

TOWN OF LUNENBURG  
**PLANNING ADVISORY COMMITTEE**  
**MEETING AGENDA**  
Monday, June 2, 2025 at 6 p.m.  
Council Chamber, 120 Townsend Street

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**1. CALL TO ORDER**

**2. LAND ACKNOWLEDGEMENT**

Acknowledgement of Mi'kma'ki the ancestral and unceded territory of the Mi'kmaq People.

**3. APPROVAL OF AGENDA**

**Recommendation:** That the Committee approve the agenda for the June 2, 2025 meeting as presented.

**4. APPROVAL OF MINUTES**

**Recommendation:** That the Committee approve the minutes of the May 5, 2025 meeting of the Planning Advisory Committee meeting as presented.

**5. CORRESPONDENCE FOR THE PUBLIC PARTICIPATION MEETINGS**

Nil

**6. PUBLIC PARTICIPATION MEETINGS**

6.1. Rezoning of 280 Montague Street

Public Participation Meetings (PPMs) are to gather community input on the proposed planning matter.

- Staff will present an overview of the application.
- The public will be invited to provide comments or ask questions.
- Each speaker is limited to 5 minutes and must state their name.
- Input must be respectful, relevant, and directed to the Chair.

**7. BUSINESS ARISING FROM THE PUBLIC PARTICIPATION MEETINGS**

7.1. Rezoning of 280 Montague Street and potential recommendation

**Recommendation:** That PAC make a recommendation to Council regarding the applicant's request to rezone 280 Montague Street-PID 60696663 to allow the rezoning to Medium Density Residential Use.

**8. NEW BUSINESS**

8.1. Rezoning of the Salt Meadows Subdivision area from Medium Density Residential to Lower Density Residential use zone.

**9. NEXT MEETING**

June 30, 2025 or the regular meeting on the first Monday of July – July 7, 2025

**10. ADJOURNMENT**

**PLANNING ADVISORY COMMITTEE MINUTES TOWN OF LUNENBURG**

May 5, 2025 | 6 pm

Lunenburg Town Hall - Council Chamber



Present Deputy Mayor Rachel Bailey, Councillors Renea Babineau, Alex Greek, Citizen Representatives Colin Whitcomb, Rachel Martin, and Bill Fleming

Also present Marvin Macdonald, Interim CAO  
Marc Kiely, Community Development Director  
Kaylee Jensen, Administrative Assistant  
Trevor Hume, Planner and Development Officer

Call to Order The Chair called the meeting to order at 6:00 p.m.

Election of Chair Deputy Mayor Bailey accepted a nomination to be the chair of the Planning Advisory Committee.

Moved and seconded that the Committee appoint Deputy Mayor Bailey as chair of the Planning Advisory Committee.

**Motion carried unanimously**

Land Acknowledgment The Chair recognized Lunenburg’s location on the unceded territory of the Mi’kmaq people.

Approval of Agenda Moved and seconded that the Committee approve the agenda for the May 5, 2025 meeting as presented.

**Motion carried unanimously**

Approval of Minutes The Planning Advisory Committee all agreed that they would like to review the previous meeting minutes prior to approving. The minutes from the last meeting will be presented for consideration at the next meeting.

New Business Staff presented a report on an application to rezone 280 Montague Street.

Moved and seconded that PAC hold a Public Participation Meeting at the next PAC Meeting on the applicant’s request to rezone 280 Montague Street-PID 60696663 to allow the rezoning to Medium Density Residential Use.

**Motion carried unanimously**

Setting a regular PAC meeting Moved and seconded that PAC hold a regular meeting on the first Monday of every month, and if unable to do that first Monday, it will be moved to the second Monday.

**Motion carried unanimously**

Next meeting            The next meeting for the Planning Advisory Committee will be held on June 2, 2025 at 6 p.m.

Adjournment            There being no further business, the Planning Advisory Committee meeting adjourned at 6:46 p.m.

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Minutes were read and approved

**Subject:** Planning Advisory Committee - Rezoning of 280 Montague Street.  
**From:** Community Development  
**Date:** June 2, 2025



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## Recommendation

That PAC make a recommendation to Council regarding the applicant's request to rezone 280 Montague Street-PID 60696663 to allow the rezoning to Medium Density Residential Use.

## Alternatives:

- Defer a decision to a future meeting

## Applicant Request Synopsis and Key Evaluation Considerations

- 280 Montague Street is currently zoned as a Marine Industrial property. It has been used for commercial purposes (The Boat Locker), and the applicant wishes to now use the building as a dwelling.
  - The applicants have an unpermitted residential use (an apartment on the second floor) in the building that they had occupied for some time.
  - The applicants wish to retain and expand this use and bring it into conformance with the Land Use By-law.
  - No residential use is permitted in the Marine Industrial use zone.
- Neighbouring properties on Montague Street are zoned Medium Density Residential use, Marine form. Directly abutting across Montague Street is the Lower Density Residential use zone, Old Town 1 form.
- The applicants wish to have the same zoning as their directly adjacent neighbours.
- On May 5, 2025, PAC moved to hold a Public Participation Meeting at the next PAC Meeting on the applicant's request to rezone 280 Montague Street-PID 60696663 to allow the rezoning to Medium Density Residential Use.

## Definitions

**Designation:** A specific category or classification of land use on the Future Land Use Map, indicating the type of development or activity that is permitted or encouraged in that area in the future. This map forms part of the MPS.

**Future Land Use Map:** A map that visually represents the intended future use of land within a municipality, based on the policies outlined in the MPS.

**Rezoning:** also known as a zoning amendment or mapping change, is the process by which a municipality changes the zoning of a specific property or area, allowing for a different type of land use than previously permitted.

**Zoning:** zoning refers to the legal classification of land use, determined by municipalities through land use by-laws. These bylaws define which activities are permitted within specific zones, such as residential, commercial, or industrial areas. Zoning regulations aim to guide development, protect properties, and manage the environment.

### Process

Figure 1 shows the rezoning process and at what step the application is currently at:



