



NOTICE OF PUBLIC HEARINGS

A Public Hearing for the By-law to Amend the Land Use By-law 25-03 and for 25-04 for the Municipality of Cumberland will be held

4:00 pm, Wednesday, April 23, 2025

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.

The purpose of the proposed amendments are as follows:

By-law to Amend the Land Use By-law 25-03

- to rezone 15518 Highway 6, Upper Malagash (PID 25182171) from the Agriculture (AG) Zone to the Country Commercial (CCou) Zone.

By-law to Amend the Land Use By-law 25-04

- to rezone the property between 148 Blue Sea Road and Golden Brook, Malagash Centre (PID 25350869) from the Agriculture (AG) Zone to the Residential Recreation (RRec) Zone.

Hearing documents can be viewed at 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: 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

SECOND READING

Date: May 26th, 2025

TO: Mayor and Council

FROM: Glen Boone, Director of Development and Planning

DATE: May 15th, 2025

SUBJECT: Second Reading - By-law to Amend the Land Use By-law 25-03 to rezone PID 25182171, 15518 Highway 6, Upper Malagash from the Agriculture (AG) Zone to the Country Commercial (CCou) Zone.

ORIGIN: On February 26th, 2025, planning staff received an application to rezone PID 25182171 (the “subject property”), Upper Malagash to support the development of a take-out restaurant, a small automotive service shop and a public restroom.

PID	Location	Current Zone	Current Use	Proposed Zone	Proposed Use
25182171	Upper Malagash	Agriculture (AG) Zone	Vacant	Country Commercial (CCou) Zone	Take-out restaurant/ automotive services/ public restroom

LEGISLATIVE AUTHORITY: MGA PART VIII PLANNING AND DEVELOPMENT

MGA Section 205: Requirements for Adoption of Planning Documents

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

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

RECOMMENDATION: THAT Council approve Second Reading of the By-law to Amend the Land Use By-law 25-03 to rezone PID 25182171, 15518 Highway 6, Upper Malagash from Agriculture (AG) Zone to Country Commercial (CCou) Zone.



COUNCIL MEETING

SECOND READING

Date: May 26th, 2025

BACKGROUND:

The subject property located at 15518 Hwy 6, Upper Malagash (PID 25182171), on the corner of Highway 6 and Malagash Rd. is 6786.50sqm in area, is currently zoned Agriculture and is vacant. The lot was zoned Agriculture in the initial zoning assignment based on soil profiles. Aerial photos show a residential building on the lot; however the applicant has confirmed the building has since been removed from the property. The property is located in Upper Malagash, a largely residential area that is in close proximity to the Colchester County Municipal Boundary and to a Trans Canada Trail greenway.

The proposed development of the subject property would consist of three complimentary uses, a takeout restaurant, a small automotive service station, and a public restroom. The applicant states these are all services and amenities that are desired by the community but are not currently offered. Residents of the area typically drive extended periods of time to complete everyday tasks and errands. The applicants are looking to provide these much-needed services to the community.

DISCUSSION:

The subject property was assigned the Agriculture (AG) zoning in 2018 based on soil profiles in the area. As no agricultural activities currently exist within the area, the lot was zoned agriculture with the intention of marking the land as reserve farmland. Cumberland County has approximately 122,613 hectares of AG zoned land in the county. Rezoning the subject property would decrease the amount of AG zoned land within the district by less than 1%. Additionally, surrounding lots are largely used for residential purposes. As such, it is unlikely the land surrounding the subject property will be returned to productive farmlands. Rezoning the subject property would not present a risk in creating fragmented agricultural lands, as there is no ability to create a network of agricultural land in the area, regardless of the zoning and land use of the subject property.

The applicant has identified their proposed development would meet community service needs regarding restaurants, automotive repair services, and public restrooms. The Applicant has been advised to reach out to NS Department of Transportation to obtain approval for a commercial driveway.

FINANCIAL IMPLICATIONS: The proposed development would stimulate local economic activity. Being situated close to the Colchester County Municipal Boundary, there exists an opportunity for intermunicipal economic activity.

ENVIRONMENTAL IMPLICATIONS: No concerns have been identified at this time. The subject property does not have access to municipal wastewater services and will be subject to DOE approval for an on-site sewage system. Rezoning the subject property reduces the amount of potential reserve farmland by less than 1% in the County. The applicant would have to align with any Provincial requirements respecting automotive repair and storage of oils, gas and fluids.



COUNCIL MEETING

SECOND READING

Date: May 26th, 2025

COMMUNITY ENGAGEMENT: On April 23rd, 2025, a Public Hearing was duly held. Public notification for the Public Hearing was provided on April 9th, 2025, two weeks prior to the scheduled hearing date through the municipal website. Furthermore, a notice for the Public Hearing was placed in a locally circulated newspaper on April 12th. Planning Notice sign was placed on the subject property on April 23rd.

At the Public Hearing, no representatives of the public spoke to Council.

ALTERNATIVES: Council can request further information, defer the decision to a later date, or reject the recommended motion.

