

NOTICE OF ADOPTION By law to Amend the Land Use By-law 24-15

Details

 Published: 27 November 2024

Second Reading and Adoption of the By-law to Amend the Land Use By-law 24-15 took place on Wednesday November 20th, 2024 at a Council meeting held at the Upper Nappan Service Center.

The purpose of the adopted amendment is to **rezone 11339 Highway 6 (PID 25150665), South Pugwash from Agriculture (AG) Zone to the Rural Industrial (IRur) Zone.**

Any aggrieved person or the Provincial Director of Planning 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) in accordance with the provision of the Municipal Government Act.

Amanda Kinnear

Deputy Clerk



COUNCIL MEETING

RFD

Date: November 20, 2024

TO: Mayor and Council

FROM: Glen Boone, Director of Development and Planning

DATE: November 6, 2024

SUBJECT: Second Reading – By-law to Amend the Land Use By-law 24-15 to rezone 11339 Hwy 6, South Pugwash from Agriculture (AG) Zone to Rural Industrial (IRur) Zone.

ORIGIN: On August 1, 2023, planning staff received an application to rezone 11339 Highway 6 (PID 25150665), South Pugwash (the “subject property”), to permit the development of private storage buildings.

| PID | Location | Current Zone | Current Use | Proposed Zone | Proposed Use |
|----------|---------------|-----------------------|-------------|------------------------------|---------------------------------------|
| 25150665 | South Pugwash | Agriculture (AG) Zone | Vacant | Rural Industrial (IRur) Zone | Private Storage Buildings / warehouse |

LEGISLATIVE AUTHORITY: MGA PART VIII PLANNING AND DEVELOPMENT

MGA Section 205: Requirements for Adoption of Planning Documents

Municipal Planning Strategy 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 such 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) 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; and*
- (cA) the proposal is not premature due to impacts on wildlife corridors or due to the presence of geohazards; and [CHG-506]*
- (d) the proposal meets the general criteria for amending the Land Use By-law, set out in Policy 6-19.*

RECOMMENDATION: THAT Council approve Second Reading of the By-law to Amend the Land Use By-law 24-15 to rezone PID 25150665, 11339 Highway 6, South Pugwash from Agriculture (AG) Zone to Rural Industrial (IRur) Zone.



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BACKGROUND: The subject property is located at 11339 Highway 6, South Pugwash. The subject property is approximately 7.4 acres and zoned Agriculture (AG) but is not actively used for agriculture purposes. The property owner has expressed that they are not interested in using the lands for agricultural purposes in the future. The subject property was zoned agriculture in 2018, during the initial zone assignment for the county based on the soil profile of the parcel.

The property owner would like to use the land as auxiliary storage space for his garage door installation company. The proposed warehouse would be exclusively for the storage of overhead doors, no business transactions would be taking place on the property. Currently the agricultural zone does not permit the development of a warehouse.

DISCUSSION: A rezoning from the Agriculture Zone to the Rural Industrial Zone, is required to enable to the proposed development. Under the Resource Designation, rural industrial is the only zone that permits the development of a warehouse.

A preliminary site suitability review conducted by staff determined that the subject property is located on swamp land. While the Municipality does not have the ability to regulate development on non-protected wetlands, as this is the jurisdiction of the Nova Scotia Department of Environment, staff has recommended the applicant confirms with the Department of Environment (DOE) if a permit for infilling is required for the proposed development.

FINANCIAL IMPLICATIONS: None have been identified at this time.

ENVIRONMENTAL IMPLICATIONS: Staff have advised the applicant to have the lands reviewed by NS Dept of Environment for any potential infilling requirements of the swamp lands.

COMMUNITY ENGAGEMENT: A Public Hearing on the above matter was held on Wednesday November 20th, 2024. The public hearing was duly advertised in accordance with the MGA. Notification to the public was provided two weeks prior to the scheduled hearing date through the Municipal Website. Notification was given a second time through a published advertisement in the The Chronicle Herald, a locally circulating newspaper, one week prior to the scheduled hearing date. Furthermore, a planning notice sign was placed on the subject property, informing passersby there is a planning application for the site and they can find more information on the application.

No representatives of the public spoke at the Public Hearing and staff have not received any communications from the public regarding the proposed amendment.