Figure 1 – Process and Progress Chart

### Background

#### The Current Planning Context

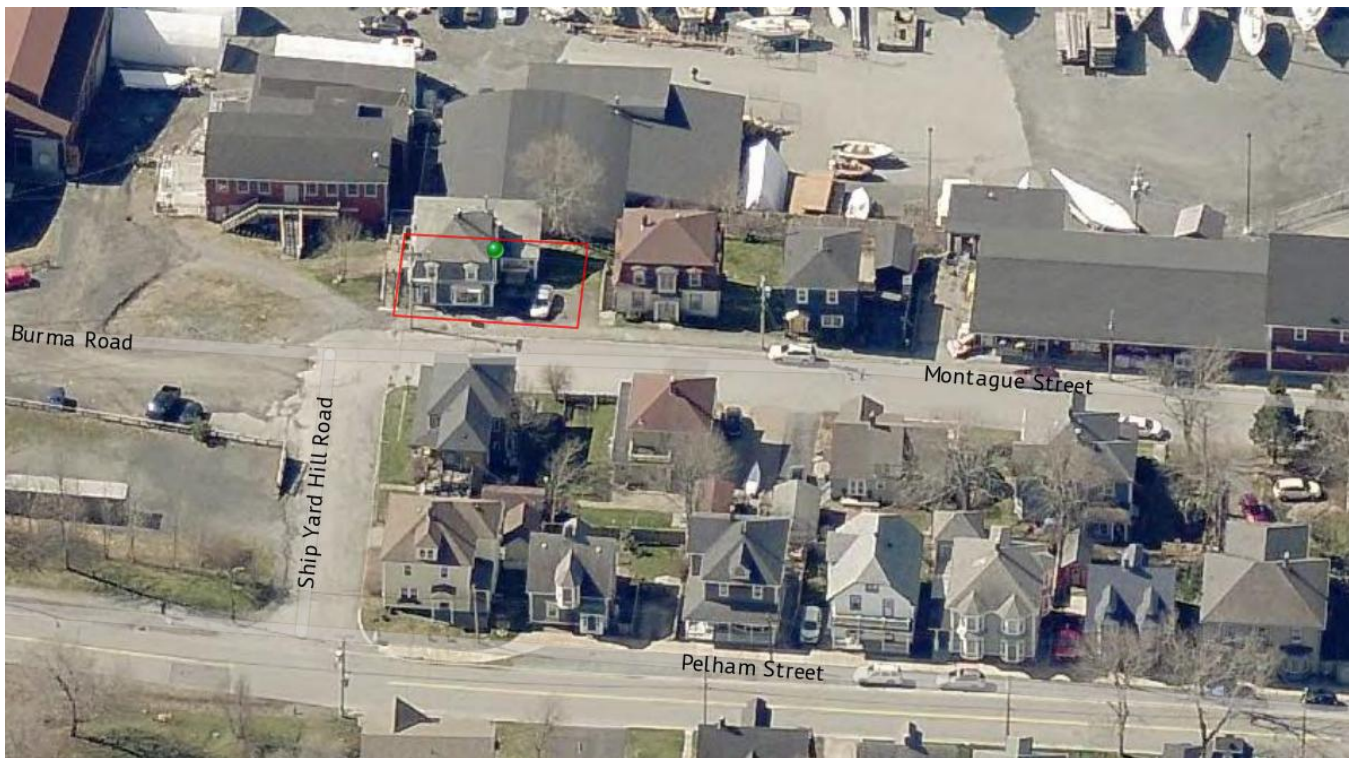


Figure 2 – Aerial Photo showing 280 Montague Street (red outline)

The *Comprehensive Community Plan* identifies this area as “Working Waterfront”. The MPS designates the subject property, and the two neighbouring properties as Waterfront. (See FLU Map excerpt on the right) Under Policy 4-2 of the MPS (See Appendix B), the Waterfront designation does not permit rezoning to a residential use zone. Currently, 268, 272, and 280 Montague Street all have this designation. This means that the only rezonings that are permitted “as-of-right” for these three properties would be to one of the use zones listed in Policy 4-2 (d) which does not include residential uses. To clarify, 268 and 272 Montague Street currently have residential zoning, but could not be rezoned to another residential zone under Policy 4-2.

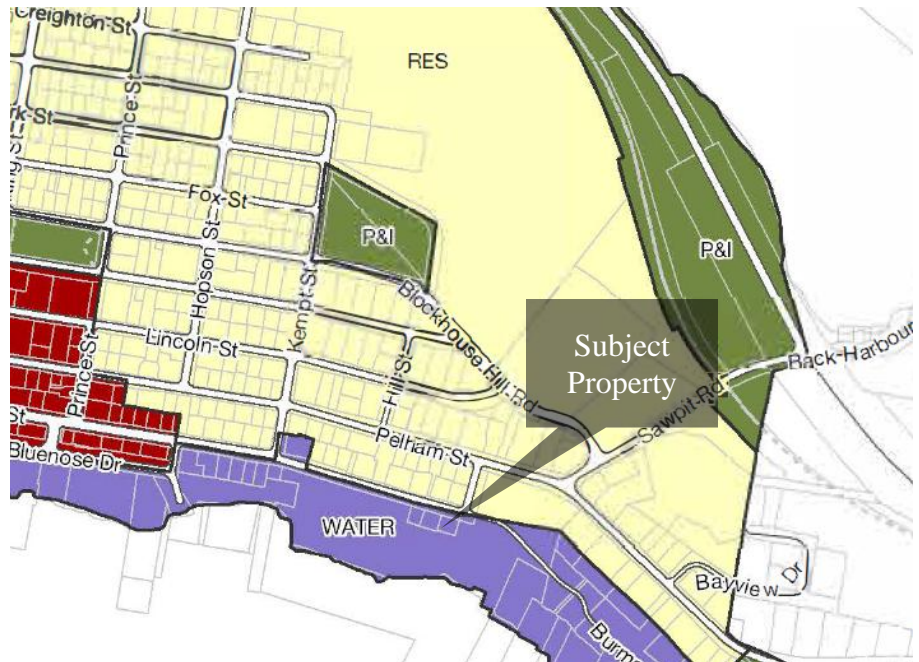


Figure 3 – Site Location and Future Land Use Designations Map

The MPS contains a policy which anticipates this type of situation. Policy 6-10 outlines the criteria for assessment where a property owner may wish to rezone their property to a zone that directly abuts the property.

**The Request**

The applicants wish to rezone their property to allow for the existing un-permitted residential use at 280 Montague Street to come into conformance. They understand that rezoning will prohibit the existing commercial use of 280 Montague Street as a business. The applicants have built a dwelling unit within the building, which they have used as a residence. Since 2021, a residential unit has been present at 280 Montague Street, which is a prohibited use in the Marine Zone.

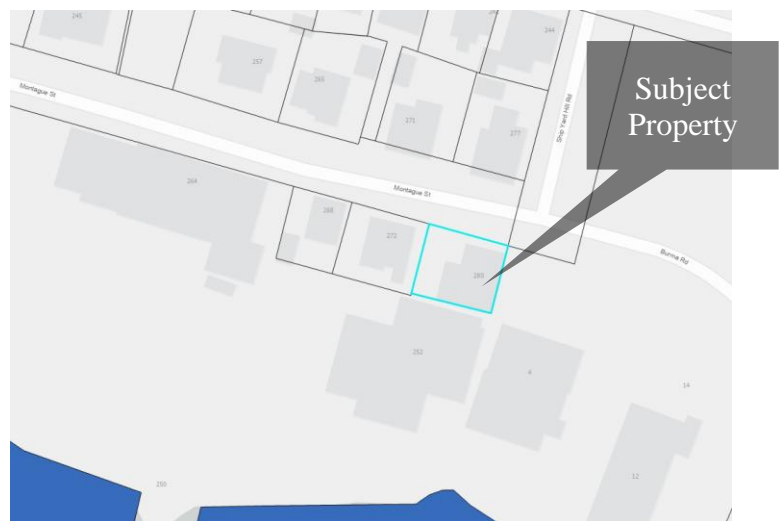


Figure 4 – Subject Property

**Proposed Mapping Change(Rezoning)**

The proposed mapping change to the Use Zone Map of the LUB can be found in **Attachment C**.

The proposal is a rezoning only, requiring no text changes to the LUB. The only change is a small mapping change to the Use Zone Map in the LUB affecting only PID 60696663.

Policy 6-10 (**Attachment C**) anticipates requests like this one. This policy identifies three avenues to rezone properties notwithstanding Policy 4-2 (**Attachment B**). Council, has recognized that no planning document is perfect and nor can it anticipate every possibility or special case through Policy 6-10. This application satisfies Policy 6-10 (c), thus enabling the rezoning being requested.

Policy 6-11 of the MPS allows Council to consider an amendment to the Use Zoning Map, Schedule C, of the Land Use By-law (LUB) if the proposed amendment is consistent with this MPS and meets the general evaluation criteria for amending the LUB, as set out in Policy 6-19. Policy 6-10, 6-11 and 6-19 are reviewed in **Attachment C**. **Attachment E** evaluates the rezoning against the Provincial Statements of Interest and the TOL Accessibility Plan. No issues have been identified through this review.

Finally, the mapping change is illustrated in **Attachment D**.

### Next Steps



Figure 5 - Next Steps

**Figure 5** illustrates the process and the next step in the process will be First Reading at Council. Should PAC make a recommendation to move this request to Council at the June 2, 2025 meeting, it will proceed to council at the June 24<sup>th</sup>, 2025 meeting.

### Relevant Legislation

The *Municipal Government Act* (MGA) outlines the required process for amendments to the Land Use By-law.

### Financial

There are no direct financial impacts to the Town as a result of the proposed amendment since advertising costs are borne by the applicant.

### Communications

A Public Participation Meeting has been advertised in the local newspaper and on the Town's website and social media. The Public Hearing will also be advertised on the Town's website.