ATTACHMENTS:

Attachment A: Zoning Map Change

Attachment B: Agriculture Land Context Map

Attachment C: Aerial Image

Attachment D: Site Plan

Attachment E: Policy Review

Report prepared by: Kira Norgren, Municipal Planner and Glen Boone, Director of Development and Planning

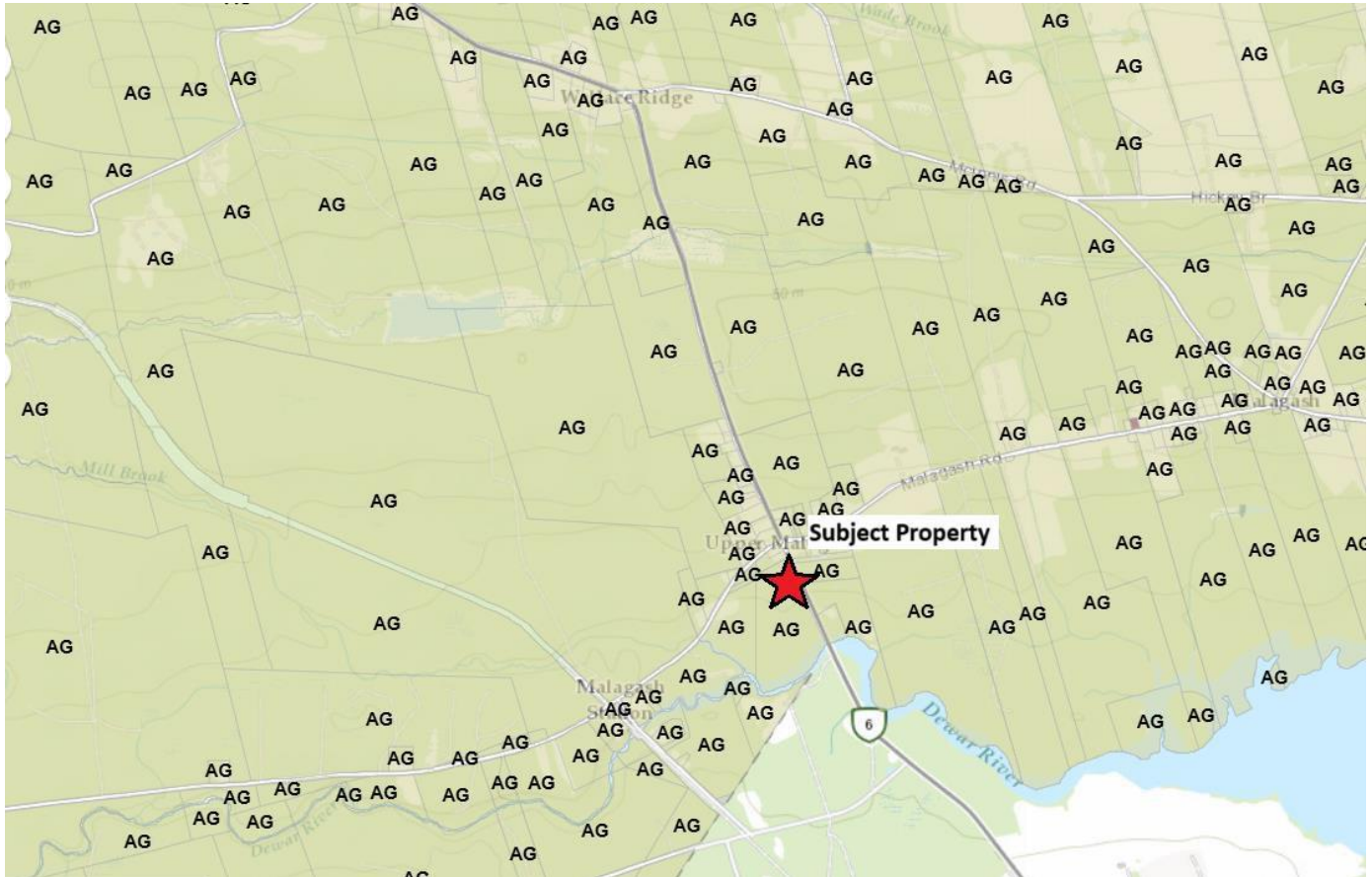
Attachment A: Zoning Map Change



Changes to



Attachment B: Agriculture Zoned Land Context Map



Attachment C: Aerial Image



**** property lines are approximations**

Attachment E: Policy Review

<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> <p>(a) Agriculture (AG) Zone (c) Country Commercial (CCou) Zone</p>
<p>Comment: As both zones exist within the resource designation, no further amendments to the MPS would be required for the requested rezoning.</p>

<p>LUB 11.5.1 The Country Commercial (CCou) zone is intended to permit a limited range of local service uses on unserviced lots in rural communities</p>
<p>Comment The proposed development would include a local take-out food window and auto repair shop. These establishments would provide service to local communities in the Malagash area.</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
<i>(a) if the proposed zone is the Highway Commercial Zone, the lands are located at an interchange of Highway 104.</i>	Not applicable
<i>(b) The proposed change is not prohibited by any other policy in this plan.</i>	No
<i>(c) the purpose of the proposed zone is consistent with the location and the characteristics of the lands;</i>	Yes
<i>(cA) the proposal is not premature due to impacts on wildlife corridors or due to the presence of geohazards</i>	No
<i>(d) The Proposal meet the general criteria for amending the Land Use Bylaw, set out in Policy -19</i>	See below

