to Section 6 of the LUB, there are no parking requirements for residential land uses in the CMix zone. This is because the CMix zone is not intended to support high density residential development, where the provision of parking is more critical for the effective operation of residential development. Since the residential use would be one short term rental unit, parking would not be an essential component for operation.

**FINANCIAL IMPLICATIONS:** The rezoning and redevelopment of the subject lands will result in a change in property taxes. Furthermore, the redevelopment of the subject property stimulates the local economy by bringing in more commercial business

**ENVIRONMENTAL IMPLICATIONS:** No environmental concerns at this time. The subject property not located within a 2.6m horizontal elevation from the Northumberland Coast and is not located within a watercourse/shoreline buffer. The subject property is serviced by Municipally owned central water and wastewater system. At the permitting phase, the owner will be responsible for establishing connection to the system.



## COUNCIL

## FIRST READING

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

**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 and Elevations**

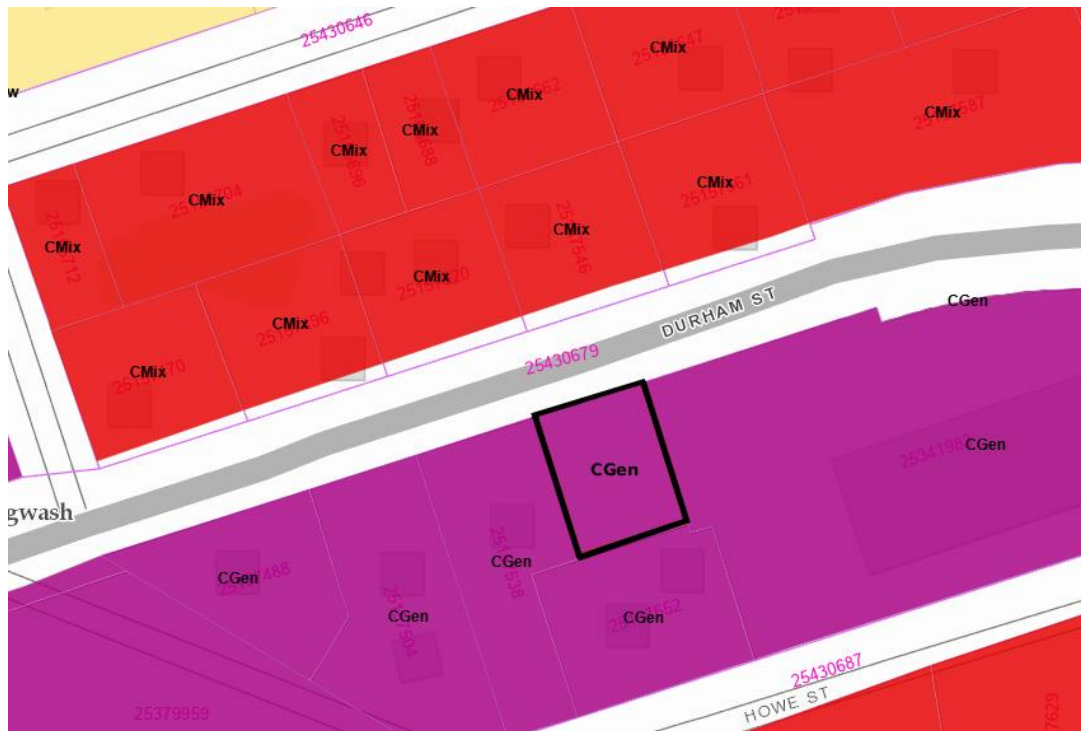
**Attachment D: Letter of Parking Permission from Village of Pugwash**

