

Planning Advisory Committee

Tuesday March 10, 2026 at 1:00 p.m.

Council Chambers

181 Coldbrook Village Park Drive

A G E N D A

1. Meeting to Order
2. Roll Call & Land Acknowledgement
3. Approval of the Agenda
4. Disclosure of Conflict-of-Interest Issues
5. Approval of Minutes Page 2
 - a. February 10, 2026
6. Business Arising from the Minutes
7. Business
 - a. Application to amend an existing development agreement to permit the expansion of a visitor-oriented development at 850 Grand Pre Rd (PID 55235550), Wallbrook (File 25-18), Alice Jacob Page 4
 - b. Application to amend the text of the Land Use By-law to Permit Second Dwellings in Rural Areas and Associated Amendments (File P24-01), Laura Mosher Page 40
 - c. Application to rezone a portion of 1200 Parkway Drive (PID 55479562), Port Williams, from the Light Industrial Commercial (M1) Zone to the General Commercial (C1) Zone. (File 25-22) Page 57
 - d. Application to deregister a Municipal Heritage Property at 1108 Middle Street (PID55036867), Port Williams (File 26-03), Laura Mosher Page 71
8. Other Business
 - a. Planning Ask Me Anything
9. Comments from the Public
10. Date of Next Meeting: April 14, 2026
11. Adjournment

Accommodations are available for this meeting: please submit your request at

www.countyofkings.ca/accommodationsrequest

Land Acknowledgement

The Municipality of the County of Kings is in Mi'kma'ki, the ancestral, unceded, and current territory of the Mi'kmaq Peoples. The Municipality of the County of Kings is a neighbour to Annapolis Valley First Nation and Glooscap First Nation, as well as a diverse urban and rural Indigenous population. We are all treaty people and commit to upholding the Peace and Friendship Treaties and working towards

reconciliation in all areas of the Municipality.

PLANNING ADVISORY COMMITTEE

February 10, 2026

Meeting, Date and Time	A meeting of the Planning Advisory Committee (PAC) was held on Tuesday, February 10 2026, in Council Chambers at 181 Coldbrook Village Park Drive at 1:00 pm.
Attending	In Attendance:
PAC Members	Councillor Emily Lutz -Chair Councillor Riley Peckford -Vice Chair Councillor Doug Gates Deputy Mayor Everett MacPherson Kate Friars – Citizen Member Erik Deal – Citizen Member
Municipal Staff	Trish Javorek – Director, Planning and Inspections Laura Mosher – Manager, Planning Peri Bowman, Planner Haley Hutt – Recording Secretary
Public	None.
Regrets	Logan Morse – Citizen Member
1. Meeting to Order	Councillor Emily Lutz, Chair called the meeting to order at 1:00 p.m.
2. Roll Call	Roll call was taken.
3. Land Acknowledgement	Councillor Lutz read the Land Acknowledgement per Policy ADMIN-01-025: Land Acknowledgement.
4. Amendments to the Agenda	None.
5. Approval of the Agenda	On motion of Councillor Peckford and Councillor Gates, that the agenda for the February 10, 2026, meeting of Planning Advisory Committee be approved as circulated. The question was called on the motion. Motion carried.
6. Disclosure of Conflict-of-Interest	None.

- 7. **Approval of Minutes**
 - a. **January 13, 2026**
- On motion of Ms. Friars and Deputy Mayor MacPherson, that the minutes of the Planning Advisory Committee meeting held on January 13, 2026 be approved as circulated.**

The question was called on the motion. **Motion carried.**

- 8. **Business Arising from the Minutes**
- None

9. **Business**

- a. **Application to amend a map and the text of the Land Use By-Law to permit the expansion of an existing agricultural related industry (egg grading facility) at 830 Belcher Street (PID 55030498), Port Williams. (File 25-17)**

Peri Bowman, Planner, presented an application by Drew Redden, on behalf of Atlantic Poultry Incorporated, to amend a map and the text of the Land Use By-Law to permit the expansion of an agricultural related industry (egg grading facility) at 830 Belcher Street (PID 55030498), Port Williams.

Questions of Clarification:

Councillor Gates asked for clarification on where the eggs are laid. Staff confirmed eggs are laid off site.

On the motion of Councillor Gates and Councillor Peckford, that Planning Advisory Committee recommends that Municipal Council give First Reading to and hold a Public Hearing regarding the application to amend a map and the text of the Land Use By-Law to permit the expansion of an existing agricultural related industry at 830 Belcher Street (PID 55030498), Port Williams as described in Appendices C and D of the report dated February 10, 2026.