<p>MPS 6-19 Council shall not amend the Land Use Bylaw or approve a development agreement unless Council is satisfied the proposal;</p>	
Requirement:	Comment:
<i>(a) Is consistent with the intent of this Municipal Planning Strategy</i>	yes
<i>(b) Does not conflict with any Municipal or Provincial Programs, by-laws, or regulations in effect in the Municipality.</i>	no
<i>(c) Is not premature or inappropriate due to:</i>	Not premature or inappropriate
<i>(i) The ability of the Municipality to absorb the public costs related to the project.</i>	No public costs associated

(ii)	<i>Impacts on existing drinking water supplies, both private and public.</i>	No impacts to drinking water supplies anticipated
(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 is eligible for On-site Sewage Disposal System(OSS) approval through DOE. OSS approval is confirmed at the permitting stage.
(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 anticipated, proposed development will be subject to approval from DOT for a commercial driveway.
(v)	<i>The adequacy of fire protective services and equipment;</i>	Subject property is less than 10min travel time from the nearest firehall. The subject property is served by the Wallace District Volunteer Fire Dept.
(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 in the area.
(viii)	<i>The potential to create flooding or serious drainage issues including within the proposal site and in nearby areas</i>	No flooding and drainage issues anticipated
(ix)	<i>Impacts on sensitive environments, as identified on Schedule B</i>	Not identified on Schedule B
(ixA)	<i>Impacts on wildlife corridors</i>	No
(x)	<i>Impacts on known habitat for species at risk</i>	No
(xA)	<i>risks presented by geohazards</i>	No
(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>	No wetlands, water courses or geological conditions present
(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>	



COUNCIL MEETING

PUBLIC HEARING

Date: April 23, 2025

TO: Mayor and Council

FROM: Glen Boone, Director of Development and Planning

DATE: April 03, 2025

SUBJECT: Public Hearing - By-law to Amend the Land Use By-law 25-03 to rezone 15518 Highway 6, Upper Malagash (PID 25182171) from the Agriculture (AG) Zone to the Country Commercial (CCou) Zone.

ORIGIN: On February 26, 2025, planning staff received an application to rezone PID 25182171 (the “subject property”), Upper Malagash to support the development of a take-out restaurant, a small automotive service shop and a public restroom.

PID	Location	Current Zone	Current Use	Proposed Zone	Proposed Use
25182171	Upper Malagash	Agriculture (AG) Zone	Vacant	Country Commercial (CCou) Zone	Take-out restaurant/ automotive services/ public restroom

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: No motions to consider at the Public Hearing Stage.



COUNCIL MEETING

PUBLIC HEARING

Date: April 23, 2025

BACKGROUND:

The subject property located at 15518 Hwy 6, Upper Malagash (PID 25182171), on the corner of Highway 6 and Malagash Rd. The Subject Property is 6786.50sqm in area and is currently zoned Agriculture. The lot was zoned Agriculture in the initial zoning assignment based on soil profiles. The lot is completely vacant. Aerial photos show a residential building on the lot, however the applicant has confirmed the building has since been removed from the property. The property is located in Upper Malagash, a largely residential area that is in close proximity to the Colchester County Municipal Boundary. The subject property is in close proximity to a Trans Canada Trail greenway.

The proposed development of the subject property would consist of three complimentary uses, a takeout restaurant, a small automotive service station, and a public restroom. The applicant states these are all services and amenities that are desired by the community but are not currently offered. Residents of the area typically drive extended periods of time to complete everyday tasks and errands. The applicants are looking to provide these much-needed services to the community.

DISCUSSION:

The Subject Property was assigned the Agriculture (AG) zoning in 2018 based on soil profiles in the area. As no agricultural activities currently exist within the area, the lot was zoned agriculture with the intention of marking the land as reserve farmland. Cumberland County has approximately 122,613 hectares of AG zoned land in the county. Rezoning the subject property would decrease the amount of AG zoned land within the district by less than 1%. Additionally, surrounding lots are largely used for residential purposes. As such, it is unlikely the land surrounding the subject property will be returned to productive farmlands. Rezoning the subject property would not present a risk in creating fragmented agricultural lands, as there is no ability to create a network of agricultural land in the area, regardless of the zoning and land use of the subject property.

The applicant has identified their proposed development would meet community service needs regarding restaurants, automotive repair services, and public restrooms. The Applicant has been advised to reach out to NS Department of Transportation to obtain approval for a commercial driveway.

FINANCIAL IMPLICATIONS: The proposed development would stimulate local economic activity. Being situated close to the Colchester County Municipal Boundary, there exists an opportunity for intermunicipal economic activity.

ENVIRONMENTAL IMPLICATIONS: No concerns have been identified at this time. The subject property does not have access to Municipal Wastewater services and will be subject to DOE approval for an On- Site Sewage System. Rezoning the subject property reduces the amount of potential reserve farmland by less than 1% in the County. The applicant would have to align with any Provincial requirements respecting automotive repair and storage of oils, gas and fluids.



