

Notice of Public Hearing - Bylaw to Amend Land-Use Bylaw 2509

Details

 Published: 02 December 2025

A Public Hearing for the By-law to Amend the Land Use By-law 25-09 for the Municipality of Cumberland will be held at 4 pm, Wednesday, Dec. 17, 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 this By-law is to enable the implementation, under the Land Use By-law, of the Intermunicipal Service Agreement between the Town of Amherst and the Municipality of Cumberland regarding sanitary sewer service.

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



CUMBERLAND COUNCIL

FIRST READING

Date: June 25th, 2025

TO: Mayor and Council
FROM: Glen Boone, Director of Development and Planning
DATE: June 18th, 2025
SUBJECT: **First Reading – By-law to Amend the Land Use By-Law 25-09 to enable the implementation under the Land Use By-Law of the Intermunicipal Service Agreement between Amherst and MCC**

ORIGIN: Intermunicipal Services Agreement (IMA) between Amherst and MCC.

LEGISLATIVE AUTHORITY: MGA PART VIII PLANNING AND DEVELOPMENT

MGA Section 205: Requirements for Adoption of Planning Documents

Policy 6-7: Council shall amend the text of the Land Use By-law if the proposed amendment meets the general criteria set out in Policy 6-19.

RECOMMENDATION: Included in Intermunicipal Agreement.

BACKGROUND:

Background on the requirement for this amendment appears in the overarching Request for Decision covering all elements of the implementation of the Intermunicipal Services Agreement with the Town of Amherst.

DISCUSSION:

The proposed amendments and new definitions are required to support the development process under the IMA. The nature of such an amendments are administrative and do not impact any existing applications. As the Intermunicipal Service Agreement is implemented, the proposed amendments will allow for easier policy interpretation and will allow Development Officers to approve development permits based on confirmation of service capacity of the system. A separate process will be in place under the IMA and amended sewer bylaws to monitor and approve Capacity Allocation

FINANCIAL IMPLICATIONS: No specific financial implications.

ENVIRONMENTAL IMPLICATIONS: The proposed amendment includes a requirement for sanitary service capacity allocation to be confirmed. Currently, all residential developments are required to submit permits for On-site Sewage Disposal System, issued by NSECC. In placement of this permit, applicants will submit confirmation of capacity allocation, as required by the IMA, to confirm adequate servicing can be provided to residents.



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COMMUNITY ENGAGEMENT:

If Council approves first reading, a Public Hearing will be held on the above matter later this summer. In accordance with MGA Section 206, notices will be placed on the Municipal Website two weeks prior to the scheduled date. A notice MAY be placed in a locally circulated newspaper at least one week prior to the public hearing.

ALTERNATIVES:

Council may defer the issue to a later date,

Request further information or

Reject the proposed amendment based on conflict with a policy in the Municipal Planning Strategy.

ATTACHMENTS:

Attachment A: Proposed Amendment Text and Definitions

Attachment B: Policy Review



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Attachment A: Proposed Amended Text and Definitions

1. Amend Section 3.3.2 to add;
(f.1) confirmation of any Capacity Allocation pursuant to the IMA;
2. Deletion of Section 10.2.3(w) and Insertion of Section 10.2.3(k.1)
The following uses shall be permitted in the Urban Industrial Zone, subject to all applicable requirements of this By-law:
 - a. Abattoir
 - b. Aggregate Related Industries
 - c. Agriculture Related Industries
 - d. Airport
 - e. Animal Boarding Facility
 - f. Automotive Fueling
 - g. Automotive Sales
 - h. Automotive Service
 - i. Boat and Marine Sales
 - j. Bus/Taxi Station
 - k. Car Wash
 - (k.1) Commercial Sanitary Service [CHG-1002]**
 - l. Crematorium
 - m. Emergency Services
 - n. Farm and Forestry Supply Sales
 - o. Fishery Related Industries
 - p. Forestry Related Industries
 - q. Heavy Equipment Repair
 - r. Heavy Equipment Sales
 - s. Manufacturing
 - t. Parking Lot
 - u. Recycling Depot
 - v. Retail Store – Building Supplies
 - w. Deletion [CHG-1002]**
 - x. Self-storage Facility
 - y. Solid Waste Transfer Facility
 - z. Transportation Services
 - aa. Warehouse
3. Deletion of Section 11.2.3(s) and Insertion of Section 11.2.3(i.1)
The following uses shall be permitted in the Rural Industrial Zone, subject to all applicable requirements of this By-law:
 - a. Abattoir
 - b. Aggregate Related Industries
 - c. Agricultural Uses
 - d. Agriculture Related Industries
 - e. Airport
 - f. Animal Boarding Facility
 - g. Automotive Fueling