The question was called on the motion. **Motion carried.**

- 10. **Other Business**
- None

- 11. **Comments from the Public**
- None

- 12. **Date of Next Meeting**
- The next meeting of the Planning Advisory Committee is March 10, 2026.

- 13. **Adjournment**
- There being no further business, on motion of Deputy Mayor MacPherson and Councillor Peckford, that the meeting adjourn.**

**Approved:
Planning Advisory Committee**

Municipality of the County of Kings Report to the Planning Advisory Committee

Application to amend an existing development agreement to permit the expansion of a visitor-oriented development at 850 Grand Pre Rd (PID 55235550), Wallbrook

File #25-18

March 10, 2026

Prepared by: Planning Services

Applicant	Jonathan Stacey
Land Owner	Valley Sky Luxury Camping Incorporated
Proposal	Amendment to an existing development agreement to permit the expansion of a visitor-oriented development
Location	850 Grand Pre Rd (PID 55235550), Wallbrook
Lot Area	32 Acres
Designation	Resource
Zone	Resource (N1) Zone
Surrounding Uses	Residential, resource and commercial uses
Neighbour Notification	9 notification letters were sent to property owners within 500 feet of the subject property.

1. PROPOSAL

Jonathan Stacey of Valley Sky Luxury Camping Incorporated has submitted an application to amend an existing development agreement registered on the property located at 850 Grand Pre Rd (PID 55235550), Wallbrook. The development agreement permits up to 10 tourist cabins on the property, as well as other permitted uses in the underlying zone. The proposed amendment seeks to permit additional tourist cabins and other uses, such as camp sites and an event venue, to host more than one event per year on the property.

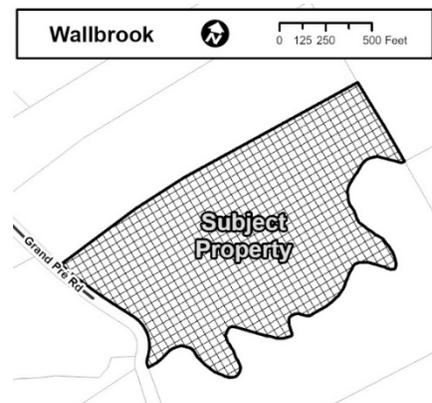


Figure 1: Subject property

2. OPTIONS

In response to the application, the Planning Advisory Committee may:

- A. Recommend that Council approve the amendments to the development agreement as drafted;
- B. Provide alternative direction, such as requesting further information on a specific topic, or recommending changes to the draft amendments to the development agreement;
- C. Recommend that Council refuse the amendments to the development agreement as drafted.

3. STAFF RECOMMENDATION

Staff recommend that the Planning Advisory Committee forward a positive recommendation by passing the following motion.

The Planning Advisory Committee recommends that Municipal Council give Initial Consideration to and hold a Public Hearing to approve the amending development agreement regrading the expansion of an existing visitor-oriented development at 850 Grand Pre Rd (PID 55235550), Wallbrook, which is substantively the same (save for minor differences in form) as the draft set out in Appendix E of the report dated March 10, 2026.

4. BACKGROUND

In 2022, Valley Sky Luxury Camping Incorporated entered into a development agreement with the Municipality to permit additional tourist cabins at 850 Grand Pre Road in Wallbrook. The subject property is located within the Resource (N1) Zone, which permits tourist commercial uses as-of-right, but the use is limited to up to two tourist cabins accessory to a dwelling. Initially, the applicant established a luxury camping experience on the property through this available as-of-right development option. However, in 2020, the applicant sought to develop additional tourist accommodations and submitted an application for a development agreement.

