



## **NOTICE OF ADOPTION**

Second reading and adoption of the By-law to Amend the Land Use Bylaw 25- and a Development Agreement for 2 King St Springhill took place on Wednesday, March 19, 2025. The purpose of the adopted items are:

### **By-law to Amend the Land Use By-law 25-02**

- Rezone a portion of PID 25066606, located between 292 Smith Rd and 354 Smith Rd, Upper Nappan from Agriculture (AG) Zone to the Rural Industrial (IRur) Zone

### **Development Agreement for 2 King St Springhill**

- Permit the operation of Choisnut's Tire and Auto Parts on a property zoned Lower Density Residential (RLow)

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

Amanda Kinnear  
Acting Clerk



**COUNCIL MEETING**

**SECOND READING**

**Date: March 19, 2025**

**TO:** Mayor and Council  
**FROM:** Glen Boone, Director of Development and Planning  
**DATE:** March 10, 2025  
**SUBJECT:** **Second Reading - By-law to Amend the Land Use By-law 25-02 to rezone a portion of PID 25066606, located between 292 and 354 Smith Rd., Upper Nappan from Agriculture (AG) Zone to Rural Industrial (IRur) Zone.**

**ORIGIN:** At its January 22, 2025 meeting Council approved first reading of the By-law to Amend the Land Use By-law 25-02 to rezone a portion of PID 25066606 from Agriculture (AG) Zone to the Rural Industrial (IRur) Zone.

PID	Location	Current Zone	Current Use	Proposed Zone	Proposed Use
25066606	Upper Nappan	Agriculture (AG)	Active Farmland Pasture	Rural Industrial (IRur)	Salt Brine Well (Manufacturing)

**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 25-02 to rezone a portion of PID 25066606 from Agriculture (AG) Zone to the Rural Industrial (IRur) Zone.**



## COUNCIL MEETING

## SECOND READING

Date: March 19, 2025

**BACKGROUND:** Currently, the property is part of a network of land parcels that are used for field crops and pasturing. The subject property makes up a small portion of the existing pasture network and the proposed rezoning would rezone a small portion of the subject property. Compass Minerals has acquired the mineral rights for the subject property and is now looking to obtain a development permit for the development and operation of a new salt brine well. This would allow Compass Minerals to enhance their current operation and provide a backup source for salt brine acquisition. The lot is located within an area that is Municipally serviced and while the subject property does not utilize central water, Town of Amherst central water connection is available to the lot and the existing surrounding properties.

The proposed development would be essential for the continued operation of the salt plant, as Compass Minerals is in the process of decommissioning one of their salt wells and will need to replace the decommissioned well to meet production market demands. Compass Minerals has been located at 327 Smith St. in Upper Nappan since its opening in 1941. Compass Minerals employs 55 people.

To enable the development of the new salt brine well, the driveway access will need to be upgraded. The applicant has already engaged Nova Scotia Public Works and has received approval to upgrade the driveway access. The proposed development will not require utility structures, as the well can be managed from the main plant facility, located on PID 25066598. The only structures for the well that will be above ground and visible to the public will be the piping that enables the brine water extraction and the well hole cover. The operation of the well is both soundless and odorless and therefore will not create a public nuisance.

**DISCUSSION:** A rezoning of a portion of the land to facilitate the brine well would be an appropriate use of land. While the land is currently zoned agriculture and is being used for agricultural purposes, Compass Minerals has been able to co-exist within the surround properties since 1941. This is a longstanding existing use and the proposed rezoning and brine well development would not impede existing agricultural uses. Once the wellheads are fenced off by the applicant, the cattle will be able to continue grazing on the land or can be used for pasture and/or hay crops.

**FINANCIAL IMPLICATIONS:** Compass Minerals continues to be a large employer in the County, staffing approx. 55 employees and greatly contributes positively to the local economy. Compass Minerals is also a large industrial taxpayer for the County.

**ENVIRONMENTAL IMPLICATIONS:** Rezoning the site will only impact a small section of the subject lands and associated farmland. Cumberland has significant Agricultural Land and Reserve farmland. The proposed rezoning would not substantially impact the quantity of usable farmland and reserve farmland within the county. Furthermore, the proposed salt brine well would not impede the continued agricultural use of the remaining portion of the lot, as it is currently used.

**COMMUNITY ENGAGEMENT:** A Public Hearing for the proposed rezoning took place on February 19, 2025. The public hearing was duly advertised in accordance with MGA Section 206. A notice for the Public Hearing was placed on the Municipal Website on February 4, two weeks prior to the scheduled hearing date. Furthermore, a notice was placed in The Chronicle Herald for February 8 and a Planning Notice Sign was placed on the property.



## COUNCIL MEETING

## SECOND READING

**Date: March 19, 2025**

No comments from the public have been received prior to the scheduled hearing. At the Public Hearing, a member of the public came forward to speak and ask questions regarding the proposed development. The public representative expressed concern for the potential for permitted future uses on the portion of the land rezoned. They felt while the one wellhead was fine, they were concerned towards potential future uses permitted once the rezoning is in effect. The Applicant was also present at the Public Hearing, they provided a presentation to Council on their company, Compass Minerals, and the proposed new wellhead.