ALTERNATIVES: Council can 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: Aerial Image

Attachment B: Zoning Map with proposed amendments

Attachment C: Ducks Unlimited Wetlands Inventory Map

Attachment D: Cumberland County Policy Review

Attachment A: Aerial Image



Attachment B: Zoning Map with proposed amendment

Current Zoning Map



Proposed Amendment



Attachment C: Wetlands Inventory map (Ducks Unlimited)



Attachment D: Policy Review

MPS Policy 5-24 Council shall, on Schedule A, the Future Land Use Map, permit the following in zones within the resource designation.

- (a) Agriculture Zone**
- (b) Commercial Recreation Zone**
- (c) Country Commercial Zone**
- (d) Country Residential Zone**
- (e) Flood Hazard Zone**
- (f) Highway Commercial Zone**
- (g) Institutional Zone**
- (h) Parks and Open Space Zone**
- (h.1) Recreational Residential Zone**
- (i) Rural Industrial Zone**
- (j) Rural Resource Zone**

Comment:

With both the proposed zone and the current zone under the Resource Designation, rezoning is permitted.

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| 11.3.1 The Rural Industrial Zone is intended to accommodate processing and other industries related to resource-based industries, and to accommodate intensive uses that require larger separation distances from dwellings and other less-intensive uses that require large separation distances from dwellings and other less-intensive uses |
| Comment |
| The proposed development of a warehouse aligns with the intention of the proposed zone, as described in the Land Use Bylaw. |

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

| | |
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| MPS 6-19 Council shall not amend the Land Use Bylaw or approve a development agreement unless Council is satisfied the proposal; | |
| Requirement: | Comment: |
| (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> | Does not conflict |
| (c) <i>Is not premature or inappropriate due to:</i> | No |
| (i) <i>The ability of the Municipality to absorb the public costs related to the project.</i> | No anticipated public costs related to the project. |
| (ii) <i>Impacts on existing drinking water supplies, both private and public.</i> | No impacts 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> | Site meets suitability requirements for On-site Water and sewage services. The proposal is subject to approval from Nova Scotia Environment for on-site-sewage. |



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| (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 traffic hazards created by the proposed development. |
| (v) | <i>The adequacy of fire protective services and equipment;</i> | Sufficient fire protective services available, under 5min travel time from Pugwash Fire. |
| (vi) | <i>The adequacy and proximity of schools and other community facilities.</i> | Not applicable |
| (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 known pollution problems related to the project |
| (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 concerns for the site. |
| (ix) | <i>Impacts on sensitive environments, as identified on Schedule B</i> | No anticipated impacts |
| (ixA) | <i>Impacts on wildlife corridors</i> | No anticipated impacts |
| (x) | <i>Impacts on known habitat for species at risk</i> | No anticipated impacts |
| (xA) | <i>risks presented by geohazards</i> | Mapping indicates karst risk level is low. |
| (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> | The site is considered swamp lands, applicant has been advised to consult with DOE regarding any infilling requirements |
| (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> | No negative impacts to the surrounding community noted. |

Notice of Public Hearings

Details

 Published: 05 November 2024

A Public Hearing regarding the By-law to Amend the Land Use By-law 24-14, By-law to Amend the Land Use By-law 24-15 and to Schedule A of the LUB for the

Municipality of Cumberland will be held at

1:00 pm, Wednesday, November 20th, 2024 in the Council Chambers of the Upper Nappan Service Centre.

Note that this meeting may be rescheduled or conducted online, visit cumberlandcounty.ns.ca to verify meeting schedule.

By-law to Amend the Land Use By-law 24-14

- **PID 25181911, 19 McCully Lane, Wards Brook** from Agriculture (AG) Zone to Commercial Recreation (CRec) Zone.

By-law to Amend the Land Use By-law 24-15

- **PID 25150665, 11339 HWY 6, South Pugwash from Agriculture (AG) Zone to Rural Industrial (IRur) Zone.**

Hearing documents can be viewed at 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 or by mail to: Planning Dept, Upper Nappan Service Centre, 1395 Blair Lake Rd, Upper Nappan, NS B4H 3Y4.



COUNCIL MEETING

RFD

Date: November 20, 2024

TO: Mayor and Council

FROM: Glen Boone, Director of Development and Planning

DATE: October 11, 2024

SUBJECT: Public Hearing - Bylaw to Amend the Land Use Bylaw 24-15 to rezone 11339 Hwy 6, South Pugwash from Agriculture (AG) Zone to Rural Industrial (IRur) Zone.