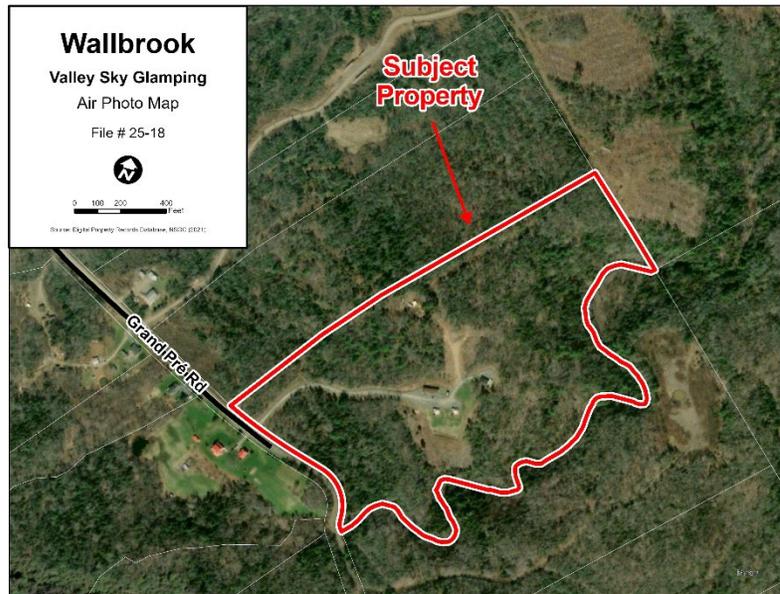


Figure 2: Aerial view

Currently, the property is developed with a dwelling where the owner resides and five tourist accommodations, including three glamping domes, a quonset-style cabin and a cottage-style accommodation. The applicant intends to convert the dwelling into a tourist accommodation and build a new dwelling closer to the front property line/public road. The existing development agreement permits up to 10 tourist cabins on the property, along with other permitted uses in the zone. However, the

applicant now seeks to amend this agreement to permit up to 20 tourist cabins and additional uses, such as 40 camp sites, of which a maximum of 20 are proposed for recreational vehicles, and an event venue to host more than one event per year. According to the Land Use By-law, campgrounds (camp sites) are not permitted as-of-right on the property and can only be considered through a development agreement, and the Land Use By-law restricts property owners to one Temporary Commercial Use (event) per year, with additional events considered through development agreements. As the applicant seeks more than the 10 cabins currently permitted and proposes additional uses that are not permitted as-of-right on the property, a substantive amendment to the development agreement is required to enable these uses. The amendment could be considered by the Council only through a public hearing.

5. SITE INFORMATION

The subject property is located in Wallbrook and has a lot area of 32 Acres. The property has approximately 240 feet of public road frontage on Grand Pre Road. The property, as noted, features five tourist accommodations and a dwelling. As shown in Figure 3, the property's topography slopes downward toward a brook (Curry Brook). The property is largely wooded, except for the area that is currently developed.

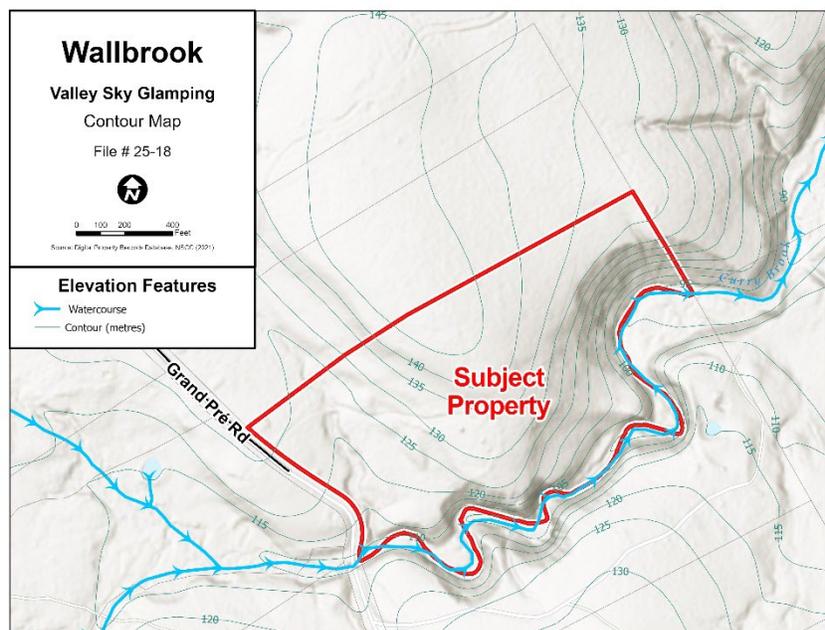


Figure 3: Topography and water features

The property is located within the Resource (N1) Zone, within the Resource Designation. The surrounding area is predominantly undeveloped and wooded, except for properties along Grand Pre Road, which are mostly developed with residential uses and also include a tourist commercial use (Lockett Vineyard), permitted through a development agreement.

6. PUBLIC CONSULTATION

Under the Planning Policies of the Municipality of the County of Kings (PLAN-09-004), a Public Information Meeting (PIM) was required because the application is for a substantive amendment to an existing development agreement. A total of 9 property owners within 500 feet of the subject property were notified of the planning application and the associated meeting via letter mail. Advertisements were also placed on the Municipal website and social media sites a week before the meeting. The Public Information Meeting was held on September 4, 2025, at the Horton Community Centre, Grand Pre. Five members of

the public were present at the meeting. The Planner's presentation was recorded the following day and posted on the municipal website, where it has been available for viewing since.