### Attachments

- A. Policy 4-2
- B. Evaluation of Policy 6-10, 6-11 and 6-19
- C. Amendments to the LUB – Use Zone Map
- D. Review of Provincial Interest Statements and Lunenburg Accessibility Plan

**Attachment A**  
**Policy 4-2**

**Policy 4-2:** Council shall establish, on the Future Land Use Map, a series of Land Use Designations to guide the evolution of Use Zone placement over time. The Designations and the Use Zones permitted for consideration in each Designation are as follows:

- (a) The Residential Land Use Designation permits:
  - i. Lower Density Residential Use (RL) Zone
  - ii. Medium Density Residential Use (RM) Zone
  - iii. Higher Density Residential Use (RH) Zone
  - iv. Rural Use (RUR) Zone
  - v. Institutional Use (INS) Zone
  - vi. Parks and Recreation Use (PR) Zone
- (b) The Main Street Land Use Designation permits:
  - i. Commercial Mixed Use (CM) Zone
  - ii. Institutional Use (INS) Zone
  - iii. Parks and Recreation Use (PR) Zone
- (c) Downtown Commercial Land Use Designation permits:
  - i. General Commercial Use (CG) Zone
  - ii. Institutional Use (INS) Zone
  - iii. Parks and Recreation Use (PR) Zone
- (d) Waterfront Designation permits:
  - i. Waterfront Use (W) Zone
  - ii. Marine Industrial Use (MM) Zone
  - iii. Parks and Recreation Use (PR) Zone
- (e) Industrial Designation permits:
  - i. Industrial Use (M) Zone
  - ii. Institutional Use (INS) Zone
  - iii. Parks and Recreation Use (PR) Zone
- (f) Parks and Institutional Designation permits:
  - i. Institutional Use (INS) Zone
  - ii. Parks and Recreation Use (PR) Zone

**Attachment B**  
**Evaluation of Policy 6-10, 6-11 and 6-19**

**6.3.3 Amending the Text and Use Zoning Map of the Land Use By-law**

Council recognizes it cannot foresee all possible types of development that might be acceptable in the Town in general, or on a specific piece of land. As such, there will be times when the Land Use By-law needs to be amended to accommodate a new development trend or specific development proposal.

Council also recognizes that it is possible to inadvertently make mapping errors in preparing the maps that accompanying this Plan and the Land Use By-law. Such errors may be in conflict with the policies in this Plan. Where such errors are discovered, Council may consider correcting them through amendments to the Use Zoning Map of the Land Use By-law.

**Policy 6-10:** Council shall consider amendments to the Use Zoning Map of the Land Use By-law when the proposed map amendment is not specifically prohibited within this Plan and at least one of the following three conditions is true:

- (a) the proposed Use Zone is enabled by this Plan for use within the same Future Land Use Map designation;
- (b) a non-conforming use appears to have been created by an inadvertent administrative oversight in the Municipal Planning Strategy and Land Use By-law preparation process, resulting in a property being zoned inconsistent with stated policies in this Plan; or
- (c) notwithstanding the Use Zones permitted within a Future Land Use designation, the land to be rezoned is under 1,000 square metres in area and is abutting a Future Land Use Map designation that permits the proposed Use Zone. For clarity, land that abuts a right-of-way, such as a street, is considered to be abutting the designation on the other side of the right-of-way.

*Evaluation:* The proposed Use Zone Change will be enabled by this Plan in keeping with Policy 6-10(c).

**Policy 6-11:** Council shall not amend the Use Zoning Map of the Land Use By-law unless Council is satisfied that:

- (a) the proposal is consistent with the description of the Use Zone in Policy 4-1 and any specific policies, if any, directing where it is appropriate to place the proposed Use Zone; and
- (b) the proposed Use Zone and the uses it permits meet the general criteria for amending the Land Use By-law, set out in Policy 6-19.

*Evaluation: The proposed rezoning meets the general criteria for amending the Land Use By-law, set out in Policy 6-19 as reviewed below:*

#### 6.5.1 Amending the Land Use By-law & Entering into Development Agreements

Amendments to the Land Use By-law and the entering into of development agreements are processes that require careful thought. As such, Council has established a set of general criteria to consider when evaluating all Land Use By-law amendments and development agreement proposals.

**Policy 6-19:** Council shall not amend the Land Use By-law or enter into a development agreement unless Council is satisfied the proposal:

- (a) is consistent with the intent of this Municipal Planning Strategy;  
The proposed rezoning will be considered to be consistent with the intent of the MPS pursuant to Policy 6-10 (c).
- (b) does not knowingly conflict with any Town or Provincial programs, by-laws, or regulations in effect in the municipality;  
The proposal does not knowingly conflict with any Town or Provincial programs, by-laws, or regulations in effect in the municipality.
- (c) is not premature or inappropriate due to:
  - i. the ability of the Town to absorb public costs related to the proposal;  
The proposal is not considered premature or inappropriate due to the ability of the Town to absorb public costs related to the proposal. No public costs are anticipated with the proposed amendments.
  - ii. impacts on existing drinking water supplies, both private and public;  
The proposal is not premature or inappropriate due to impacts on existing drinking water supplies, both private and public. No new development proposals are anticipated at this time.
  - iii. the adequacy of central water and sewage services or, where such services are not available, the suitability of the site to accommodate on-site water and sewage services;  
The proposal is not premature or inappropriate due to the adequacy of central water and sewage services. There is a 8" water line and a 250mm sewer line available along this section of Montague Street. No new development proposals are anticipated at this time.
  - iv. the creation of excessive traffic hazards or congestion on road, cycling, and pedestrian networks within, adjacent to, or leading to the proposal;  
The proposal is not premature or inappropriate due to the creation of excessive traffic hazards or congestion on road, cycling, and pedestrian networks within, adjacent to, or leading to the proposal. The proposed rezoning is considered a less intensive use of land and will have less of an impact than development proposals permitted as-of-right under the current Marine Industrial (MM) Use Zone.
  - v. the adequacy of fire protection services and equipment;  
There is a 8" water line available along this section of Montague Street. The proposal is not premature or inappropriate due to the adequacy of fire protection services and equipment.

- vi. the adequacy and proximity of schools and other community facilities;  
The proposal is not premature or inappropriate due to the adequacy and proximity of schools and other community facilities.
- vii. impacts on UNESCO World Heritage Site statements of outstanding value;  
The subject property is within the WHS, and rezoning from Marine Industrial to Medium Density Residential is identical to the two neighboring properties. In this regard the rezoning will not have, or impose, any impact on the WHS or its Statements of Outstanding Universal Values (OUV's).
- viii. 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;  
The proposed rezoning will not cause any new, or worsening of any known, pollution problems.
- ix. site-specific climate change risks;  
The proposed rezoning will not cause or increase any known site-specific climate change risks. The building is existing, and no development is being contemplated at this time.
- x. the potential to create flooding or serious drainage issues, including within the proposal site and in nearby areas;  
The rezoning will not cause any known flooding or drainage issues. The site is located outside of the Flood Risk Area shown on the Flood Risk Area Map, Schedule E, of the Land Use By-law. The dwelling is existing, and no development is being contemplated at this time.
- xi. impacts on known habitat for species at risk;  
The proposed rezoning will not have any impact on known habitat.
- xii. impacts on the navigability and environment of Lunenburg Harbour;  
The proposed rezoning will not have any impact on navigation or have any impact on Lunenburg's Harbour. The dwelling is existing, and no development is being contemplated at this time.
- xiii. the suitability of the site in terms of grades, soil and geological conditions, the location of watercourses and wetlands, and proximity to rights-of-way; and  
The proposal is not premature or inappropriate due to the suitability of the site in terms of grades, soil and geological conditions, the location of watercourses and wetlands, and proximity to rights-of-way. The dwelling is existing, and no development is being contemplated at this time.
- xiv. land use conflicts that could place limits on existing operational procedures at existing businesses.  
The proposal is not premature or inappropriate due to land use conflicts that could place limits on existing operational procedures at existing businesses. The proposed rezoning are considered a type of "downzoning" from "Marine Industrial" to "Medium Density Residential". As a result, the proposal should have less land use conflicts. As for potential conflicts with the adjacent Marine Industrial zone, as the building is existing and neighbouring dwellings are

present, and no development is being contemplated at this time, there is no anticipated impact or land use conflict.