COUNCIL MEETING

PUBLIC HEARING

Date: April 23, 2025

COMMUNITY ENGAGEMENT: This Public Hearing advertised in accordance with Section 206 of the MGA. Public notification for a public hearing was posted on the Municipal Website, April 9th 2025, two weeks prior to the scheduled hearing date. Furthermore, a notice for the public hearing was placed in a locally circulated newspaper for April 12th and a Planning Notice sign will be posted on the subject property.

ALTERNATIVES: Council can request further information. As there are no motions at the Public Hearing Stage, Council cannot approve or reject the application until Second Reading has been given.

ATTACHMENTS:

- Attachment A: Zoning Map Change**
- Attachment B: Agriculture Land Context Map**
- Attachment C: Aerial Image**
- Attachment D: Site Plan**
- Attachment E: Policy Review**

Report prepared by: Kira Norgren, Municipal Planner and Glen Boone, Director of Development and Planning

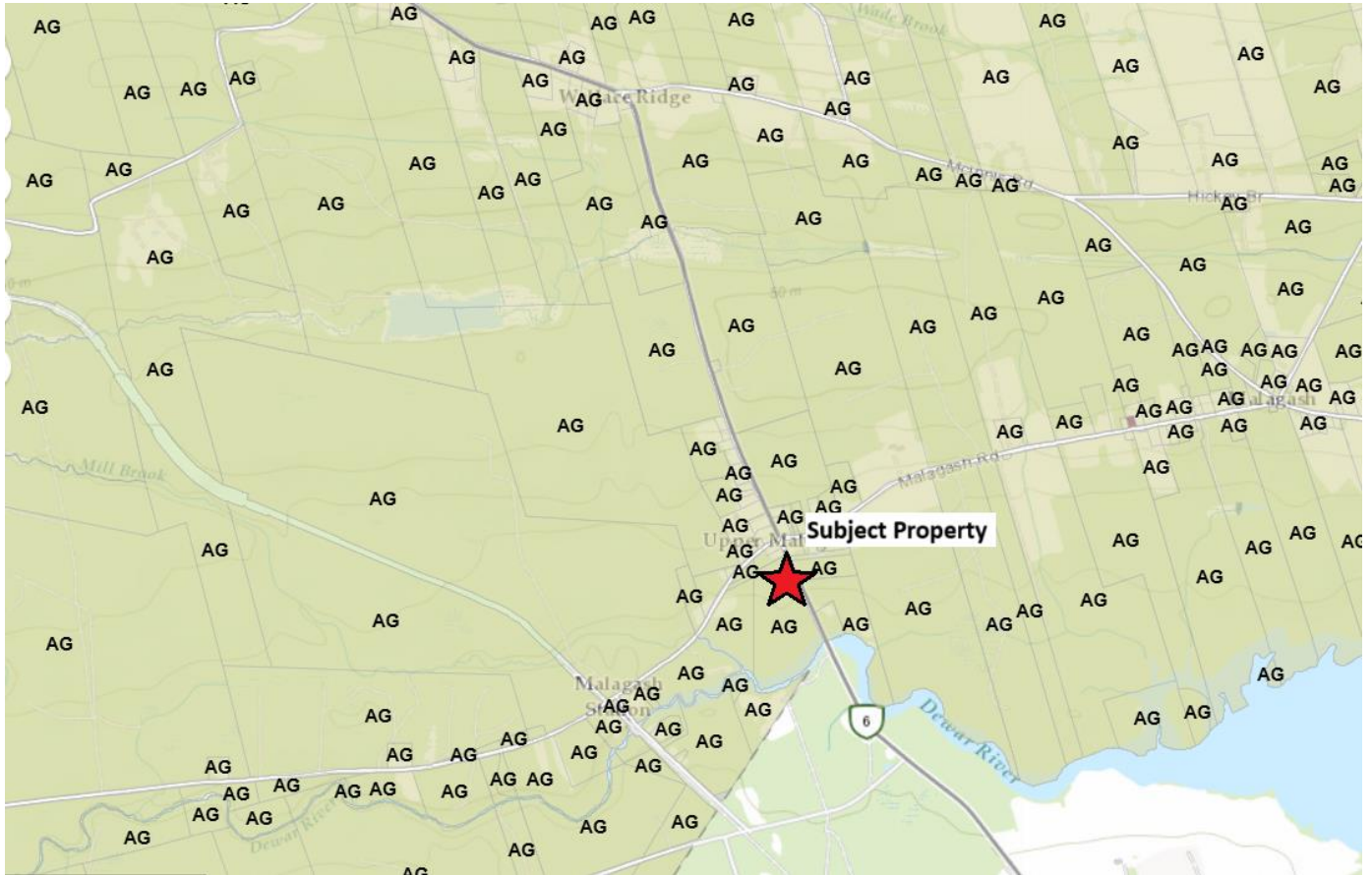
Attachment A: Zoning Map Change



Changes to



Attachment B: Agriculture Zoned Land Context Map

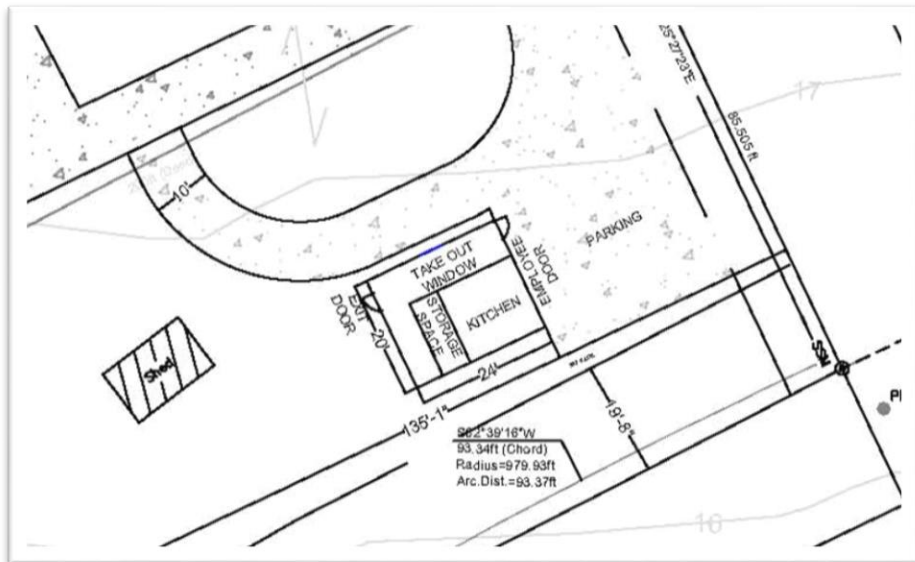
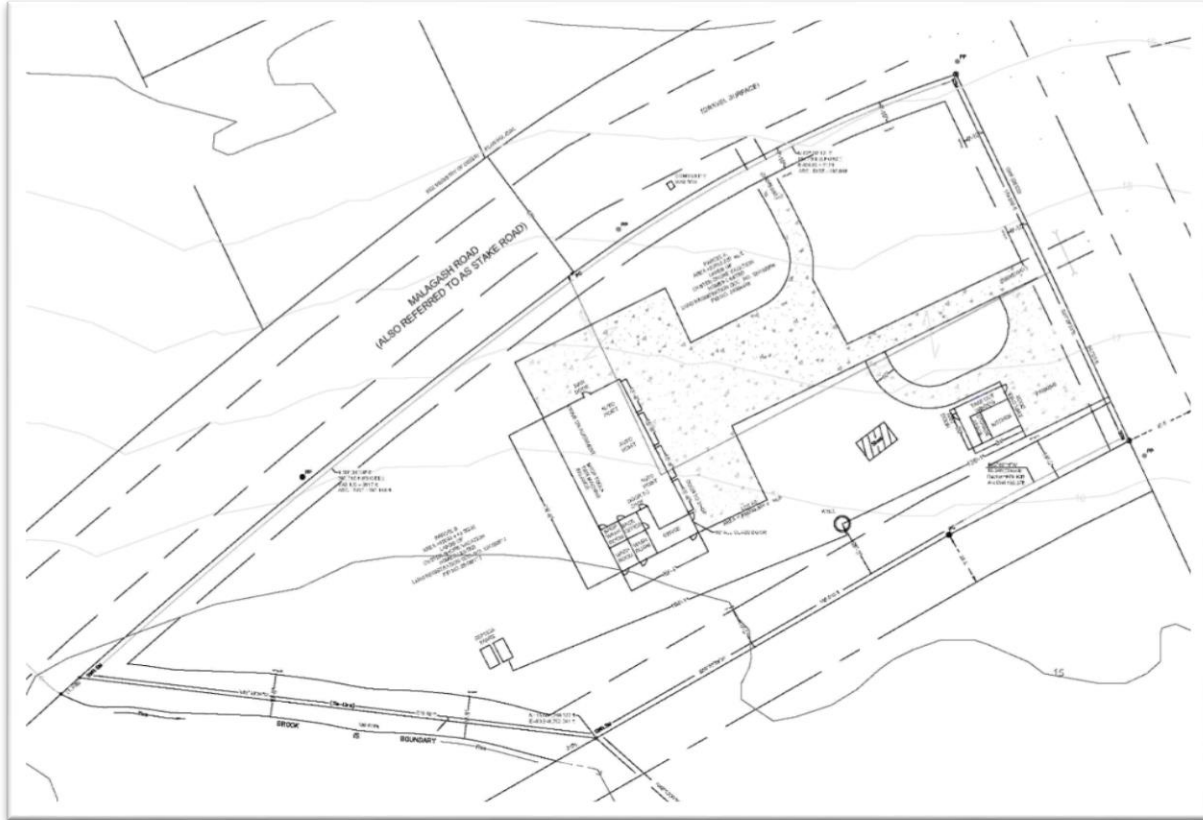


Attachment C: Aerial Image



**** property lines are approximations**

Attachment C: Site Plan Insets



Attachment D: Policy Review

<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> <p>(a) Agriculture (AG) Zone (c) Country Commercial (CCou) Zone</p>
<p>Comment: As both zones exist within the resource designation, no further amendments to the MPS would be required for the requested rezoning.</p>