**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: Street and Site Pictures

Attachment C: Zoning Map Change

Attachment D: Map of Agricultural Lands within the Vicinity of the Subject Property

Attachment E: Policy Review

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Report prepared by: Kira Norgren, Municipal Planner

**Attachment A: Aerial Image**



**Attachment B: Street and Site Pictures**

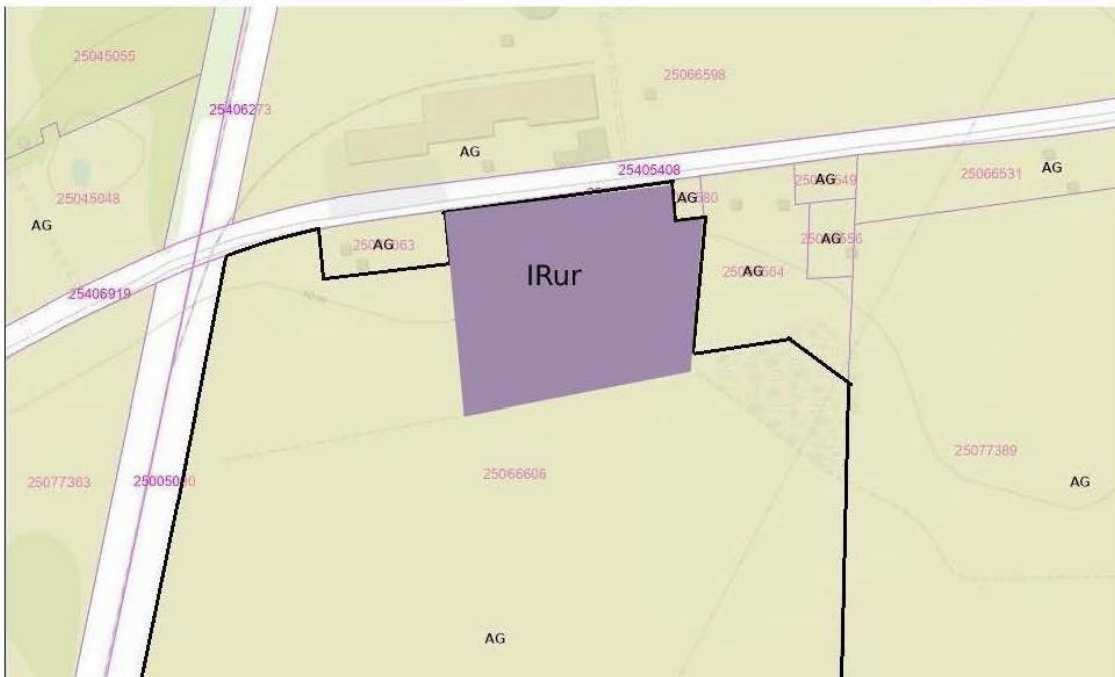


Standard Wellhead used

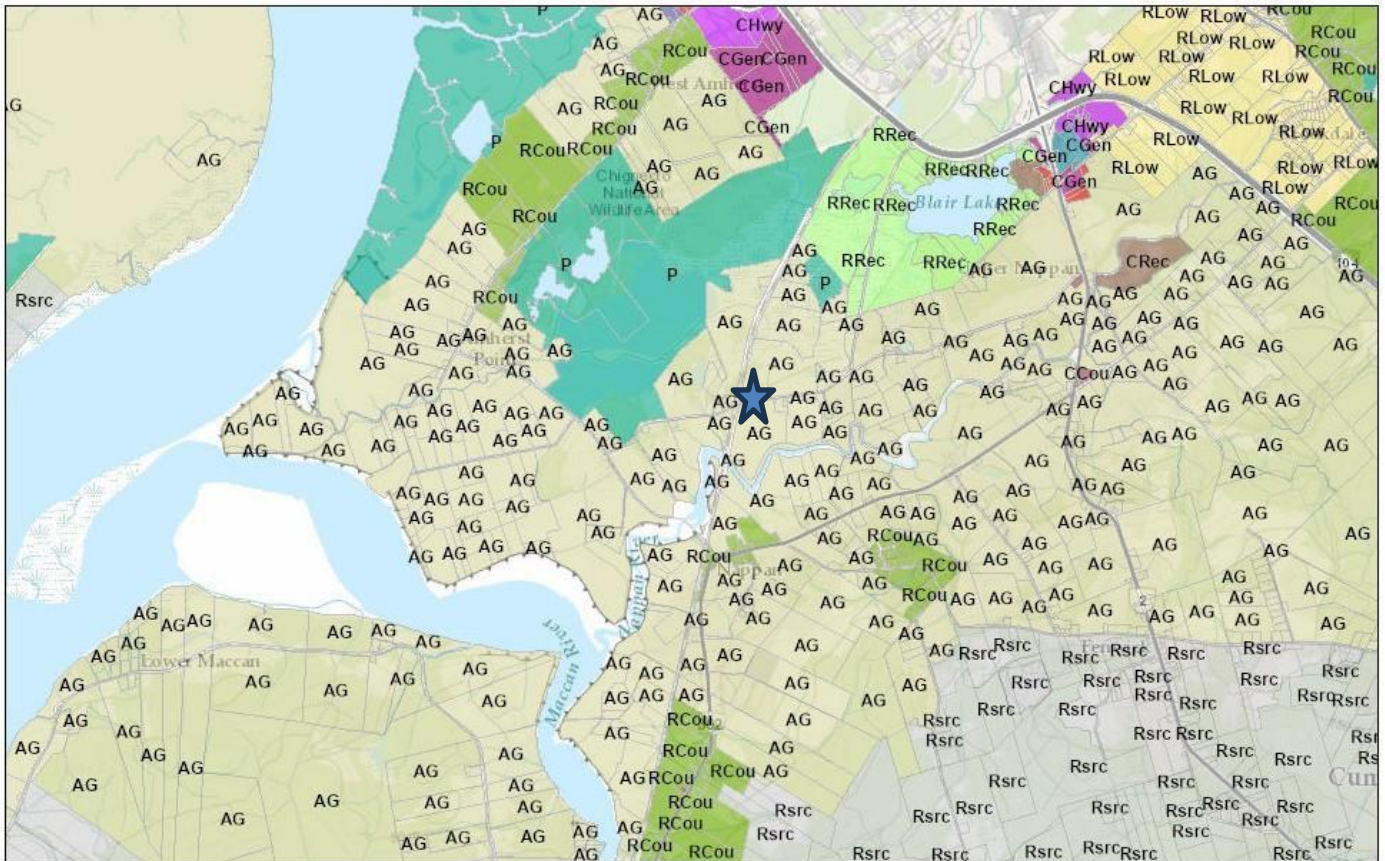
**Attachment C: Zoning Map Change**



Changes to

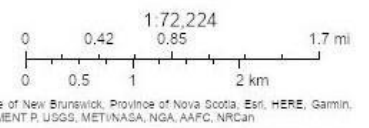


**Attachment D: Map of Agricultural Lands within the Vicinity of the Subject Property area.**




1/14/2025, 10:58:33 AM

- |                                       |                                |                                   |                               |
|---------------------------------------|--------------------------------|-----------------------------------|-------------------------------|
| Lower Density Residential Zone (RLow) | Mixed-use Zone (CMix)          | Commercial Recreation Zone (CRec) | Urban Industrial Zone (IND)   |
| Country Residential Zone (RCou)       | General Commercial Zone (CGen) | Institutional Zone (INS)          | Parks and Open Space Zone (P) |
| Recreational Residential Zone (RRec)  | Highway Commercial Zone (CHwy) | Agriculture Zone (AG)             |                               |
|                                       | Country Commercial Zone (CCou) | Rural Resource Zone (Rsrc)        |                               |



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Province of New Brunswick, Province of Nova Scotia, Esri, HERE, Garmin, INCREMENT P, USGS, METI/NASA, NGA, AAF, NRCAN | Service Nova Scotia | ArcGIS Web AppBuilder

 represents the location of the subject property.



**COUNCIL MEETING**

**SECOND READING**

**Date: March 19, 2025**

**Attachment E: Policy Review**

<b>LUB 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 large separation distances from dwellings and other less-intensive uses.</b>	
Comment:	
The proposed development of a new salt brine well is a Manufacturing land use, as it involves the processing and packaging of salt. This is a use that currently is permitted under the IRur zoning as-of-right.	

<b>MPS Policy 5-35 Council shall consider proposals to rezone lands in the Resource designation to any other zone permitted in that designation. Council shall not approved a rezoning unless council is satisfied;</b>	
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>If the proposed change is not prohibited by any other policy in this Plan;</i>	Not prohibited
(c) <i>The purposed of the proposed zone as described in the respective policy creating that zone, is consistent with the location and characteristics of the lands and with the proposed use of the lands</i>	See LUB 11.3.1 above
(cA) <i>the proposal is not premature due to impacts on wildlife corridors or due to the presence of geohazards; and</i>	No
(d) <i>The proposal meets the general criteria for amending the land use bylaw, set out in Policy 6-19.</i>	See MPS 6-19 below

<b>MPS 6-19 Council shall not amend the Land Use Bylaw or approve a development agreement unless Council is satisfied the proposal;</b>	