Public comments, concerns and questions

The public noted that the surrounding properties are frequently used for hunting and expressed concerns about how the proposal might affect hunting activities. Hunting is regulated by the province, and the Municipality has no jurisdiction over the matter. The provincial Firearm and Bow Regulations require hunters to maintain a minimum of 182 feet from dwellings and places of business unless authorised by the property owner.

The public asked about the design of the fifth accommodation, which was under construction at the time of the meeting. Additionally, they inquired about the types and number of events the applicant intends to have on the property. The applicant mentioned that they intend to have events like weddings, birthdays, and retirement parties. Staff noted that the Land Use By-law currently restricts property owners to one event per year, and the proposed development agreement would allow for multiple events with possible conditions on use.

7. POLICY REVIEW

7.1 Existing Development Agreement

Part 3 of the existing development agreement outlines the terms for changes and discharge. It specifies which changes are considered substantive, requiring a full application process, including a public hearing, to modify the agreement. Section 3.2 of the development agreement outlines the following:

Section 3.2 *The following matters are substantive matters:*

- a) *The uses permitted on the property as listed in Section 2.1 of this agreement;*

Uses and structures permitted by the underlying zoning on the Property shall not require any amendment to this agreement.

And Section 2.1 details the permitted uses as follows:

Section 2.1 Use

That the parties agree that the Property shall be limited to the following uses:

- (a) those uses permitted by the underlying zoning in the Land Use By-law (as may be amended from time-to-time); and*
- (b) Tourist Cabins – not to exceed a total of 10 cabins, with a maximum building footprint of 1000 sq ft for each cabin. If more than 2 tourist cabins are offered, an on-site caretaker shall reside on the same lot.*

Except as otherwise provided in this Agreement, the provisions of the Land Use By-law apply to any development undertaken pursuant to this Agreement.

The applicant's request is to amend the existing development agreement to permit additional tourist accommodations and other uses, such as camp sites and an event venue (for more than one event) on the subject property. These matters are substantive because tourist accommodations, as outlined within the Agreement, are limited to a maximum of 10 cabins, and the applicant intends to increase the permitted number from a maximum of 10 to 20 cabins. Additionally, camp sites and event venues (more than one event), as explained earlier, are not permitted as-of-right on the property and could only be considered through a development agreement. According to Section 230(2) of the Municipal Government Act and the Municipality's Planning Policy PLAN-09-004, this substantive amendment can only be approved following the consideration of Council after a Public Hearing.

7.2 Enabling Policy

Policy 3.6.9 of the Municipal Planning Strategy enables Council to consider proposals for uses that are not otherwise permitted or cannot meet the zone standards through a development agreement within the Resource Designation. The policy states:

Council shall

Policy 3.6.9 *consider only by development agreement in the Resource Designation, proposals for uses that are not otherwise permitted or cannot meet zone standards. In evaluating such development agreements, Council shall be satisfied that:*

- a) if the use is a listed, permitted use, the condition(s) that prevents the proposal from being permitted as-of-right in the designation is addressed by the development agreement, including but not limited to enhanced buffering and building and structure position and design; and*

While the Resource (N1) Zone permits a tourist commercial use, the use is limited to a maximum of two cabins accessory to a dwelling. The current development agreement permits up to 10 cabins, and the proposed amendment seeks to permit up to 20 cabins, exceeding the as-of-right permitted limit. Additionally, the applicant intends to introduce new uses, including 40 camp sites and an event venue to host more than one event per year on the property, which are not permitted as-of-right on the property. The existing agreement includes conditions to mitigate the permitted development's impact on neighbouring properties, such as buffer, setback, lighting, and other requirements. The proposed amendments replace some existing conditions for clarity and introduce new conditions to address the new uses, including controlling the event venue's location, noise, and operational hours to minimize neighbourhood impact.

- b) the proposal meets the general development agreement criteria set out in section 5.3 Development Agreements and Amending the Land Use By-law.*

This is discussed in section 7.4 of this report and reviewed in detail in Appendix C.

In addition to the above, Policy 2.5.13 of the Municipal Planning Strategy ('MPS') enables Council to consider entering into a development agreement to permit the development of visitor-oriented developments that are not permitted as-of-right within the Resource Designation. The policy states:

Council shall

Policy 2.5.13 *consider only by development agreement within the Agriculture, Resource, and Shoreland Designations, with the exception of in the Agricultural (A1) Zone, proposals for visitor-oriented developments not permitted as-of-right. In evaluating development agreements, Council shall be satisfied that:*

(a) the proposal is oriented to visitors or the travelling public, such as, but not limited to, lodging, restaurants, events venues, or other type of special attractions;

The proposed tourist cabins, camp sites and event venue are oriented to visitors.