ORIGIN: On August 1, 2023, planning staff received an application to rezone 11339 Highway 6 (PID 25150665), South Pugwash (the “subject property”), to permit the development of private storage buildings.

| PID | Location | Current Zone | Current Use | Proposed Zone | Proposed Use |
|----------|---------------|-----------------------|-------------|------------------------------|---------------------------------------|
| 25150665 | South Pugwash | Agriculture (AG) Zone | Vacant | Rural Industrial (IRur) Zone | Private Storage Buildings / warehouse |

LEGISLATIVE AUTHORITY: MGA PART VIII PLANNING AND DEVELOPMENT

MGA Section 205: Requirements for Adoption of Planning Documents

Municipal Planning Strategy 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 such 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) 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; and*
- (cA) the proposal is not premature due to impacts on wildlife corridors or due to the presence of geohazards; and [CHG-506]*
- (d) the proposal meets the general criteria for amending the Land Use By-law, set out in Policy 6-19.*

RECOMMENDATION: No motions to consider at the public hearing stage.

BACKGROUND: The subject property is located at 11339 Highway 6, South Pugwash. The subject property is approximately 7.4 acres and zoned Agriculture (AG) but is not actively used for agriculture purposes. The property owner has expressed that they are not interested in using the



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lands for agricultural purposes in the future. The subject property was zoned agriculture in 2018, during the initial zone assignment for the county based on the soil profile of the parcel.

The property owner would like to use the land as auxiliary storage space for his garage door installation company. The proposed warehouse would be exclusively for the storage of overhead doors, no business transactions would be taking place on the property. Currently the agricultural zone does not permit the development of a warehouse.

DISCUSSION: A rezoning from the Agriculture Zone to the Rural Industrial Zone, is required to enable to the proposed development. Under the Resource Designation, the Rural Industrial Zone is the only zone that permits the development of a warehouse.

A preliminary site suitability review conducted by staff determined that the subject property is located on swamp land. While the Municipality does not have the ability to regulate development on non-protected wetlands, as this is the jurisdiction of the Nova Scotia Department of Environment, staff has advised the applicant to have the lands reviewed by NS Environment to determine if infilling activities is required for the proposed development.

FINANCIAL IMPLICATIONS: None have been identified at this time.

ENVIRONMENTAL IMPLICATIONS: Staff have advised the applicant to have the lands reviewed by NS Dept of Environment for any potential infill of the swamp lands.

COMMUNITY ENGAGEMENT: This public hearing was duly advertised in accordance with the MGA. Notification to the public regarding the above was provided two weeks prior to the scheduled hearing date through the Municipal Website. The notice was re-circulated on the Municipal Website, one week prior to the scheduled date. Notification was given a second time through a published advertisement in the Casket, a locally circulating newspaper, one week prior to the scheduled hearing date. Furthermore, a planning notice sign was placed on the subject property, informing passersby there is a planning application for the site and they can find more information on the application.

ALTERNATIVES: Council can 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: Aerial Image
- Attachment B: Zoning Map with proposed amendments
- Attachment C: Ducks Unlimited Wetlands Map
- Attachment D: Cumberland County Policy Review