<b>Requirement:</b>	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>	
(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,</i>	The Proposed

	<i>where such services are not available, the suitability of the site to accommodate on-site water and sewage services</i>	development would not require OSS.
(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. The applicant has obtained a permit to upgrade the existing driveway to a commercial driveway, which is required for this development.
(v)	<i>The adequacy of fire protective services and equipment;</i>	Sufficient fire protective services available
(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 anticipated flooding or drainage concerns posed by the proposed development.
(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>	No risk for geohazards on the site
(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>	This is suitable for the proposed development. The proposed development does not significantly impact the adjacent waterways and existing pasture farmland.
(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. Current farming activities will be able to continue on the remaining portion of the lot.



**COUNCIL MEETING**

**PUBLIC HEARING**

**Date: February 19, 2025**

**TO:** Mayor and Council

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

**DATE:** February 11, 2025

**SUBJECT:** **Public Hearing - By-law to Amend the Land Use By-law 25-02 to rezone a portion of PID 25066606, located between 292 and 354 Smith Rd., Upper Nappan from Agriculture (AG) Zone to Rural Industrial (IRur) Zone.**

**ORIGIN:** On November 29, planning staff received an application from Compass Minerals on behalf of the property owners, Bacons Farms, to rezone a portion of PID25066606, between 292 and 354 Smith Rd. Upper Nappan NS (the “subject property”) to permit the development of a salt brine well for Compass Minerals.

PID	Location	Current Zone	Current Use	Proposed Zone	Proposed Use
25066606	Upper Nappan	Agriculture (AG)	Active Farmland Pasture	Rural Industrial (IRur)	Salt Brine Well (Manufacturing)

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

MGA Section 205: Requirements for Adoption of Planning Documents

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

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

**RECOMMENDATION: No motions to consider at this stage.**



## COUNCIL MEETING

## PUBLIC HEARING

Date: February 19, 2025

**BACKGROUND** Currently, the property is part of a network of land parcels that are used for cow pasturing. The subject property makes up a small portion of the existing pasture network and the proposed rezoning would rezone a small portion of the subject property. Compass Minerals has acquired the mineral rights for the subject property and is now looking to obtain a development permit for the development and operation of a new salt brine well. This would allow Compass Minerals to enhance their current operation and provide a backup source for salt brine acquisition. The lot is located within an area that is Municipally Serviced, while the subject property does not utilize central water, Town of Amherst central water connection is available to the lot and the existing surrounding properties.