<p>LUB 11.5.1 The Country Commercial (CCou) zone is intended to permit a limited range of local service uses on unserviced lots in rural communities</p>
<p>Comment The proposed development would include a local take-out food window and auto repair shop. These establishments would provide service to local communities in the Malagash area.</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
<i>(a) if the proposed zone is the Highway Commercial Zone, the lands are located at an interchange of Highway 104.</i>	Not applicable
<i>(b) The proposed change is not prohibited by any other policy in this plan.</i>	No
<i>(c) the purpose of the proposed zone is consistent with the location and the characteristics of the lands;</i>	Yes
<i>(cA) the proposal is not premature due to impacts on wildlife corridors or due to the presence of geohazards</i>	No
<i>(d) The Proposal meet the general criteria for amending the Land Use Bylaw, set out in Policy -19</i>	See below

<p>MPS 6-19 Council shall not amend the Land Use Bylaw or approve a development agreement unless Council is satisfied the proposal;</p>	
Requirement:	Comment:
<i>(a) Is consistent with the intent of this Municipal Planning Strategy</i>	yes
<i>(b) Does not conflict with any Municipal or Provincial Programs, by-laws, or regulations in effect in the Municipality.</i>	no
<i>(c) Is not premature or inappropriate due to:</i>	Not premature or inappropriate
<i>(i) The ability of the Municipality to absorb the public costs related to the project.</i>	No public costs associated



COUNCIL MEETING

PUBLIC HEARING

Date: April 23, 2025

(ii)	<i>Impacts on existing drinking water supplies, both private and public.</i>	No impacts to drinking water supplies anticipated
(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 is eligible for On-site Sewage Disposal System(OSS) approval through DOE. OSS approval is confirmed at the permitting stage.
(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 anticipated, proposed development will be subject to approval from DOT for a commercial driveway.
(v)	<i>The adequacy of fire protective services and equipment;</i>	Subject property is less than 10min travel time from the nearest firehall. The subject property is served by the Wallace District Volunteer Fire Dept.
(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 in the area.
(viii)	<i>The potential to create flooding or serious drainage issues including within the proposal site and in nearby areas</i>	No flooding and drainage issues anticipated
(ix)	<i>Impacts on sensitive environments, as identified on Schedule B</i>	Not identified on Schedule B
(ixA)	<i>Impacts on wildlife corridors</i>	No
(x)	<i>Impacts on known habitat for species at risk</i>	No
(xA)	<i>risks presented by geohazards</i>	No
(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>	No wetlands, water courses or geological conditions present
(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 anticipated



NOTICE OF PUBLIC HEARINGS

A Public Hearing for the By-law to Amend the Land Use By-law 25-03 and for 25-04 for the Municipality of Cumberland will be held

4:00 pm, Wednesday, April 23, 2025

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.

The purpose of the proposed amendments are as follows:

By-law to Amend the Land Use By-law 25-03

- to rezone 15518 Highway 6, Upper Malagash (PID 25182171) from the Agriculture (AG) Zone to the Country Commercial (CCou) Zone.

By-law to Amend the Land Use By-law 25-04

- to rezone the property between 148 Blue Sea Road and Golden Brook, Malagash Centre (PID 25350869) from the Agriculture (AG) Zone to the Residential Recreation (RRec) Zone.

Hearing documents can be viewed at 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: 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

FIRST READING

Date: March 26, 2025

TO: Mayor and Council

FROM: Glen Boone, Director of Development and Planning

DATE: March 12, 2025

SUBJECT: First Reading - By-law to Amend the Land Use By-law 25-03 to rezone 15518 Highway 6, Upper Malagash (PID 25182171) from the Agriculture (AG) Zone to the Country Commercial (CCou) Zone.

ORIGIN: On February 26, 2025, planning staff received an application to rezone PID 25182171 (the “subject property”), Upper Malagash to support the development of a take-out restaurant, a small automotive service shop and a public restroom.

PID	Location	Current Zone	Current Use	Proposed Zone	Proposed Use
25182171	Upper Malagash	Agriculture (AG) Zone	Vacant	Country Commercial (CCou) Zone	Take-out restaurant/ automotive services/ public restroom

LEGISLATIVE AUTHORITY: MGA PART VIII PLANNING AND DEVELOPMENT

MGA Section 205: Requirements for Adoption of Planning Documents

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- (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 25-03 to rezone 15518 Highway 6, Upper Malagash (PID 25182171) from Agriculture (AG) Zone to Country Commercial (CCou) Zone AND to schedule a Public Hearing for the proposed amendment.



COUNCIL MEETING

FIRST READING

Date: March 26, 2025

BACKGROUND:

The subject property located at 15518 Hwy 6, Upper Malagash (PID 25182171) is 6786.50sqm in area and is currently zoned Agriculture. The lot was zoned Agriculture in the initial zoning assignment based on soil profiles. The lot is completely vacant. Aerial photos show a residential building on the lot, however the applicant has confirmed the building has since been removed from the property. The property is located in Upper Malagash, a largely residential area that is in close proximity to the Colchester County Municipal Boundary. The subject property is in close proximity to a Trans Canada Trail greenway.

The proposed development of the subject property would consist of three complimentary uses, a takeout restaurant, a small automotive service station, and a public restroom. The applicant states these are all services and amenities that are desired by the community but are not currently offered. Residents of the area typically drive extended periods of time to complete everyday tasks and errands. The applicants are looking to provide these much-needed services to the community.