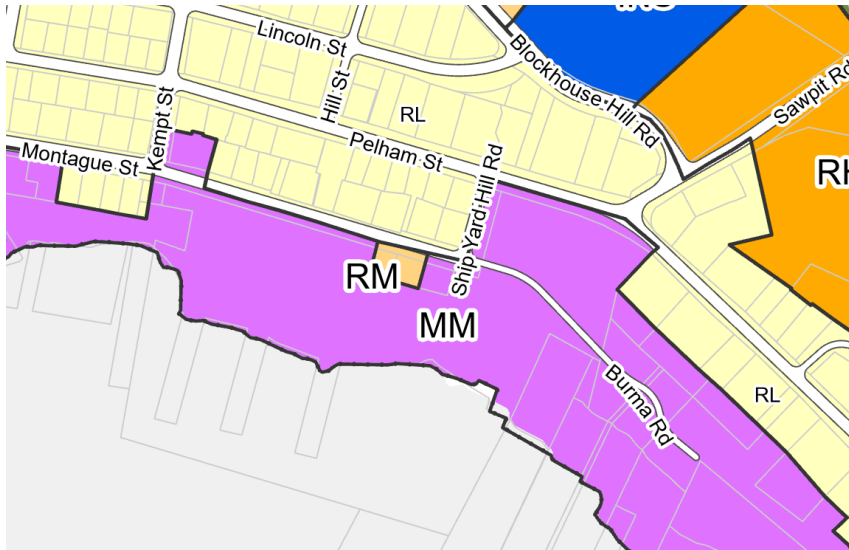
## Attachment C

### Amendments to Land Use By-law – Use Zone Map, Schedule “C”

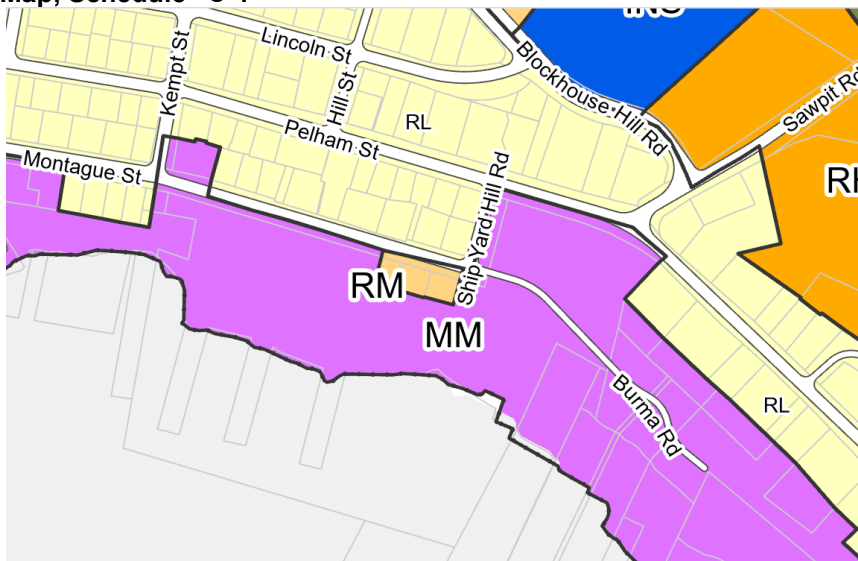
- 1) An amendment to the Land Use By-law, in particular the Use Zoning Map, Schedule “C”, thereby rezoning the lands as per table and maps shown below:

Property:	Application:
PID 60696663 – 280 Montague Street	Rezone from Marine Industrial (MM) Use Zone to Medium Density Residential (RM) Use Zone.

**Existing Use Zoning Map, Schedule “C”:**



**Proposed Use Zoning Map, Schedule “C”:**



**Attachment D**

**Review of Provincial Interest Statements and Lunenburg County Accessibility Plan**

<b>Provincial Interest Statements</b>	
<p>Statement 1: Drinking Water</p> <p>Goal: To protect the quality of drinking water within municipal water supply watersheds.</p>	<p>The proposed rezoning of the subject lands will not affect Provincial Interest Statement 1. The quality of Dares Lake Watershed will not be affected by the proposed rezoning.</p>
<p>Statement 2: Flood Risk Areas</p> <p>GOAL: To protect public safety and property and to reduce the requirement for flood control works and flood damage restoration in floodplains.</p>	<p>The proposed rezoning will not have a direct impact on the Flood Risk Areas as identified on the Flood Risk Area Map, Schedule E, of the Land Use By-law and will not affect Provincial Interest Statement 2. The lands are located outside of the Flood Risk Area as identified on the Flood Risk Area Map.</p>
<p>Statement 3: Agricultural Land</p> <p>GOAL: To protect agricultural land for the development of a viable and sustainable agriculture and food industry.</p>	<p>The proposed rezoning of the subject lands will not affect Provincial Interest Statement 3.</p>
<p>Statement 4: Infrastructure</p> <p>GOAL: To make efficient use of municipal water supply and municipal wastewater disposal systems.</p>	<p>The proposed rezoning will not affect Provincial Interest Statement 4. The rezoning to “residential” is considered a less intensified use of land and should have less of an impact on Town infrastructure, with regards to water supply and wastewater disposal.</p>
<p>Statement 5: Housing</p> <p>GOAL: To provide housing opportunities to meet the needs of all Nova Scotians.</p>	<p>The purpose of the rezoning request is to permit an existing dwelling unit that was built in contravention of the Marine Industrial Use Zone. Each lot in the Medium Density Residential (RM) Use Zone may permit up to three (3) dwellings per lot and one (1) accessory dwelling unit. The intensification of dwelling units in this area may still occur. In light of the above, the proposed redesignation and rezoning is considered to be consistent with Provincial Statement 5.</p>

Review amendment through an accessible lens	
Review amendment with a focus on equity, diversity, and inclusion.	This amendment is a rezoning of the use of land and will not negatively impact issues pertaining to equity, diversity, and inclusion.

**Subject:** Planning Advisory Committee - Rezoning of Salt Meadows Subdivision.  
**From:** Community Development  
**Date:** June 2, 2025



### Options

- That PAC hold a Public Participation Meeting on the request to rezone “Salt Meadows” subdivision to Lower Density Residential use from Medium Density Residential use.
- Defer a decision to a future meeting.
- Refusal of the application of the proposed rezoning.
- Other ideas the PAC may have.

### Request Synopsis and Key Evaluation Considerations

- Council have requested that Salt Meadows be rezoned to alleviate recent concerns regarding the density of development and associated issues such as traffic congestion and parking.
- This neighbourhood has an existing lot fabric that was subdivided under a previous subdivision by-law and land use-by-law, and it is felt that the currently allowed density (4 dwelling units plus an accessory dwelling unit exceeds what the lot fabric can support or was intended to support.
- The rezoning to lower density residential use will limit dwelling units to 2 per lot plus an accessory unit, bringing this area of New Town in line with the character rest of neighbourhood.
- The proposal was evaluated against two evaluation criteria: Policy 9-19 (b) and Provincial Statement 5.

### Process

Figure 1 shows the rezoning process and at what step the application is currently at:



### Definitions

**Designation:** A specific category or classification of land use on the Future Land Use Map, indicating the type of development or activity that is permitted or encouraged in that area in the future. This map forms part of the MPS.

**Future Land Use Map:** A map that visually represents the intended future use of land within a municipality, based on the policies outlined in the MPS.

**Rezoning:** also known as a zoning amendment or mapping change, is the process by which a municipality changes the zoning of a specific property or area, allowing for a different type of land use than previously permitted.