The proposed development would be essential for the continued operation of the salt plant, as Compass Minerals is in the process of decommissioning one of their salt wells and will need to replace the decommissioned well to meet production market demands. Compass Minerals has been located at 327 Smith St. in Upper Nappan since its opening in 1941. Compass Minerals employs 55 people.

To enable the development of the new salt brine well, the driveway access will need to be upgraded. The applicant has already engaged Nova Scotia Public Works and has received approval to upgrade the driveway access. The proposed development will not require utility structures, as the well can be managed from the main plant facility, located on PID 25066598. The only structures for the well that will be above ground and visible to the public will be the piping that enables the brine water extraction and the well hole cover. The operation of the well is both soundless and odorless and therefore will not create a public nuisance.

**DISCUSSION:** A rezoning of a portion of the land to facilitate the brine well would be an appropriate use of land. While the land is currently zoned agriculture and is being used for agricultural purposes, Compass Minerals has been able to co-existing within the surround properties since 1941. This is a longstanding existing use and the proposed rezoning and brine well development would not impede existing agricultural uses. Once the wellheads are fenced off by the applicant, the cattle will be able to continue grazing on the land or can be used for pasture and/or hay crop.

**FINANCIAL IMPLICATIONS:** Compass Minerals continues to be a large employer in the County, staffing approx. 55 employees and greatly contributes positively to the local economy. Compass Minerals is also a large industrial taxpayer for the County.

**ENVIRONMENTAL IMPLICATIONS:** Rezoning the site will only impact a small section of the subject lands and associated farmland. Cumberland has significant Agricultural Land and Reserve farmland. The proposed rezoning would not substantially impact the quantity of usable farmland and reserve farmland within the county. Furthermore, the proposed salt brine well would not impede the continued agricultural use of the remaining portion of the lot, as it is currently used.

**COMMUNITY ENGAGEMENT:** In accordance with MGA Section 206, notices were placed on the Municipal Website on February 4, two weeks prior to the scheduled hearing date. Furthermore, a notice was placed in The Chronicle Herald for February 8 and a Planning Notice Sign was placed on the property.

No comments from the public have been received by staff at the time of writing this report.



## COUNCIL MEETING

## PUBLIC HEARING

Date: February 19, 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: Aerial Image

Attachment B: Street and Site Pictures

Attachment C: Zoning Map Comparison

Attachment D: Map of Agricultural Lands within the Vicinity of the Subject Property

Attachment E: Policy Review

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Report prepared by: Kira Norgren, Municipal Planner