DISCUSSION:

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The applicant has identified their proposed development would meet community service needs regarding restaurants, automotive repair services, and public restrooms.

FINANCIAL IMPLICATIONS: The proposed development would stimulate local economic activity. Being situated close to the Colchester County Municipal Boundary, there exists an opportunity for intermunicipal economic activity.

ENVIRONMENTAL IMPLICATIONS: No concerns have been identified at this time. The subject property does not have access to Municipal Wastewater services and will be subject to DOE approval for an On- Site Sewage System. Rezoning the subject property reduces the amount of potential reserve farmland by less than 1% in the County. The applicant would have to align with any Provincial requirements respecting automotive repair.

COMMUNITY ENGAGEMENT: If Council chooses a Public Hearing on the proposed amendment can be scheduled and held. In accordance with Section 206 of the MGA, public notification for a public hearing will be posted on the Municipal Website, two weeks prior to the scheduled hearing date. Furthermore, a notice for the public hearing will be placed in a locally circulated newspaper and a Planning Notice sign will be posted on the subject property.



COUNCIL MEETING

FIRST READING

Date: March 26, 2025

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: Zoning Map Change

Attachment B: Aerial Image

Attachment C: Site Plan

Attachment D: Policy Review

Report prepared by: Kira Norgren, Municipal Planner and Glen Boone
Director of Development and Planning