**Zoning:** zoning refers to the legal classification of land use, determined by municipalities through land use bylaws. These bylaws define which activities are permitted within specific zones, such as residential, commercial, or industrial areas. Zoning regulations aim to guide development, protect properties, and manage the environment.

## Background

### The Current Planning Context

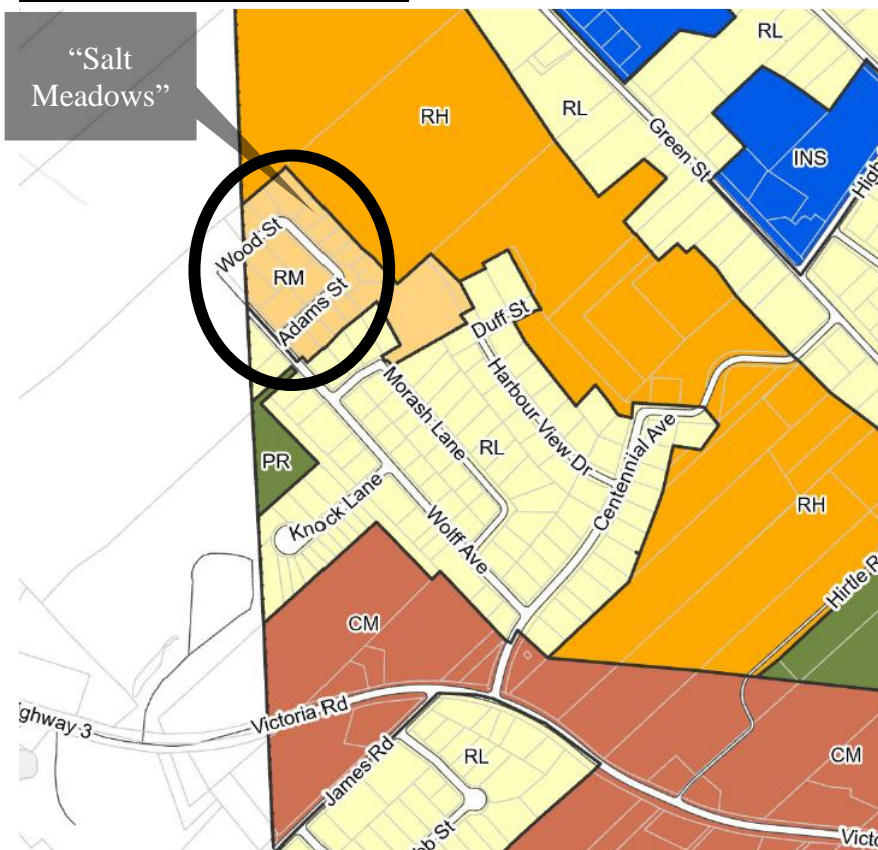


Figure 1 – Context Map showing the current Use Zoning

The MPS designates the subdivision as Residential and the land use by-law zones the area as medium density residential use (RM). The remainder of the subdivided area northwest of Centennial Avenue is zoned lower density Residential (RL). There is a portion of RM accessed from Harbour View Drive that is not part of the Salt Meadows subdivision area and is not being proposed to be rezoned.

The RM zoning is described in Policy 4-1 of the MPS, which states that it is intended to enable dwellings up to 4 units, B&B's with up to 6 units, home-based businesses, rooming houses, residential care facilities, and neighbourhood amenities, such as parks and trails. The RL zone, under the same policy, is

described the same as RM, with rooming houses and residential care facilities removed. The RL zone, as described, best matches the existing character of the neighbourhood and existing lot fabric.

### **The Request**

Council has requested that staff prepare all required materials to rezone the Salt Meadows neighbourhood from RM to RL. Residents of this neighbourhood have expressed concerns stemming from the density of development including traffic and pedestrian safety through an increase in the numbers of vehicles parking on the street which is felt to be caused by the medium density use zone rules. The RM zone allows 4 dwelling units per lot. The request is to rezone to RL which permits 2 dwelling units per lot.

### **Discussion**

When the current land use by-law was adopted, the lot fabric was already established under the previous subdivision by-law:

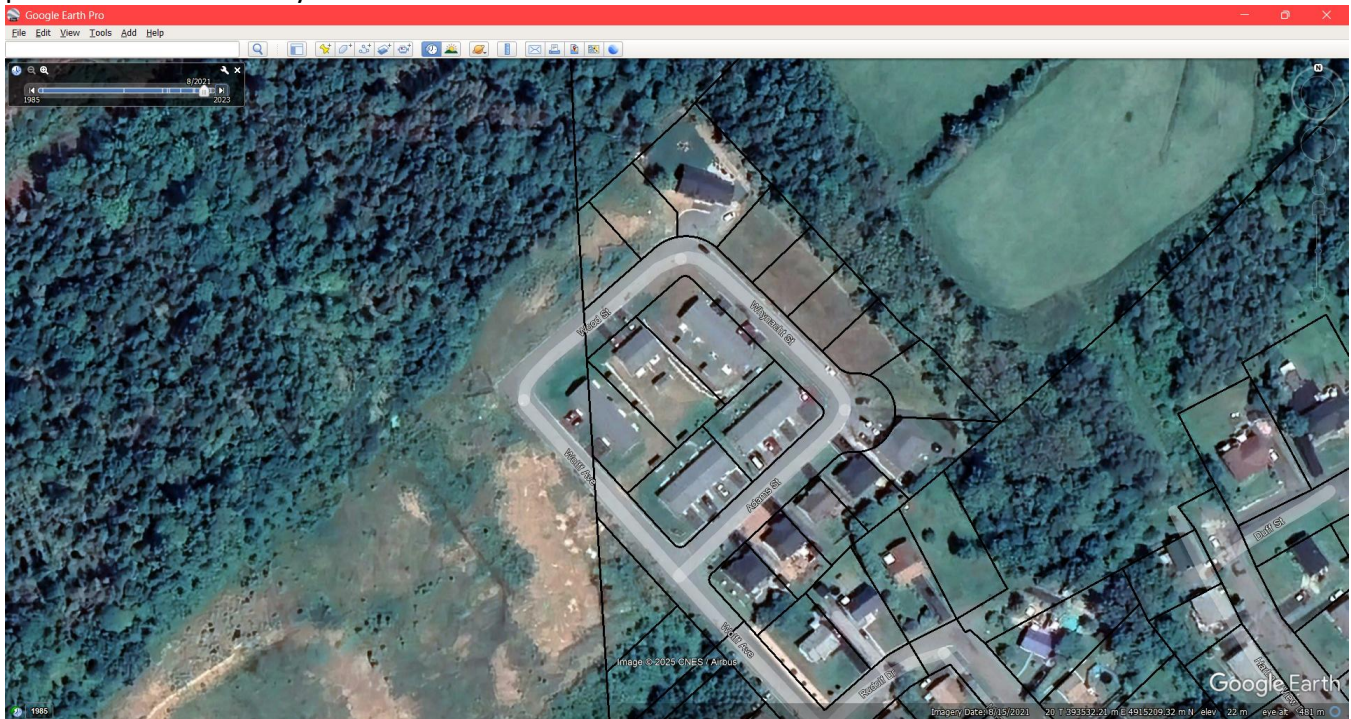


Figure 2 – Google Earth Image from August 2021.

Since that time, two additional buildings have been constructed on the existing fabric. These dwellings contain 4 dwelling units, plus an accessory unit each.