Report prepared by: Kira Norgren, Municipal Planner

Attachment A: Aerial Image

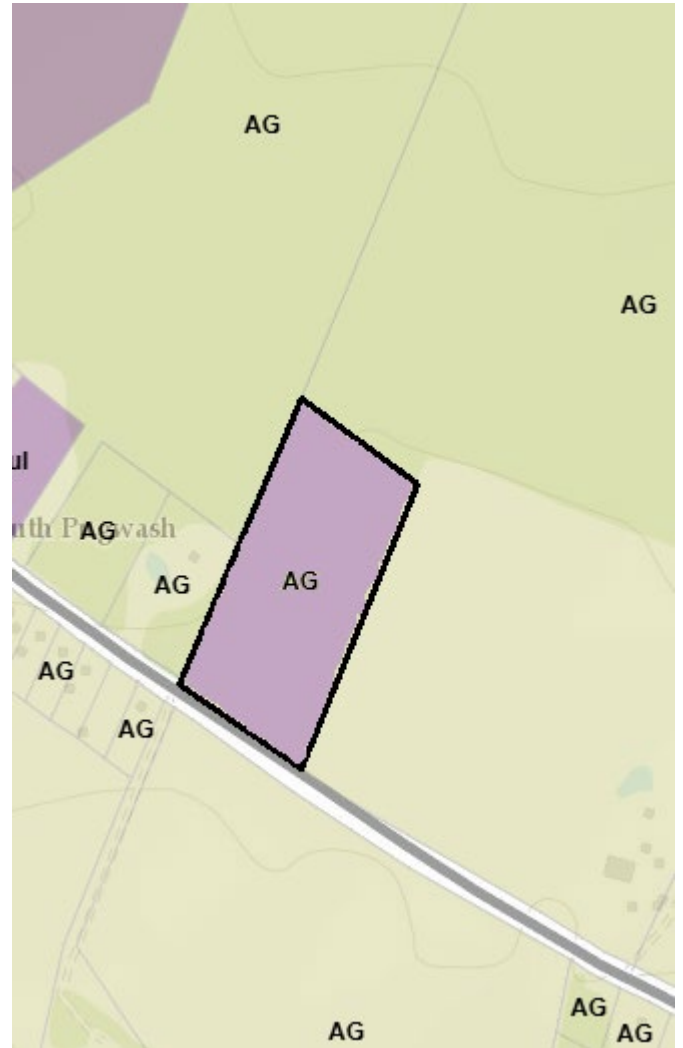


Attachment B: Zoning Map with proposed amendment

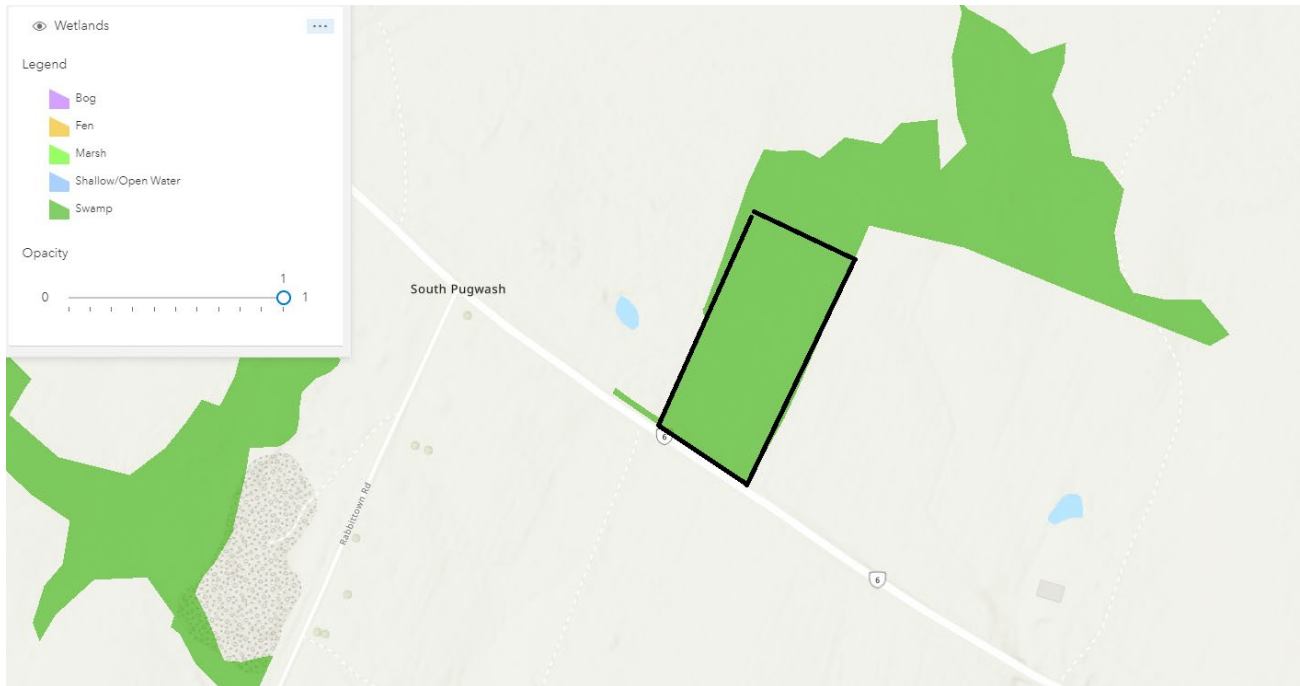
Current Zoning Map



Proposed Amendment



Attachment C : Wetlands Inventory map (Ducks Unlimited)