Attachment A: Zoning Map Change



Changes to



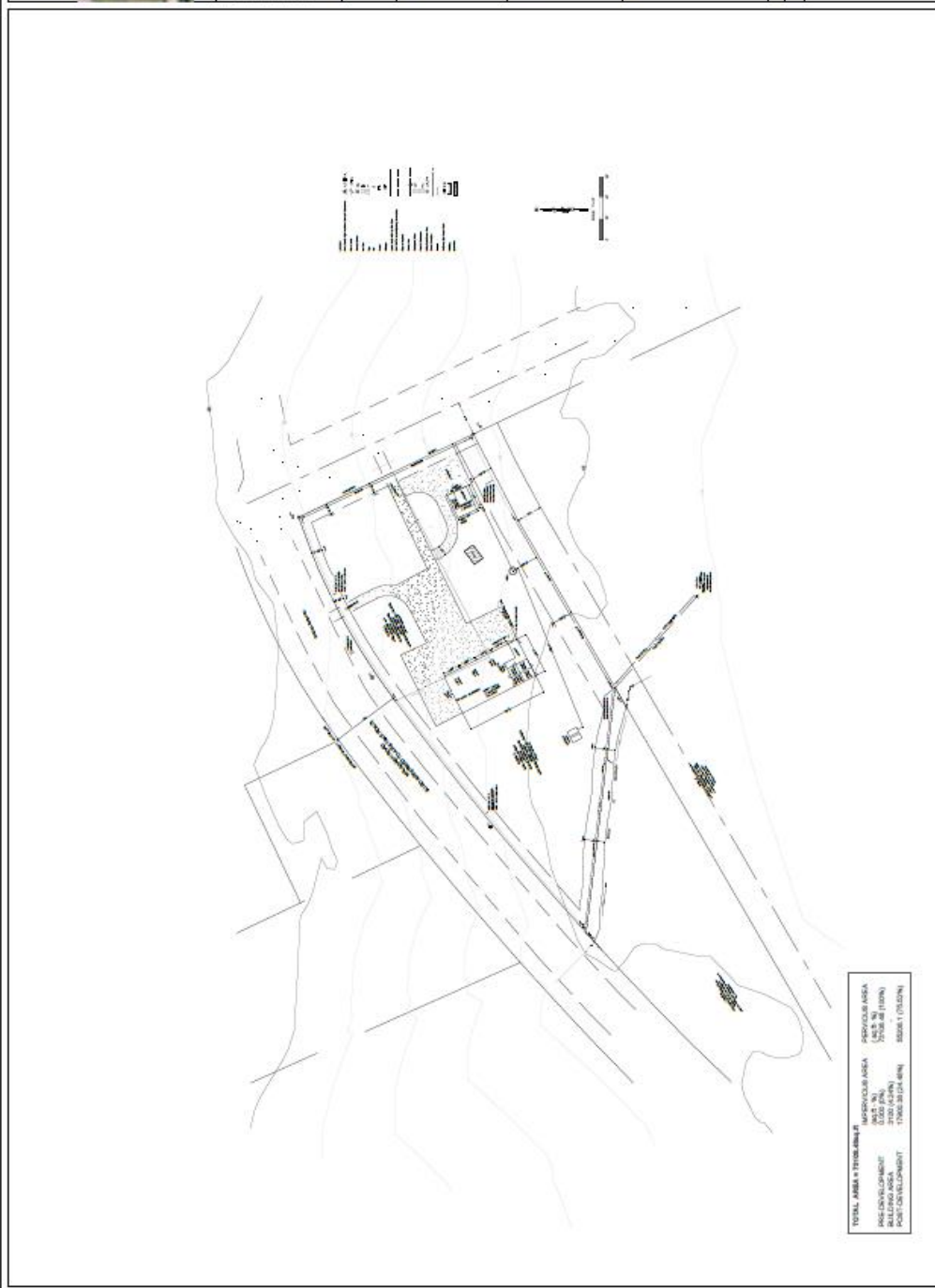


Attachment B: Aerial Image



**** property lines are approximations**

Attachment C: Site Plan

 <p>SURGE GROUP Sustainable. Market. Smart. Environment. www.surge-cc.com</p>		<table border="1"> <thead> <tr> <th>No.</th> <th>DESCRIPTION</th> <th>DATE</th> </tr> </thead> <tbody> <tr><td> </td><td> </td><td> </td></tr> <tr><td> </td><td> </td><td> </td></tr> <tr><td> </td><td> </td><td> </td></tr> <tr><td> </td><td> </td><td> </td></tr> <tr><td> </td><td> </td><td> </td></tr> <tr><td> </td><td> </td><td> </td></tr> <tr><td> </td><td> </td><td> </td></tr> <tr><td> </td><td> </td><td> </td></tr> <tr><td> </td><td> </td><td> </td></tr> <tr><td> </td><td> </td><td> </td></tr> </tbody> </table>	No.	DESCRIPTION	DATE																															<p>PROJECT NAME: Automotive Repair Shop</p>	<p>PROJECT ADDRESS: 19518 Highway 6, Michigan Nova Scotia Canada B0K 1G3</p>	<p>CLIENT NAME: Jarranda Doyle</p>	<p>GENERAL COMMENT:</p>	<p>PROJECT NUMBER:</p>	<p>DATE:</p>	<p>C1 Site Plan</p>
No.	DESCRIPTION	DATE																																								
 <div data-bbox="1079 1638 1153 1921" style="border: 1px solid black; padding: 5px;"> <p>TOTAL AREA & TOLERANCES</p> <table border="1"> <tr> <td>IMPROVED AREA</td> <td>PROJECT AREA</td> </tr> <tr> <td>1000 SQ. FT.</td> <td>1000 SQ. FT.</td> </tr> <tr> <td>1000 SQ. FT.</td> <td>1000 SQ. FT.</td> </tr> <tr> <td>1000 SQ. FT.</td> <td>1000 SQ. FT.</td> </tr> <tr> <td>1000 SQ. FT.</td> <td>1000 SQ. FT.</td> </tr> </table> </div>										IMPROVED AREA	PROJECT AREA	1000 SQ. FT.	1000 SQ. FT.	1000 SQ. FT.	1000 SQ. FT.	1000 SQ. FT.	1000 SQ. FT.	1000 SQ. FT.	1000 SQ. FT.																							
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Attachment D: Policy Review

<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> <p>(a) Agriculture (AG) Zone (c) Country Commercial (CCou) Zone</p>
<p>Comment: As both zones exist within the resource designation, no further amendments to the MPS would be required for the requested rezoning.</p>

<p>LUB XX.X.X The Country Commercial (CCou) zone is intended to permit a limited range of local service uses on unserviced lots in rural communities</p>
<p>Comment The proposed development would include a local take-out food window and auto repair shop. These establishments would provide service to local communities in the Malagash area.</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
<i>(a) if the proposed zone is the Highway Commercial Zone, the lands are located at an interchange of Highway 104.</i>	Not applicable
<i>(b) The proposed change is not prohibited by any other policy in this plan.</i>	No
<i>(c) the purpose of the proposed zone is consistent with the location and the characteristics of the lands;</i>	Yes
<i>(cA) the proposal is not premature due to impacts on wildlife corridors or due to the presence of geohazards</i>	No
<i>(d) The Proposal meet the general criteria for amending the Land Use Bylaw, set out in Policy -19</i>	See below

<p>MPS 6-19 Council shall not amend the Land Use Bylaw or approve a development agreement unless Council is satisfied the proposal;</p>	
Requirement:	Comment:
<i>(a) Is consistent with the intent of this Municipal Planning Strategy</i>	yes
<i>(b) Does not conflict with any Municipal or Provincial Programs, by-laws, or regulations in effect in the Municipality.</i>	no
<i>(c) Is not premature or inappropriate due to:</i>	Not premature or inappropriate
<i>(i) The ability of the Municipality to absorb the public costs related to the project.</i>	No public costs associated

(ii)	<i>Impacts on existing drinking water supplies, both private and public.</i>	No impacts to drinking water supplies anticipated
(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 is eligible for OSS permitting through NSECC. OSS approval is confirmed at the permitting stage.
(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>	None anticipated
(v)	<i>The adequacy of fire protective services and equipment;</i>	Subject property is less than 10min travel time from the nearest firehall. The subject property is served by the Wallace District Volunteer Fire Dept.
(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 in the area.
(viii)	<i>The potential to create flooding or serious drainage issues including within the proposal site and in nearby areas</i>	No flooding and drainage issues anticipated
(ix)	<i>Impacts on sensitive environments, as identified on Schedule B</i>	Not identified on Schedule B
(ixA)	<i>Impacts on wildlife corridors</i>	No
(x)	<i>Impacts on known habitat for species at risk</i>	No
(xA)	<i>risks presented by geohazards</i>	No
(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>	No wetlands, water courses or geological conditions present
(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 anticipated