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- h. Automotive Service
- i. Commercial Livestock Operation
- (i.1) Commercial Sanitary Service [CHG-1111]**
- j. Crematorium
- k. Farm and Forestry Supply Sales
- l. Fishery Related Industries
- m. Forestry Related Industries
- n. Forestry Uses
- o. Heavy Equipment Repair
- p. Heavy Equipment Sales
- q. Manufacturing
- (q.1) Propane Fueling Facility**
- r. Recycling Depot
- s. *Deletion [CHG-1111]*
- t. Self-storage Facility
- u. Solid Waste Disposal
- v. Solid Waste Transfer Facility
- w. Transportation Services
- x. Warehouse

4. New Definitions to be added to Section 14:

CAPACITY ALLOCATION means the allocation of units by the Municipality to receive Sanitary Services from the Town of Amherst under the IMA.

COMMERCIAL SANITARY SERVICE means the use of land, buildings, or part thereof for septic disposal services, portable toilet service, and similar uses.

IMA means the Intermunicipal Agreement between the Town of Amherst and the Municipality executed on October 4, 2024, which provides for certain customers located in the Municipality to connect to TOA Sanitary Facilities

MUNICIPAL CENTRAL SERVICES means central water and sewer services owned, operated and or maintained by the Municipality

SANITARY SERVICES means sanitary sewer services provided by Town of Amherst to customers in the Municipality under the IMA.

TOWN OF AMHERST means the Body Corporate of the Town of Amherst or the geographical area contained within its municipal boundaries, as requires.

TOA SANITARY FACILITIES means all the facilities and equipment owned, controlled or operated by the Town of Amherst that are used to provide Sanitary Services from time to time, including without limitation, any infrastructure conveyed to the Town of Amherst pursuant to the IMA.

5. Existing definition to be deleted:

SANITARY SERVICE means the use of land, buildings, or part thereof for septic disposal services, portable toilet service, and similar uses.



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Attachment B: Policy Review

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>	
(i) <i>The ability of the Municipality to absorb the public costs related to the project.</i>	Municipality's ability to absorb the public costs related to the project would be confirmed and addressed during the preparation of the IMA.
(ii) <i>Impacts on existing drinking water supplies, both private and public.</i>	No impacts to drinking water supplies as water services will be the responsibility of the Town of Amherst, as per the IMA.
(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>	The proposed amendment enables Development Officers to confirm the adequacy of services available, on a connection-by-connection basis.
(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>	Road networks created as a result of the project will be privately owners and maintained. Road networks require municipal approval at the rad creation stage, to ensure private roads are built to an appropriate standard, as outlined in Municipal Road and Street Standards Manuel.
(v) <i>The adequacy of fire protective services and equipment;</i>	No concerns identified.
(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 identified for the



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	area, no new pollution issues anticipated.
(viii) <i>The potential to create flooding or serious drainage issues including within the proposal site and in nearby areas</i>	Stormwater management plans are required as a part of the road network approval process. No concerns identified relating to this project.
(ix) <i>Impacts on sensitive environments, as identified on Schedule B</i>	No impacts or sensitive environments identified
(ixA) <i>Impacts on wildlife corridors</i>	No impacts identified
(x) <i>Impacts on known habitat for species at risk</i>	No impacts identified
(xA) <i>risks presented by geohazards</i>	No risks identified
(xi) <i>the suitability of the site in terms of grades, soil and geological conditions, the location of watercourses and wetlands, and proximity to utility right-of-way</i>	Subject area is suitable
(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 substantial negative impacts identified