(b) the subject property has a lot area that can appropriately accommodate the proposed use, any accessory uses and structures, parking areas and required infrastructure;

It is Staff's opinion that the subject property, with its 32-acre lot area, can comfortably accommodate the proposed tourist cabins, camp sites, parking areas, and infrastructure, while also having sufficient space for the event venue and associated buildings/structures and parking. The property owner is required to maintain a 60-foot vegetative buffer along all property boundaries, where no development will be permitted. The remaining area, excluding this buffer, is designated as the developable area, and all permitted uses are required to be confined within this area.

(c) the site facilities are adequately buffered and/or separated from surrounding residential dwellings (other than a residential dwelling occupied by the operator) to mitigate negative impacts associated with noise, light, and other visual impacts;

The existing development agreement requires a 100-foot vegetative buffer from the rear and side lot lines and a 60-foot setback requirement from all lot boundaries. However, as these requirements may be confusing, Staff are proposing to remove the setback requirements and clarify that the development will be required to maintain a 60-foot vegetative buffer from all property boundaries. The 60-foot buffer is intended to be an area of no activity, allowing vegetation to grow naturally and act as a buffer to help reduce potential noise, lighting impacts, and other effects from the proposed use.

(d) if the proposal is for a lot located on a lake within the Shoreland Designation, Council shall be satisfied that:.....

The property is located within the Resource designation.

(e) if the use is a listed permitted use, the condition(s) that prevent the proposal from being permitted as-of-right in the designation is addressed by development agreement including, but not limited to, enhanced buffering and the positioning and design of buildings and structures; and

Refer to the discussion under policy 3.6.9(a) above.

(f) the proposal meets the general development agreement criteria set out in section 5.3 Development Agreements & Amending the Land Use By-Law.

This is discussed in section 7.4 of this report and reviewed in detail in Appendix C.

7.3 Supporting Policies

Section 2.5 of the Municipal Planning Strategy, Economic Development, highlights the growing importance of tourism for the region's economic development. The goal of the section states *"To sustain the Municipality's diverse economic base, encourage entrepreneurship and innovation."* The proposed expansions to the visitor-oriented business/luxury camping experience would help achieve this goal by supporting entrepreneurship and innovation. The section also emphasises Council's intention to encourage visitor-oriented businesses in the Municipality, as outlined in Policies 2.5.11 and 2.5.12, specifically within the agricultural, resource, and shoreland designations. These policies state that Council shall:

2.5.11 permit a variety of opportunities for visitor-oriented businesses in locations and at a scale consistent with the intent of the zones enabled within the Agricultural, Resource, and Shoreland Designations as well as the Historic Hamlet of Grand Pré (A5) Zone;

2.5.12 encourage and promote opportunities for visitor-oriented businesses in the Municipality;

The property is located within the Resource (N1) Zone, which is within the Resource Designation. Permitting the visitor-oriented business on the subject property would be consistent with the intent of the policies above.

Additionally, because of its proximity to vineyards, wineries and other local businesses, the development can help achieve the goals of fostering a tourism industry that supports other rural businesses in the area, as set out in Section 2.2, Rural Area, where the economic development objective states, *"To foster industry that increases the viability of and supports rural businesses."*

7.4 General Policies

Section 5.3.7 of the Municipal Planning Strategy (By-law #105) contains various criteria to be used when assessing a planning application. These criteria consider the impact of the proposal on the road network, services, development pattern, environment, finances, and wellfields, as well as the proposal's consistency with the intent of the Municipal Planning Strategy. There are no costs to the Municipality because of the proposed development, and there are no concerns regarding compatibility, traffic hazards/congestion or pollution. These criteria are reviewed in detail in Appendix C.

8. SUMMARY OF DRAFT AMENDMENTS TO THE DEVELOPMENT AGREEMENT

The main contents of the draft amendments to the development agreement, attached as Appendix E, are as follows:

- Addition of definitions for Development Area, Camp Site, and Amenity Structure
- Changes to the permitted uses section to reflect the new and expanded uses

- Clarification and changes to vegetative buffer, lighting, subdivision, servicing and drainage requirements
- Conditions regarding event venue operation, including hours and noise control
- Revisions and additions to Part 3 (Changes and Discharge) and Part 5 (Compliance) for clarity

9. CONCLUSION

The proposal aligns with Council's objectives related to tourism and economic development. The proposal and the terms of the draft amending development agreement are in keeping with the intent of the Municipal Planning Strategy, including the general criteria for all development agreements. As a result, Staff are forwarding a positive recommendation to the Planning Advisory Committee.