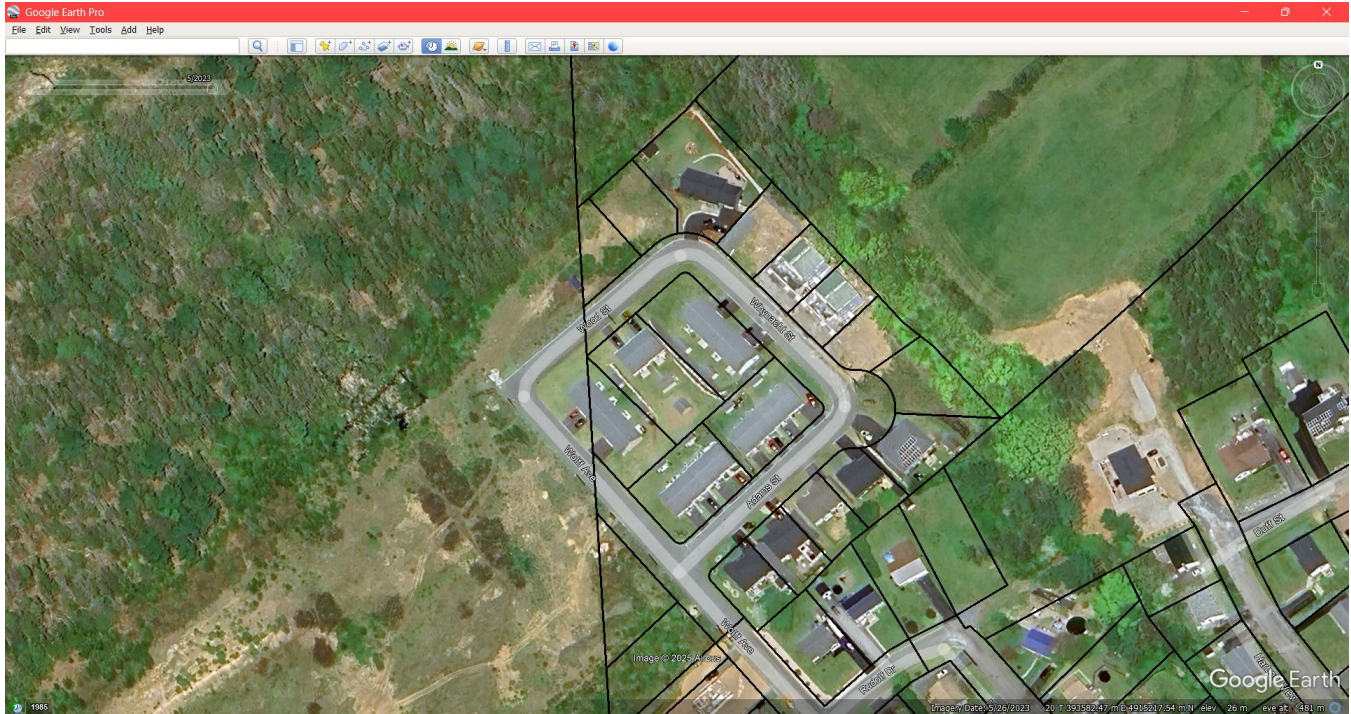


Figure 3 – Google Earth Image showing current build-out (May 2023)

The remaining vacant lots could be developed similarly in an as-of-right fashion. Staff do raise the concern that the owner(s) of the remaining vacant lots may contest this rezoning, and may have rights to financial compensation for lost property/development value, should this rezoning be successfully approved by Council. It is advisable to take this into careful consideration.

Development has already occurred and lands have been purchased for future development. One individual owns or controls all of the remaining vacant lots in Salt Meadows, and they have communicated their intent to develop them to Staff. Staff do acknowledge that the density in this area was likely set too high when the LUB was adopted, given that the lot fabric was already in existence with smaller lots. This must be weighed against possible financial risks to the Town. It should be noted that under the previous LUB, there was no distinction between lower, medium, and higher density residential zones, and that development agreements were the tool to negotiate multi-unit development on any lands zoned residential. As the current LUB is strictly as-of-right, area densities have been set within the land use by-law for different zones, and lands may have been subsequently purchased with the assurance that these densities are backed by the LUB. Down-zoning lands exposes the Town to potential legal liability.

One final point of consideration is that the South Shore remains in a housing crisis. This neighbourhood has been identified as a gentle growth area (infill development), that was intended to address the future housing needs of Town residents. Reducing the density of this area will reduce the number of more-affordable homes that can potentially be made available in the future. This all runs counter to the Town's commitment to CMHC through the Housing Accelerator Fund and possibly Provincial Statement 5 on Housing.

It is recommended that the owner(s) of the vacant lands be engaged in meaningful discussions on this proposal.

**Proposed Mapping Change**

The proposed mapping change to the Use Zone Map of the LUB can be found in **Attachment C**.

The proposal is a rezoning only, requiring no text changes to the LUB. The only change is a mapping change to the Use Zone Map in the LUB affecting only PID 60696663.

Policy 6-10 (**Attachment B**) anticipates requests like this one. This policy identifies three avenues to rezone properties notwithstanding Policy 4-2. Council, has recognized that no planning document is perfect and nor can it anticipate every possibility or special case through Policy 6-10. This application satisfies Policy 6-10 (c), thus enabling the rezoning being requested.

Policy 6-11 of the MPS allows Council to consider an amendment to the Use Zoning Map, Schedule C, of the Land Use By-law (LUB) if the proposed amendment is consistent with this MPS and the general evaluation criteria for amending the LUB, as set out in Policy 6-19. Policy 6-10, 6-11 and 6-19 are reviewed in **Attachment D**.

**Next Steps**



Figure 4 - Next Steps

**Figure 5** illustrates the process and the next step will be a Public Participation Meeting (PPM), which must be advertised in the newspaper and online. Due to advertising deadlines and publication dates, the soonest that the PPM could be held is the PAC meeting of June 30, 2025. PAC is the host for the PPM under the *Planning Public Participation Program Policy* of Council.

**Relevant Legislation**

The *Municipal Government Act* (MGA) outlines the required process for amendments to the Land Use By-law.

**Financial**

The Town has initiated this process, and all costs relating to the rezoning are to be borne by the Town.

The Town may be exposed to legal recourse and financial penalty should this rezoning be approved.

**Communications**

A Public Participation Meeting as well as a Public Hearing will be advertised in the local newspaper and on the Town’s website and social media.

## **Attachments**

- A. Policy 4-2
- B. Evaluation of Policy 6-10, 6-11 and 6-19
- C. Amendments to the LUB – Use Zone Map
- D. Review of Provincial Interest Statements and Lunenburg Accessibility Plan

## Attachment A

### Policy 4-2

**Policy 4-2:** Council shall establish, on the Future Land Use Map, a series of Land Use Designations to guide the evolution of Use Zone placement over time. The Designations and the Use Zones permitted for consideration in each Designation are as follows:

(a) The Residential Land Use Designation permits:

- i. Lower Density Residential Use (RL) Zone
- ii. Medium Density Residential Use (RM) Zone
- iii. Higher Density Residential Use (RH) Zone
- iv. Rural Use (RUR) Zone
- v. Institutional Use (INS) Zone
- vi. Parks and Recreation Use (PR) Zone

(b) The Main Street Land Use Designation permits:

- i. Commercial Mixed Use (CM) Zone
- ii. Institutional Use (INS) Zone
- iii. Parks and Recreation Use (PR) Zone

(c) Downtown Commercial Land Use Designation permits:

- i. General Commercial Use (CG) Zone
- ii. Institutional Use (INS) Zone
- iii. Parks and Recreation Use (PR) Zone

(d) Waterfront Designation permits:

- i. Waterfront Use (W) Zone
- ii. Marine Industrial Use (MM) Zone
- iii. Parks and Recreation Use (PR) Zone

(e) Industrial Designation permits:

- i. Industrial Use (M) Zone
- ii. Institutional Use (INS) Zone
- iii. Parks and Recreation Use (PR) Zone

(f) Parks and Institutional Designation permits:

- i. Institutional Use (INS) Zone
- ii. Parks and Recreation Use (PR) Zone

**Attachment B**  
**Evaluation of Policy 6-10, 6-11 and 6-19**

**6.3.3 Amending the Text and Use Zoning Map of the Land Use By-law**

Council recognizes it cannot foresee all possible types of development that might be acceptable in the Town in general, or on a specific piece of land. As such, there will be times when the Land Use By-law needs to be amended to accommodate a new development trend or specific development proposal.