**Attachment E: Policy Review**

**Attachment A: Zoning Map Change**



**Changes to**



**Attachment B: Aerial and Street Images**



**Attachment C: Concept Elevation and Floor Plans**



10260 DURHAM STREET, PUGWASH



EXISTING BUILDING



RENDERINGS - PROPOSED  
CONCEPT ONLY



KEY PLAN  
SCALE: NTS



**COUNCIL**

**FIRST READING**

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

**Attachment D: Letter of Parking Permission from Village of Pugwash**



PO Box 220  
124 Water Street  
Pugwash, Nova Scotia, B0K 1L0  
Phone: 902.243.2946  
Fax: 902.243.2126

March 11, 2026

Lee Weir  
11103 Highway 6  
Pugwash Nova Scotia  
B0K 1L0

Dear Mr. Weir,

Due to the limited parking available at 10260 Durham Street, Pugwash, the Village Commission of Pugwash would like to suggest an alternative parking option for your upcoming business activities at this address.

The Commission is supportive of you making use of the parking area at **10222 Durham Street**, Pugwash, known locally as the Train Station parking lot. We want to ensure that businesses continue to thrive in our community, and we are pleased to support where we can.

Sincerely,

On behalf of the Pugwash Village Commission,

**Christie Blackie**  
Clerk Treasurer  
Village of Pugwash



**Attachment E: Policy Review**

The following is an analysis of the MPS policies which enable the rezoning of the subject property.

The following policies set out the legislative authority for rezoning the subject lands to CGen.

<b>MPS Policy 5-18 Council shall consider proposals to rezone lands in the Commercial 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>
<i>(a) if the proposed zone is the Highway Commercial Zone, the lands are located at an interchange of Highway 104.</i>	N/A
<i>(b) The proposed change is not prohibited by any other policy in this plan.</i>	Not prohibited
<i>(c) the purpose of the proposed zone is consistent with the location and the characteristics of the lands;</i>	Proposed zone consistent with location and characteristics of the lands.
<i>(d) The Proposal meet the general criteria for amending the Land Use Bylaw, set out in Policy -19</i>	Criteria met, see analysis below

<b>MPS 5-17 Council shall, in the Land Use By-law, establish the General Commercial Zone, intended to permit a wide range of commercial uses in an urban setting. Permitted uses shall include a very wide range of commercial uses, as well as dwellings located above or behind a ground- floor commercial use. Zone standards shall be flexible to accommodate the wide range of needs from the diversity of permitted uses.</b>
<b>Comment:</b>
While the applicant initially requested the CMix zone, staff feels the CGen zone would be a better fit, as a CMix zoning would create a policy conflict at the permitting stage. This proposal makes sure of off-site parking to meet the parking requirements of the LUB, however a requirement for off-site parking is that the parcel in which the parking to reallocated to must be the same zoning as the subject lands. By rezoning the subject property to CGen, not only does the proposed use align with the intention of the zone, but the proposed zone also would not create any conflicts at the implementation stage.

<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>
<i>(a) Is consistent with the intent of this Municipal Planning Strategy</i>	Yes, rezoning is consistent.
<i>(b) Does not conflict with any Municipal or Provincial Programs, by-laws, or regulations in effect in the Municipality.</i>	Does not Conflict
<i>(c) 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 project.



**COUNCIL**

**FIRST READING**

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

<p><i>(ii) Impacts on existing drinking water supplies, both private and public.</i></p>	<p>Site is to be serviced by central MCC Water. No concerns at this time.</p>
<p><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></p>	<p>Site has existing connections to Municipal Central Water and Sewer. The applicant is working with MCC Public Works staff to confirm capacity allocation requirements can be met. No concerns regarding adequacy of capacity at this time.</p>
<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>Parking requirements are met through the provision of "off-site" Free Parking, provided by the Village Commission of Pugwash (See attachment D)</p>
<p><i>(v) The adequacy of fire protective services and equipment;</i></p>	<p>Fire and protectives services are adequate. Pugwash Fire Dept is a HUB station.</p>
<p><i>(vi) The adequacy and proximity of schools and other community facilities.</i></p>	<p>Within walking distance, residents would have access to adequate community amenities. While there is no shouldered sidewalk available on the Durham St, there is road shoulder which can accommodate pedestrian use.</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>No pollution problems worsened by the proposed development. No substantial changes to the building footprint are proposed.</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 changes to the building footprint are proposed, therefore there are no changes anticipated with respect to the Stormwater drainage on the site.</p>
<p><i>(ix) Impacts on sensitive environments, as identified on Schedule B</i></p>	<p>No sensitive environments identified.</p>
<p><i>(ixA) Impacts on wildlife corridors</i></p>	<p>None identified.</p>
<p><i>(x) Impacts on known habitat for species at risk</i></p>	<p>None identified</p>