10. APPENDICES

Appendix A – Zoning and Future Land Use Map

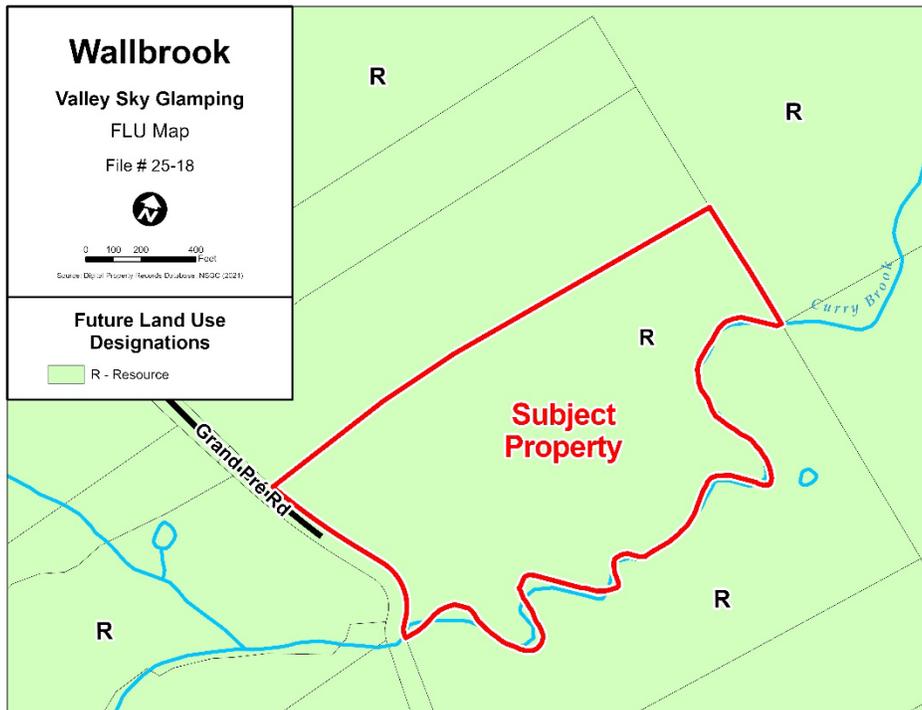
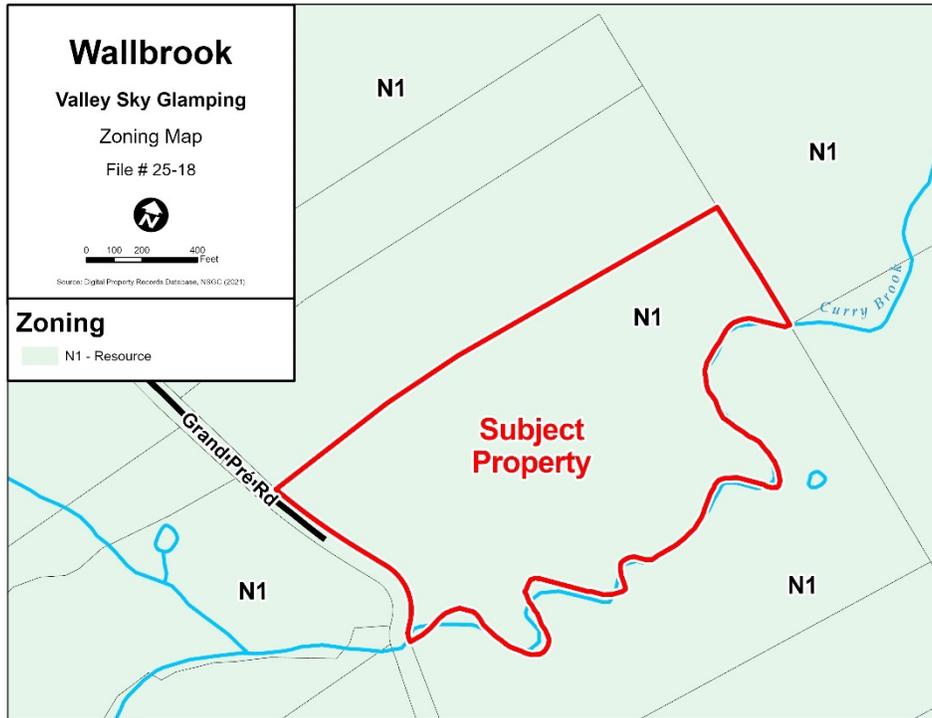
Appendix B – Photographs of the Subject Property and Neighbouring Areas