Attachment D: Policy Review

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| <p>MPS Policy 5-24 Council shall, on Schedule A, the Future Land Use Map, permit the following in zones within the resource designation.</p> <ul style="list-style-type: none"> (a) Agriculture Zone (b) Commercial Recreation Zone (c) Country Commercial Zone (d) Country Residential Zone (e) Flood Hazard Zone (f) Highway Commercial Zone (g) Institutional Zone (h) Parks and Open Space Zone (h.1) Recreational Residential Zone (i) Rural Industrial Zone (j) Rural Resource Zone |
| <p>Comment: With both the proposed zone and the current zone under the Resource Designation, rezoning is permitted.</p> |

11.3.1 The Rural Industrial Zone is intended to accommodate processing and other industries related to resource-based industries, and to accommodate intensive uses that require larger separation distances from dwellings and other less-intensive uses



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| that require large separation distances from dwellings and other less-intensive uses |
| Comment |
| The proposed development of a warehouse aligns with the intention of the proposed zone, as described in the Land Use Bylaw. |

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

| | |
|--|---|
| MPS 6-19 Council shall not amend the Land Use Bylaw or approve a development agreement unless Council is satisfied the proposal; | |
| Requirement: | Comment: |
| (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> | Does not conflict |
| (c) <i>Is not premature or inappropriate due to:</i> | No |
| (i) <i>The ability of the Municipality to absorb the public costs related to the project.</i> | No anticipated public costs related to the project. |
| (ii) <i>Impacts on existing drinking water supplies, both private and public.</i> | No impacts 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> | Site meets suitability requirements for On-site Water and sewage services. The proposal is subject to approval from Nova Scotia Environment for on-site-sewage. |
| (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 traffic hazards created by the proposed development. |



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Date: November 20, 2024

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| (v) <i>The adequacy of fire protective services and equipment;</i> | Sufficient fire protective services available, under 5min travel time from Pugwash Fire. |
| (vi) <i>The adequacy and proximity of schools and other community facilities.</i> | Not applicable |
| (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 known pollution problems related to the project |
| (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 concerns for the site. |
| (ix) <i>Impacts on sensitive environments, as identified on Schedule B</i> | No anticipated impacts |
| (ixA) <i>Impacts on wildlife corridors</i> | No anticipated impacts |
| (x) <i>Impacts on known habitat for species at risk</i> | No anticipated impacts |
| (xA) <i>risks presented by geohazards</i> | Mapping indicates karst risk level is low. |
| (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> | The site is considered swamp lands, applicant has been advised to consult with DOE regarding any infilling requirements |
| (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> | No negative impacts to the surrounding community noted. |



COUNCIL MEETING

RFD

Date: September 18, 2024

TO: Mayor and Council

FROM: Glen Boone, Director of Development and Planning

DATE: September 9, 2024

SUBJECT: First Reading – By-law to Amend the Land Use By-law 24-15 to Rezone 11339 Hwy 6, South Pugwash from Agriculture (AG) Zone to Rural Industrial (IRur) Zone.

ORIGIN: On August 1, 2023, planning staff received an application to rezone 11339 Highway 6 (PID 25150665), South Pugwash (the “subject property”), to permit the development of private storage buildings.

| PID | Location | Current Zone | Current Use | Proposed Zone | Proposed Use |
|----------|---------------|-----------------------|-------------|------------------------------|---------------------------------------|
| 25150665 | South Pugwash | Agriculture (AG) Zone | Vacant | Rural Industrial (IRur) Zone | Private Storage Buildings / warehouse |

LEGISLATIVE AUTHORITY: MGA PART VIII PLANNING AND DEVELOPMENT

MGA Section 205: Requirements for Adoption of Planning Documents

Municipal Planning Strategy 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 such 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) 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; and*
- (cA) the proposal is not premature due to impacts on wildlife corridors or due to the presence of geohazards; and [CHG-506]*
- (d) the proposal meets the general criteria for amending the Land Use By-law, set out in Policy 6-19.*

RECOMMENDATION: THAT Council approve First Reading of By-law to Amend the Land Use By-law 24-15 to Rezone PID 25150665, 11339 Highway 6, South Pugwash from Agriculture (AG) Zone to Rural Industrial (IRur) Zone AND schedule a Public Hearing for the proposed amendment.



COUNCIL MEETING

RFD

Date: September 18, 2024

BACKGROUND: The subject property is located at 11339 Highway 6, South Pugwash. The subject property is approximately 7.4 acres and zoned Agriculture (AG) but is not actively used for agriculture purposes. The property owner has expressed that they are not interested in using the lands for agricultural purposes in the future. The subject property was zoned agriculture in 2018, during the initial zone assignment for the county based on the soil profile of the parcel.