**Attachment A: Aerial Image**



**Attachment B: Street and Site Pictures**

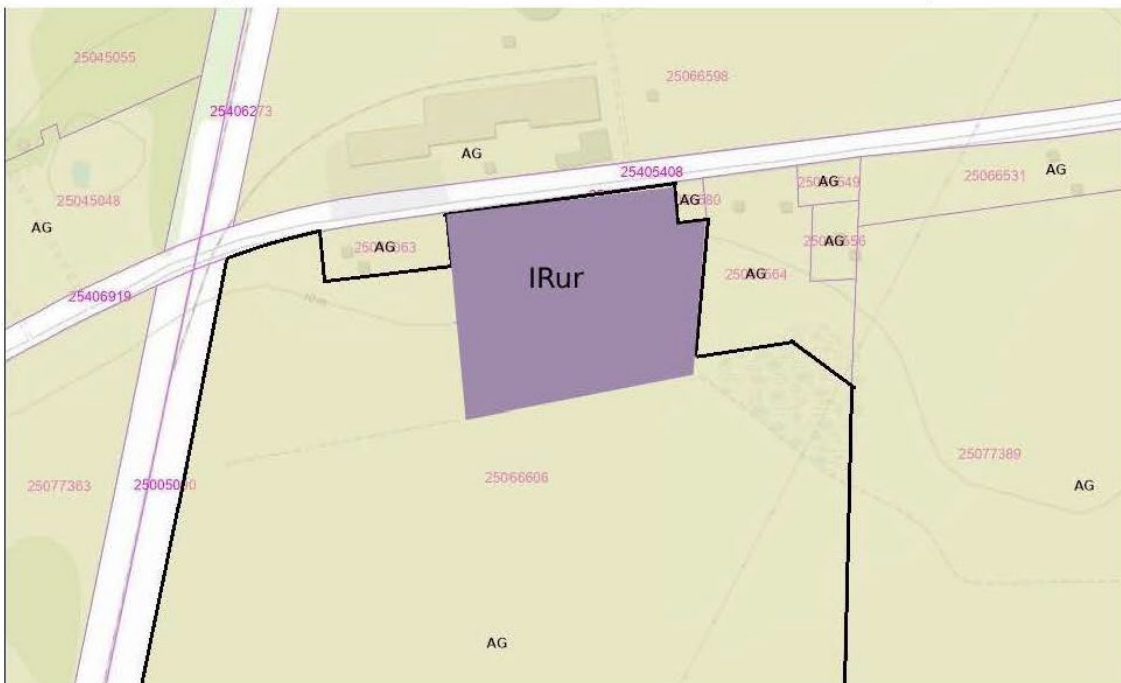


Standard Wellhead used

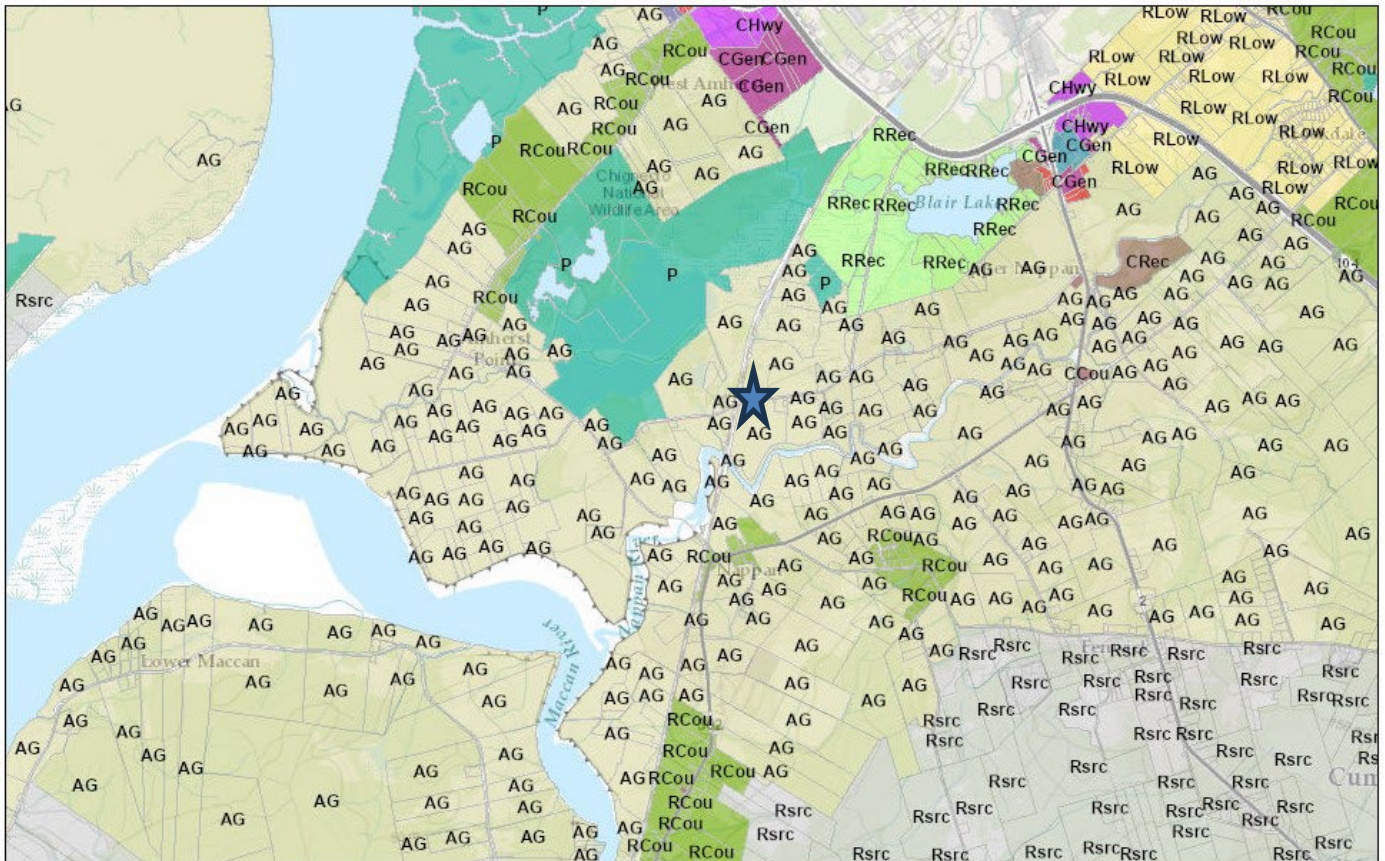
**Attachment C: Zoning Map Change**



Changes to

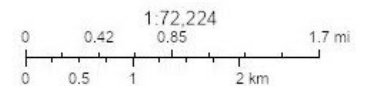


**Attachment D: Map of Agricultural Lands within the Vicinity of the Subject Property area.**




1/14/2025, 10:58:33 AM

- |                                       |                                |                                   |                               |
|---------------------------------------|--------------------------------|-----------------------------------|-------------------------------|
| Lower Density Residential Zone (RLow) | Mixed-use Zone (CMix)          | Commercial Recreation Zone (CRco) | Urban Industrial Zone (IND)   |
| Country Residential Zone (RCou)       | General Commercial Zone (CGen) | Institutional Zone (INS)          | Parks and Open Space Zone (P) |
| Recreational Residential Zone (RRec)  | Highway Commercial Zone (CHwy) | Agriculture Zone (AG)             |                               |
|                                       | Country Commercial Zone (CCou) | Rural Resource Zone (Rsrc)        |                               |



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 represents the location of the subject property.



**COUNCIL MEETING**

**PUBLIC HEARING**

**Date: February 19, 2025**

**Attachment E: Policy Review**

<b><i>LUB 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 large separation distances from dwellings and other less-intensive uses.</i></b>
Comment:
The proposed development of a new salt brine well is a Manufacturing land use, as it involves the processing and packaging of salt. This is a use that currently is permitted under the IRur zoning as-of-right.