Appendix C – General Criteria for Development Agreements and Amending the Land Use By-Law

Appendix D - Existing Development Agreement

Appendix E - Draft Amendments to the Development Agreement

Appendix A
Zoning and Future Land Use Map



Appendix B
Photographs of the Subject Property and Neighbouring Areas



Neighbouring property across Grand Pre Road



View of Grand Pre Road from the access



End of Grand Pre Road



Existing tourist accommodations and dwelling

Appendix C
General Criteria

General Development Agreement Criteria Policy 5.3.7 Council expects to receive applications to amend the Land Use By-law or enter into a development agreement for development that is not permitted as-of-right in the Land Use By-law. Council has established criteria to ensure the proposal is appropriate and consistent with the intent of this Strategy. Council shall be satisfied that a proposal to amend the Land Use By-law or to enter into a development agreement:

Criteria	Comments
<i>a. is consistent with the intent of this Municipal Planning Strategy, including the Vision Statements, relevant goals, objectives and policies, and any applicable goals, objectives and policies contained within a Secondary Plan;</i>	The proposed amendments to the development agreement are consistent with the intent of the Municipal Planning Strategy and the applicable goals, objectives, and policies contained within the Municipal Planning Strategy.
<i>b. is not in conflict with any Municipal or Provincial programs, By-laws, or regulations in effect in the Municipality;</i>	The proposal is not in conflict with any Municipal or Provincial programs, By-laws, or regulations.
<i>c. that the proposal is not premature or inappropriate due to:</i>	
<i>i. the Municipal or village costs related to the proposal;</i>	The proposal does not involve any development costs to the Municipality.
<i>ii. land use compatibility with surrounding land uses;</i>	The visitor-oriented business has been operating since 2022 without issues or complaints from neighbours. The existing development agreement and proposed amendments include conditions to mitigate potential impacts on neighbours.
<i>iii. the adequacy and proximity of school, recreation and other community facilities;</i>	Not applicable as no residential development is proposed.
<i>iv. the creation of any excessive traffic hazards or congestion due to road or pedestrian network adequacy within, adjacent to, and leading to the proposal;</i>	The Department of Public Works has confirmed the adequacy of road networks and did not indicate any concerns with the proposal.
<i>v. the adequacy of fire protection services and equipment;</i>	The Wolfville Fire Department advised that municipal fire protection services and equipment are adequate to serve the proposal.
<i>vi. the adequacy of sewer and water services;</i>	The property is serviced by on-site sewer and water systems. The property owner will be responsible for ensuring these services meet Provincial requirements.
<i>vii. the potential for creating flooding or serious drainage problems either within the area of development or nearby areas;</i>	A significant portion of the property's permeable surfaces will likely remain intact after the

	proposed expansions, and as a result, Staff do not anticipate any drainage issues.
<i>viii. negative impacts on identified wellfields or other groundwater supplies for the area;</i>	The property is not located within any identified wellfield protection overlay.
<i>ix. pollution, in the area, including but not limited to, soil erosion and siltation of watercourses; or</i>	The property owner will be required to follow provincial soil erosion controls during any construction, which are enforced by Nova Scotia Environment and Climate Change.
<i>x. negative impacts on lake water quality or nearby wetlands;</i>	The property is not located within proximity to any lakes or wetlands.
<i>xi. negative impacts on neighbouring farm operations;</i>	The proposed expansion is not expected to have any negative impact on nearby farm operations.
<i>xii. the suitability of the site regarding grades, soils and geological conditions, location of watercourses, marshes, bogs and swamps, and proximity to utility rights-of-way.</i>	The property owner will be required to follow applicable provincial and municipal regulations with regard to watercourses. Staff do not anticipate any suitability issues related to grades, soils, geological conditions, or utility rights-of-way.

Appendix - D
Existing Development Agreement

Form 26

*Purpose: to record an interest in a parcel; or
to record a power of attorney in the power of attorney roll*

Registration district: Kings County
 Submitter's user number: 1554
 Submitter's name: G. Bernard Conway

For Office Use

KINGS COUNTY LAND REGISTRATION OFFICE
 I certify that this document was registered or recorded
 as shown here.
 Penny Goodwin, Registrar

120085197 LR ROD
 Document #
FEB - 7 2022
 MM DD YYYY 14:26
 Time

In the matter of Parcel Identification Number (PID)

PID 55235550	
PID	

(Expand box for additional PIDs, maximum 9 PIDs per form.)