The property owner would like to use the land as auxiliary storage space for his garage door installation company. The proposed warehouse would be exclusively for the storage of overhead doors, no business transactions would be taking place on the property. Currently the agricultural zone does not permit the development of a warehouse.

DISCUSSION: A rezoning from the Agriculture Zone to the Rural Industrial Zone, is required to enable to the proposed development. Under the Resource Designation, rural industrial is the only zone that permits the development of a warehouse.

A preliminary site suitability review conducted by staff determined that the subject property is located on swamp land. Due to this, staff has requested the applicant obtain approval from the Nova Scotia Department of Environment for infilling activities, as infilling will be required to make the site suitable for development in accordance with the National Building Code.

FINANCIAL IMPLICATIONS: None have been identified at this time.

ENVIRONMENTAL IMPLICATIONS: Staff have advised the applicant to have the lands reviewed by NS Dept of Environment for any potential infill of the swamp lands.

COMMUNITY ENGAGEMENT: If Council approves, a public hearing could be held on the above matter at a later date. Public notification for the scheduled public hearing will be provided, two weeks prior to the scheduled date, through the Municipal Website. Staff will also look to advertise via regional paper one week prior to the Public Hearing.

ALTERNATIVES: Council can reject the first reading of Bylaw to Amend the Land Use Bylaw 24-XX or defer the issue until the applicant acquires a variance from the Nova Scotia Department of Agriculture.

ATTACHMENTS:

- Attachment A: Aerial Image
- Attachment B: Zoning Map with proposed amendments
- Attachment C: Ducks Unlimited Wetlands Map
- Attachment D: Cumberland County Policy Review

Attachment A: Aerial Image



Attachment B: Zoning Map with proposed amendment



Attachment C : Wetlands Inventory map (Ducks Unlimited)





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RFD

Date: September 18, 2024

Attachment D: Policy Review

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| <p>MPS Policy 5-24 Council shall, on Schedule A, the Future Land Use Map, permit the following in zones within the resource designation.</p> <ul style="list-style-type: none"> (a) Agriculture Zone (b) Commercial Recreation Zone (c) Country Commercial Zone (d) Country Residential Zone (e) Flood Hazard Zone (f) Highway Commercial Zone (g) Institutional Zone (h) Parks and Open Space Zone (h.1) Recreational Residential Zone (i) Rural Industrial Zone (j) Rural Resource Zone |
| <p>Comment: With both the proposed zone and the current zone under the Resource Designation, rezoning is permitted.</p> |

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| <p>11.3.1 The Rural Industrial Zone is intended to accommodate processing and other industries related to resource-based industries, and to accommodate intensive uses that require larger separation distances from dwellings and other less-intensive uses that require large separation distances from dwellings and other less-intensive uses</p> |
| <p>Comment The proposed development of a warehouse aligns with the intention of the proposed zone, as described in the Land Use Bylaw.</p> |

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



COUNCIL MEETING

RFD

Date: September 18, 2024

| MPS 6-19 Council shall not amend the Land Use Bylaw or approve a development agreement unless Council is satisfied the proposal; | |
|---|---|
| Requirement: | Comment: |
| (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> | Does not conflict |
| (c) <i>Is not premature or inappropriate due to:</i> | No |
| (i) <i>The ability of the Municipality to absorb the public costs related to the project.</i> | No anticipated public costs related to the project. |
| (ii) <i>Impacts on existing drinking water supplies, both private and public.</i> | No impacts 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> | Site meets suitability requirements for On-site Water and sewage services. The proposal is subject to approval from Nova Scotia Environment. |
| (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 traffic hazards created by the proposed development. |
| (v) <i>The adequacy of fire protective services and equipment;</i> | Sufficient fire protective services available, under 5min travel time from Pugwash Fire. |
| (vi) <i>The adequacy and proximity of schools and other community facilities.</i> | Not applicable |
| (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 known pollution problems related to the project |
| (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 concerns for the site. |
| (ix) <i>Impacts on sensitive environments, as identified on Schedule B</i> | No anticipated impacts |
| (ixA) <i>Impacts on wildlife corridors</i> | No anticipated impacts |
| (x) <i>Impacts on known habitat for species at risk</i> | No anticipated impacts |
| (xA) <i>risks presented by geohazards</i> | Mapping indicates karst risk level is low. |
| (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> | The site is considered swamp lands, property owners will require approval from the Department of Environment for infilling activities prior to permitting |
| (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> | No negative impacts to the surrounding community noted. |