<b><i>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 approved a rezoning unless council is satisfied;</i></b>	
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) If the proposed change is not prohibited by any other policy in this Plan;</i>	Not prohibited
<i>(c) The purposed of the proposed zone as described in the respective policy creating that zone, is consistent with the location and characteristics of the lands and with the proposed use of the lands</i>	See LUB 11.3.1 above
<i>(cA) the proposal is not premature due to impacts on wildlife corridors or due to the presence of geohazards; and</i>	No
<i>(d) The proposal meets the general criteria for amending the land use bylaw, set out in Policy 6-19.</i>	See MPS 6-19 below

<b><i>MPS 6-19 Council shall not amend the Land Use Bylaw or approve a development agreement unless Council is satisfied the proposal;</i></b>	
<b><i>Requirement:</i></b>	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>	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 anticipated public costs related to the project.
<i>(ii) Impacts on existing drinking water supplies, both private and public.</i>	No impacts identified.
<i>(iii) the adequacy of central water and sewage services or,</i>	The Proposed



**COUNCIL MEETING**

**PUBLIC HEARING**

**Date: February 19, 2025**

	<i>where such services are not available, the suitability of the site to accommodate on-site water and sewage services</i>	development would not require OSS.
(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. The applicant has obtained a permit to upgrade the existing driveway to a commercial driveway, which is required for this development.
(v)	<i>The adequacy of fire protective services and equipment;</i>	Sufficient fire protective services available
(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 anticipated flooding or drainage concerns posed by the proposed development.
(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>	No risk for geohazards on the site
(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>	This is suitable for the proposed development. The proposed development does not significantly impact the adjacent waterways and existing pasture farmland.
(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. Current farming activities will be able to continue on the remaining portion of the lot.



## NOTICE OF PUBLIC HEARINGS

A Public Hearing will be held for the By-law to Amend the Land Use By-law 25-01 and 25-02, and regarding the proposed development agreement for 2 King St., Springhill. These Public Hearings will be held

**4:00 pm, Wednesday, February 19<sup>th</sup>, 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](http://cumberlandcounty.ns.ca) to verify meeting schedule.

### **By-law to Amend the Land Use By-law 25-01**

- Amend the requirements surrounding the development of undersized lots

### **By-law to Amend the Land Use By-law 25-02**

- To rezone a portion of PID 25066606 between 292 and 354 Smith Rd, Upper Nappan** from Agriculture (AG) Zone to the Rural Industrial (IRur) Zone.

Applicant: Compass Minerals.

### **Development Agreement: 2 King St., Springhill (PID 25231945)**

- To permit the operation of Choisnuts Auto Parts and Tires, within the Lower Density Residential (RLow) 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: [Planning@cumberlandcounty.ns.ca](mailto:Planning@cumberlandcounty.ns.ca) or by mail to: Planning Dept, Upper Nappan Service Centre, 1395 Blair Lake Rd, Upper Nappan, NS B4H 3Y4.



**COUNCIL MEETING**

**RFD**

**Date: January 22<sup>nd</sup>, 2025**

**TO:** Mayor and Council

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

**DATE:** January 15<sup>th</sup>, 2025

**SUBJECT:** **First Reading - By-law to Amend the Land Use By-law 25-02 to rezone a portion of PID 25066606, located between 292 and 354 Smith Rd., Upper Nappan from Agriculture (AG) Zone to Rural Industrial (IRur) Zone.**

**ORIGIN:** On November 29, planning staff received an application from Compass Minerals on behalf of the property owners, Bacons Farms, to rezone a portion of PID25066606, between 292 and 354 Smith Rd. Upper Nappan NS (the “subject property”) to permit the development of a salt brine well for Compass Minerals.

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- (cA) the proposal is not premature due to impacts on wildlife corridors or due to the presence of geohazards; and*
- (d) The proposal meets the general criteria for amending the land use bylaw, set out in Policy 6-19.*

**RECOMMENDATION: THAT Council approve First Reading of the By-law to Amend the Land Use By-law 25-02 to rezone a portion of PID 25066606 from Agriculture (AG) Zone to the Rural Industrial (IRur) Zone AND to schedule a Public Hearing for the proposed amendment.**



## COUNCIL MEETING

RFD

Date: January 22<sup>nd</sup>, 2025

**BACKGROUND** Currently, the property is part of a network of land parcels that are used for cow pasturing. The subject property makes up a small portion of the existing pasture network and the proposed rezoning would rezone a small portion of the subject property. Compass Minerals has acquired the mineral rights for the subject property and is now looking to obtain a development permit for the development and operation of a new salt brine well. This would allow Compass Minerals to enhance their current operation and provide a backup source for salt brine acquisition. The lot is centrally located, while the subject property does not utilize central water, Town of Amherst central water connection is available to the lot and the existing surrounding properties.

The proposed development would be essential for the continued operation of the salt plant, as Compass Minerals is in the process of decommissioning one of their salt wells and will need to replace the decommissioned well to meet production market demands. Compass Minerals has been located at 327 Smith St. in Upper Nappan since its opening in 1941. Compass Minerals employs 55 people.

To enable the development of the new salt brine well, the driveway access will need to be upgraded. The applicant has already engaged Nova Scotia Public Works and has received approval to upgrade the driveway access. The proposed development will not require utility structures, as the well can be managed from the main plant facility, located on PID 25066598. The only structures for the well that will be above ground and visible to the public will be the piping that enables the brine water extraction and the well hole cover. The operation of the well is both soundless and odorless and therefore will not create a public nuisance.

**DISCUSSION:** A rezoning of a portion of the land to facilitate the brine well would be an appropriate use of land. While the land is currently zoned agriculture and is being used for agricultural purposes, Compass Minerals has been able to co-existing within the surround properties since 1941. This is a longstanding existing use and the proposed rezoning and Brine Well development would not impede existing agricultural. Once the rezoned portion of the property is fenced off by the property owners, the cattle will be able to continue grazing on the land or can be used for pasture and/or hay crop.

**FINANCIAL IMPLICATIONS:** Compass Minerals continues to be a large employer in the County, staffing approx. 55 employees and greatly contributes positively to the local economy. Compass Minerals is also a large industrial taxpayer for the County.