Council also recognizes that it is possible to inadvertently make mapping errors in preparing the maps that accompanying this Plan and the Land Use By-law. Such errors may be in conflict with the policies in this Plan. Where such errors are discovered, Council may consider correcting them through amendments to the Use Zoning Map of the Land Use By-law.

**Policy 6-10:** Council shall consider amendments to the Use Zoning Map of the Land Use By-law when the proposed map amendment is not specifically prohibited within this Plan and at least one of the following three conditions is true:

- (a) the proposed Use Zone is enabled by this Plan for use within the same Future Land Use Map designation;
- (b) a non-conforming use appears to have been created by an inadvertent administrative oversight in the Municipal Planning Strategy and Land Use By-law preparation process, resulting in a property being zoned inconsistent with stated policies in this Plan; or
- (c) notwithstanding the Use Zones permitted within a Future Land Use designation, the land to be rezoned is under 1,000 square metres in area and is abutting a Future Land Use Map designation that permits the proposed Use Zone. For clarity, land that abuts a right-of-way, such as a street, is considered to be abutting the designation on the other side of the right-of-way.

*Evaluation:* The proposed Use Zone Change will be enabled by this Plan in keeping with Policy 6-10(a).

**Policy 6-11:** Council shall not amend the Use Zoning Map of the Land Use By-law unless Council is satisfied that:

- (a) the proposal is consistent with the description of the Use Zone in Policy 4-1 and any specific policies, if any, directing where it is appropriate to place the proposed Use Zone; and
- (b) the proposed Use Zone and the uses it permits meet the general criteria for amending the Land Use By-law, set out in Policy 6-19.

*Evaluation: The proposed rezoning **may conflict with** the general criteria for amending the Land Use By-law, set out in Policy 6-19 as reviewed below:*

### 6.5.1 Amending the Land Use By-law & Entering into Development Agreements

Amendments to the Land Use By-law and the entering into of development agreements are processes that require careful thought. As such, Council has established a set of general criteria to consider when evaluating all Land Use By-law amendments and development agreement proposals.

**Policy 6-19:** Council shall not amend the Land Use By-law or enter into a development agreement unless Council is satisfied the proposal:

- (a) is consistent with the intent of this Municipal Planning Strategy;  
*The proposed rezoning will be considered to be consistent with the intent of the MPS pursuant to Policy 6-10 (a).*
- (b) does not knowingly conflict with any Town or Provincial programs, by-laws, or regulations in effect in the municipality;  
***The proposal makes achieving the new housing unit targets under the HAF program more difficult.***

***In addition, this proposal may conflict with Provincial Statement 5 on Housing.***

- (c) is not premature or inappropriate due to:
  - i. the ability of the Town to absorb public costs related to the proposal;  
*The proposal is not considered premature or inappropriate due to the ability of the Town to absorb public costs related to the proposal. No public costs are anticipated with the proposed amendments.*
  - ii. impacts on existing drinking water supplies, both private and public;  
*The proposal is not premature or inappropriate due to impacts on existing drinking water supplies, both private and public. No new development proposals are anticipated at this time.*
  - iii. the adequacy of central water and sewage services or, where such services are not available, the suitability of the site to accommodate on-site water and sewage services;  
*The proposal is not premature or inappropriate due to the adequacy of central water and sewage services.*
  - iv. the creation of excessive traffic hazards or congestion on road, cycling, and pedestrian networks within, adjacent to, or leading to the proposal;  
*The proposal is not premature or inappropriate due to the creation of excessive traffic hazards or congestion on road, cycling, and pedestrian networks within, adjacent to, or leading to the proposal. The proposed rezoning is considered a less intensive use of land and will have less of an impact than development proposals permitted as-of-right under the current Medium Density Residential (RM) use zone.*
  - v. the adequacy of fire protection services and equipment;

The proposal is not premature or inappropriate due to the adequacy of fire protection services and equipment.

- vi. the adequacy and proximity of schools and other community facilities;  
The proposal is not premature or inappropriate due to the adequacy and proximity of schools and other community facilities.
- vii. impacts on UNESCO World Heritage Site statements of outstanding value;  
The area is outside of the UNESCO WHS and will have no impact on the Statements of OUV.
- viii. 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;  
The proposed rezoning will not cause any new, or worsening of any known, pollution problems.
- ix. site-specific climate change risks;  
The proposed rezoning will not cause or increase any known site-specific climate change risks.
- x. the potential to create flooding or serious drainage issues, including within the proposal site and in nearby areas;  
The rezoning will not cause any known flooding or drainage issues.
- xi. impacts on known habitat for species at risk;  
The proposed rezoning will not have any impact on known habitat.
- xii. impacts on the navigability and environment of Lunenburg Harbour;  
The proposed rezoning will not have any impact on navigation or have any impact on Lunenburg's Harbour.
- xiii. the suitability of the site in terms of grades, soil and geological conditions, the location of watercourses and wetlands, and proximity to rights-of-way; and  
The proposal is not premature or inappropriate due to the suitability of the site in terms of grades, soil and geological conditions, the location of watercourses and wetlands, and proximity to rights-of-way.
- xiv. land use conflicts that could place limits on existing operational procedures at existing businesses.  
The proposal is not premature or inappropriate due to land use conflicts that could place limits on existing operational procedures at existing businesses. The proposed rezoning are considered a type of "downzoning" from "Medium Density Residential" to "Lower Density Residential". As a result, the proposal should have less land use conflicts through a lower development density.