**COUNCIL  
FIRST READING**

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

(xA) <i>risks presented by geohazards</i>	None identified
(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, site is not located within a watercourse buffer or coastal elevation.
(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>	By the Pugwash Farmers market allocating a min of 2 spaces to the tenants and customers of 1020 Durham St, there will be a decrease in available parking at the Pugwash Farmers Market by 2 spaces.

The following policies permit the development as proposed, once the land is rezoning.

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Comment
The policy enables the use of shared and/or off-site parking. This policy also provides the rationale that as long as the conditions of off-site or shared parking are met, the proposed parking will fulfill the intent of the MPS with respect to parking regulations.

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**COUNCIL**

**FIRST READING**

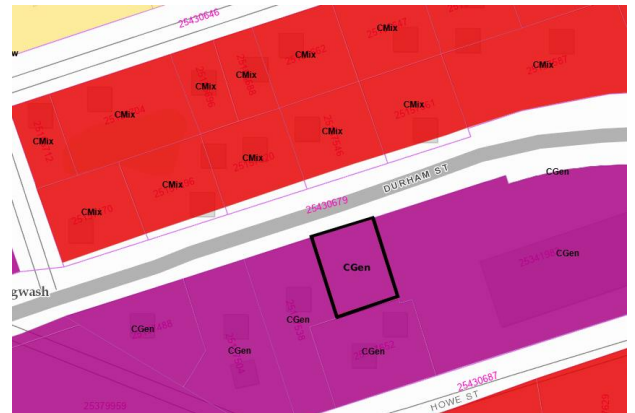
**Date: March 25<sup>th</sup>, 2026**

<p>he off-site parking lot shall be located in the same zone and within 300 metres of the lot(s) from which automobile parking is being shifted.</p>	<p>Proposed location of the allocated parking stalls are within 300m of the subject lands and is also zoned CGen, the same zone proposed for the subject land.</p>
<p>The number of automobile parking spaces provided shall be equal to the number of required automobile parking spaces shifted from each use or lot to the off-site parking lot.</p>	<p>The allocation of 2 parking stalls at the Farmers Market parking lot does not create a compliance issue to the Village of Pugwash with respect to parking requirements. This allows the commercial use to meet the parking requirements of the zone.</p>
<p>Vehicular access points shall not be wider than 10 metres.</p>	<p>The owner will work with Staff to limit the vehicular access point at the permitting stage. Currently, access is approximately 18m in width.</p>
<p>Pedestrian access points shall be separated from vehicular access points. A minimum of one pedestrian access point shall be provided per street frontage.</p>	<p>This condition is met.</p>
<p>Pedestrian access points shall be between 1.5 and 2 metres wide.</p>	<p>Proposed and existing pedestrian access points are between 1.5 and 2m in width, pedestrian walkways will be defined and delineated at permitting stage.</p>

1. This By-law is titled “By-law to Amend the Land Use By-law 26-05”.
2. Schedule A of the Land Use By-law is hereby amended to reflect the change in zoning for a PID 25157553 located at 10260 Durham St, Pugwash, from the Institutional (INS) Zone to the Mixed-use (CMix) 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 26-05 approved by the Council the Municipality of Cumberland on \_\_\_\_\_.

Municipal Clerk:

Date:

\*Effective date of By-Law unless specified in the By-Law