**ENVIRONMENTAL IMPLICATIONS:** Rezoning the site will only impact a small section of the subject lands and associated farmland. Cumberland has significant Agricultural Land and Reserve farmland. The proposed rezoning would not substantially impact the quantity of usable farmland and reserve farmland within the county. Furthermore, the proposed salt brine well would not impede the continued agricultural use of the remaining portion of the lot, as it is currently used.

**COMMUNITY ENGAGEMENT:** If Council approves, a public hearing could be held on the above matter, at a date of Council's choosing. 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 circulating newspaper at least one week prior to the public hearing and a Planning Notice Sign will be placed on the property.



## COUNCIL MEETING

RFD

Date: January 22<sup>nd</sup>, 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: Aerial Image

Attachment B: Street and Site Pictures

Attachment C: Zoning Map Comparison

Attachment D: Map of Agricultural Lands within the Vicinity of the Subject Property

Attachment E: Policy Review

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Report prepared by: Kira Norgren, Municipal Planner



**Attachment B: Street and Site Pictures**

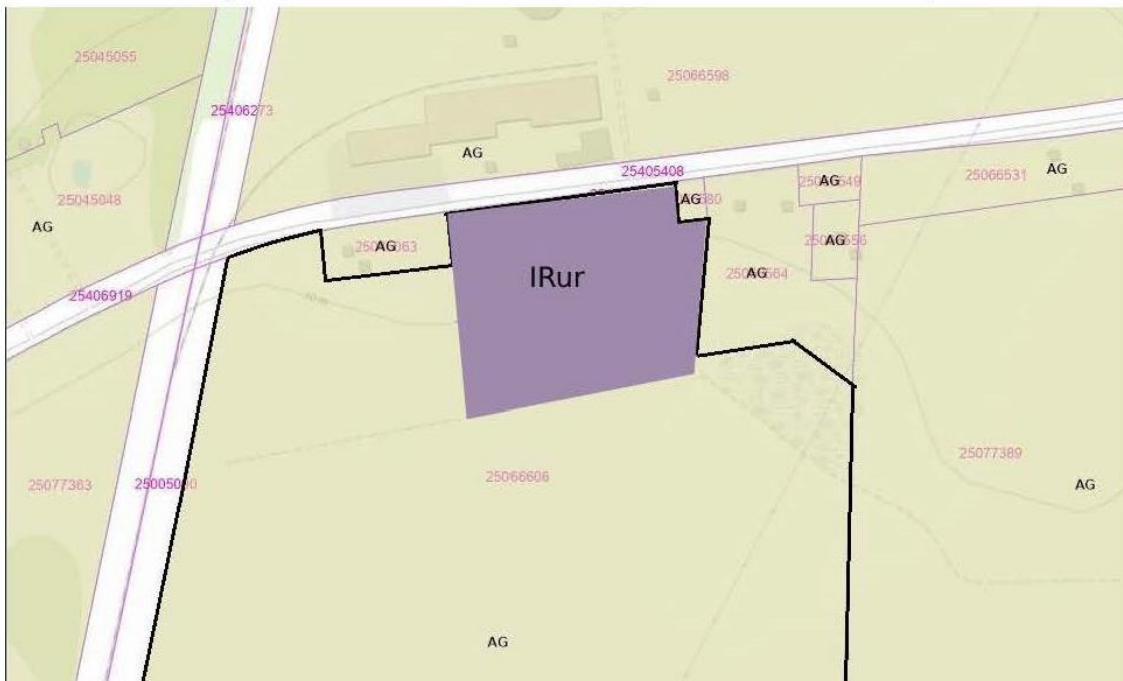


Standard Wellhead used

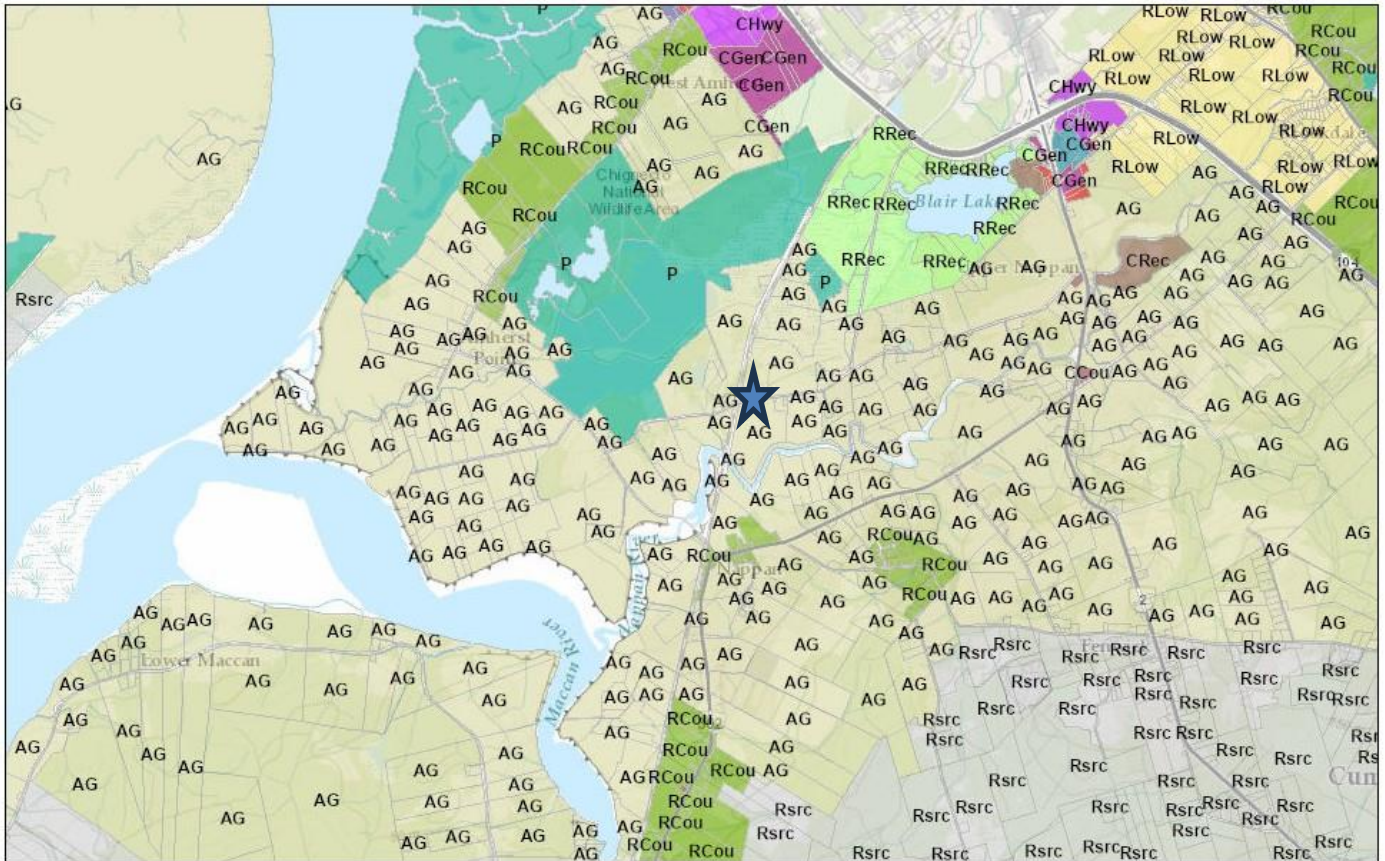
**Attachment C: Zoning Map Change**



Changes to

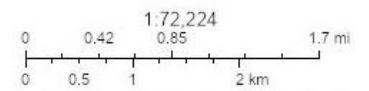


**Attachment D: Map of Agricultural Lands within the Vicinity of the Subject Property area.**




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- |   |   |  |  |
|---|---|--|--|
| Zoning Cumberland   | <span style="color: red;">■</span> Mixed-use Zone (CMix)              | <span style="color: brown;">■</span> Commercial Recreation Zone (CRec) | <span style="color: purple;">■</span> Urban Industrial Zone (IND)  |
| <span style="color: yellow;">■</span> Lower Density Residential Zone (RLow)   | <span style="color: magenta;">■</span> General Commercial Zone (CGen) | <span style="color: teal;">■</span> Institutional Zone (INS)           | <span style="color: green;">■</span> Parks and Open Space Zone (P) |
| <span style="color: lightgreen;">■</span> Country Residential Zone (RCou)     | <span style="color: pink;">■</span> Highway Commercial Zone (CHwy)    | <span style="color: lightyellow;">■</span> Agriculture Zone (AG)       |  |
| <span style="color: lightblue;">■</span> Recreational Residential Zone (RRec) | <span style="color: brown;">■</span> Country Commercial Zone (CCou)   | <span style="color: grey;">■</span> Rural Resource Zone (Rsrc)         |  |



Province of New Brunswick, Province of Nova Scotia, Esri, HERE, Garmin, INCREMENT P, USGS, METINASA, NGA, AAFC, NRCAN

ArcGIS Web AppBuilder  
Province of New Brunswick, Province of Nova Scotia, Esri, HERE, Garmin, INCREMENT P, USGS, METINASA, NGA, AAFC, NRCAN | Service Nova Scotia |