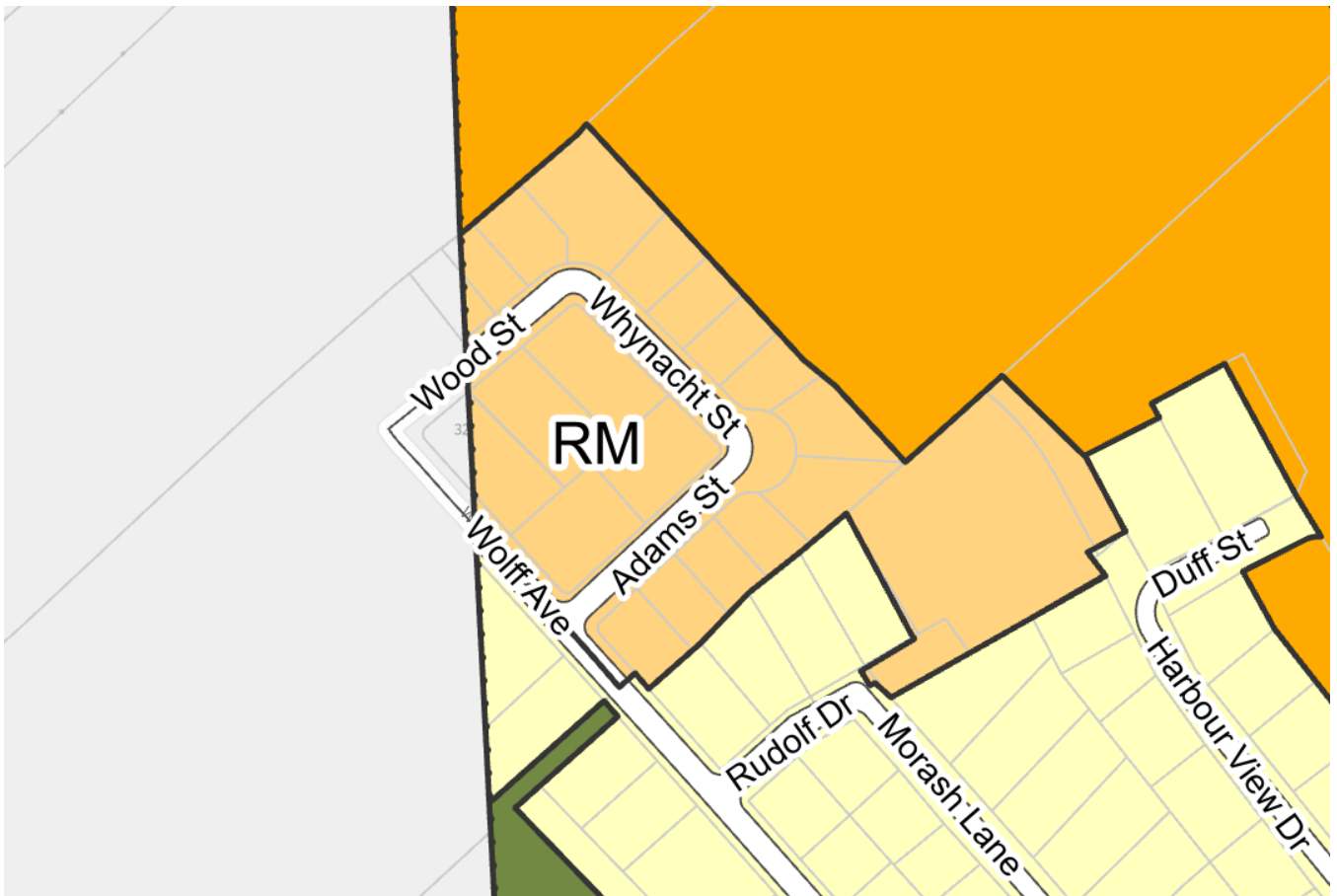
## Attachment C

### Amendments to Land Use By-law – Use Zone Map, Schedule “C”

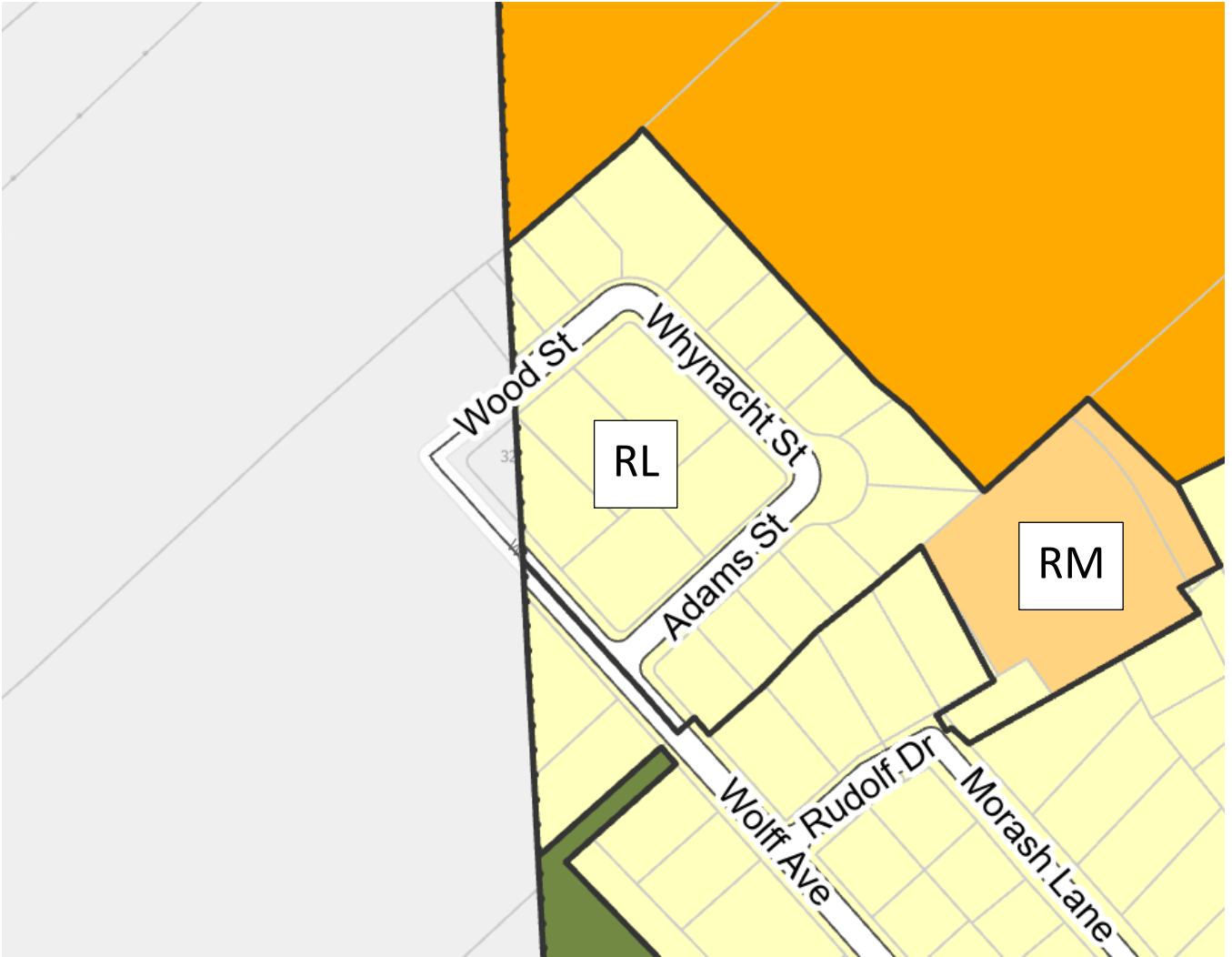
- 1) An amendment to the Land Use By-law, in particular the Use Zoning Map, Schedule “C”, thereby rezoning the lands as per table and maps shown below:

Property:	Application:
All of Salt Meadows Neighbourhood	Rezone from the Medium Density Residential (RM) Use Zone to the Lower Density Residential (RL) Use Zone

Existing Use Zoning Map, Schedule “C”:



Proposed Use Zoning Map, Schedule “C”:



Wood St

Whynacht St

RL

Adams St

RM

Wolf Ave

Rudolf Dr

Morash Lane

**Attachment D**

**Review of Provincial Interest Statements and Lunenburg County Accessibility Plan**

Provincial Interest Statements	
<p>Statement 1: Drinking Water</p> <p>Goal: To protect the quality of drinking water within municipal water supply watersheds.</p>	<p>The proposed rezoning of the subject lands will not affect Provincial Interest Statement 1. The quality of Dares Lake Watershed will not be affected by the proposed rezoning.</p>
<p>Statement 2: Flood Risk Areas</p> <p>GOAL: To protect public safety and property and to reduce the requirement for flood control works and flood damage restoration in floodplains.</p>	<p>The proposed rezoning will not have a direct impact on the Flood Risk Areas as identified on the Flood Risk Area Map, Schedule E, of the Land Use By-law and will not affect Provincial Interest Statement 2. The lands are located outside of the Flood Risk Area as identified on the Flood Risk Area Map.</p>
<p>Statement 3: Agricultural Land</p> <p>GOAL: To protect agricultural land for the development of a viable and sustainable agriculture and food industry.</p>	<p>The proposed rezoning of the subject lands will not affect Provincial Interest Statement 3.</p>
<p>Statement 4: Infrastructure</p> <p>GOAL: To make efficient use of municipal water supply and municipal wastewater disposal systems.</p>	<p>The proposed rezoning will not affect Provincial Interest Statement 4. The rezoning to “residential” is considered a less intensified use of land and should have less of an impact on Town infrastructure, with regards to water supply and wastewater disposal.</p>
<p>Statement 5: Housing</p> <p>GOAL: To provide housing opportunities to meet the needs of all Nova Scotians.</p>	<p>The purpose of the rezoning is to reduce residential housing density within an existing neighbourhood with infill development opportunities of up to approximately 25 to 30 residential units. <b>For this reason, this proposal may be in conflict with Statement 5.</b></p>

Review amendment through an accessible lens	
<p>Review amendment with a focus on equity, diversity, and inclusion.</p>	<p>This amendment is a rezoning of the use of land that <b>may adversely affect lower income families and individuals</b> through</p>

	reducing more affordable housing opportunities in an area of Town that normally supports this.