 represents the location of the subject property.



**COUNCIL MEETING**

**RFD**

**Date: January 22<sup>nd</sup>, 2025**

**Attachment E: Policy Review**

<b><i>LUB 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 large separation distances from dwellings and other less-intensive uses.</i></b>	
Comment:	
The proposed development of a new salt brine well is a Manufacturing land use, as it involves the processing and packaging of salt. This is a use that currently is permitted under the IRur zoning as-of-right.	

<b><i>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 approved a rezoning unless council is satisfied;</i></b>	
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) If the proposed change is not prohibited by any other policy in this Plan;</i>	Not prohibited
<i>(c) The purposed of the proposed zone as described in the respective policy creating that zone, is consistent with the location and characteristics of the lands and with the proposed use of the lands</i>	See LUB 11.3.1 above
<i>(cA) the proposal is not premature due to impacts on wildlife corridors or due to the presence of geohazards; and</i>	No
<i>(d) The proposal meets the general criteria for amending the land use bylaw, set out in Policy 6-19.</i>	See MPS 6-19 below

<b><i>MPS 6-19 Council shall not amend the Land Use Bylaw or approve a development agreement unless Council is satisfied the proposal;</i></b>	
<b><i>Requirement:</i></b>	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>	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 anticipated public costs related to the project.
<i>(ii) Impacts on existing drinking water supplies, both private and public.</i>	No impacts identified.
<i>(iii) the adequacy of central water and sewage services or, where such services are not available, the suitability of the</i>	The Proposed development would not

	<i>site to accommodate on-site water and sewage services</i>	require OSS.
(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. The applicant has obtained a permit to upgrade the existing driveway to a commercial driveway, which is required for this development.
(v)	<i>The adequacy of fire protective services and equipment;</i>	Sufficient fire protective services available
(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 anticipated flooding or drainage concerns posed by the proposed development.
(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>	No risk for geohazards on the site
(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>	This is suitable for the proposed development. The proposed development does not significantly impact the adjacent waterways and existing pasture farmland.
(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. Current farming activities will be able to continue on the remaining portion of the lot.