Power of attorney *(Note: completion of this section is mandatory)*

- The attached document is signed by attorney for a person under a power of attorney, and the power of attorney is:
- recorded in the attorney roll
 - recorded in the parcel register
 - incorporated in the document

OR

- No power of attorney applies to this document

This form is submitted to record the attached document *(select applicable box)*:

- in the parcel register as a recorded interest
- in the power of attorney roll
- in the power of attorney roll as a duplication of a power of attorney registered under the *Registry Act*

The following information relates to the interest being recorded:

Instrument type	Agreement re land use
Expiry date <i>(if applicable)</i>	
Interest holder and type to be added <i>(if applicable)</i> <i>Note: include qualifier (e.g., estate of, executor, trustee, personal representative) if applicable</i>	Municipality of the County of Kings – party to agreement
Mailing address of interest holder to be added <i>(for power of attorney, provide mailing address for donee)</i>	181 Coldbrook Village Pakr Drive Coldbrook, NS B4R 1B9
Name and mailing address power of attorney donor to be added <i>(if applicable)</i>	

Appendix E: Development Agreement

THIS DEVELOPMENT AGREEMENT made this ____ day of _____, A.D.

BETWEEN:

Jonathan Stacey, owner of Valley Sky Luxury Camping, of Wallbrook, Nova Scotia, hereinafter called the "Property Owner",

of the First Part

and

MUNICIPALITY OF THE COUNTY OF KINGS, a body corporate pursuant to the Municipal Government Act, S.N.S., 1998, Chapter 18, as amended, having its chief place of business at Coldbrook, Kings County, Nova Scotia, hereinafter called the "Municipality",

of the Second Part

WHEREAS the Property Owner is the owner of certain lands and premises (hereinafter called the "Property") which lands are more particularly described in Schedule A attached hereto and which are known as Property Identification (PID) Number 55235550; and

WHEREAS the Property Owner wishes to use the Property for Tourist accommodations.

WHEREAS the Property is situated within an area designated Resource (N) on the Future Land Use Map of the Municipal Planning Strategy, and zoned Resource (N1) on the Zoning Map of the Land Use By-law; and

WHEREAS policies 2.5.13 and 3.6.9 of the Municipal Planning Strategy and section 10.3.5 of the Land Use Bylaw provide that the proposed use may be developed only if authorized by development agreement; and

WHEREAS the Property Owner has requested that the Municipality of the County of Kings enter into this development agreement pursuant to Section 225 of the Municipal Government Act so that the Property Owner may develop and use the Property in the manner specified; and

WHEREAS the Municipality by resolution of Municipal Council passed at a meeting on May 4 2021 approved this Development Agreement;

Now this Agreement witnesses that in consideration of covenants and agreements contained herein, the parties agree as follows:

PART 1 AGREEMENT CONTEXT

1.1 Schedules

The following attached schedules shall form part of this Agreement:

Schedule A Property Description

1.2 Municipal Planning Strategy and Land Use By-law

- (a) *Municipal Planning Strategy* means By-law 105 of the Municipality, approved on March 5, 2020 as amended, or successor by-laws.
- (b) *Land Use By-law* means By-law 106 of the Municipality, approved on March 5, 2020 as amended, or successor by-laws.
- (c) *Subdivision Bylaw* means Bylaw 60 of the Municipality, approved September 5, 1995, as amended, or successor by-laws.

1.3 Definitions

Unless otherwise defined in this Agreement, all words used herein shall have the same meaning as defined in the Land Use Bylaw. Words not defined in the Land Use Bylaw but used herein are:

- (a) *Development Officer* means the Development Officer appointed by the Council of the Municipality.
- (b) *Tourist cabin* means a rental cabin, yurt, geo dome or one unit dwelling in which accommodation is provided on a short term or temporary basis to the travelling public.

PART 2 DEVELOPMENT REQUIREMENTS

2.1 Use

That the Parties agree that the Property shall be limited to the following uses:

- (a) those uses permitted by the underlying zoning in the Land Use By-law (as may be amended from time-to-time); and
- (b) Tourist Cabins – not to exceed a total of 10 cabins, with a maximum building footprint of 1000 sq ft for each cabin. If more than 2 tourist cabins are offered, an on-site caretaker shall reside on the same lot.

Except as otherwise provided in this Agreement, the provisions of the Land Use Bylaw apply to any development undertaken pursuant to this Agreement.

2.2 Appearance of Property

The Property Owner shall at all times maintain all structures and services on the

Property in good repair and a useable state and maintain the Property in a neat and presentable condition.

2.3 Subdivision

Except as otherwise provided for in this Agreement, the subdivision of the Property shall comply with the requirements of the Subdivision By-law, as may be amended from time-to-time, according to the minimum lot size requirements in the Commercial Recreation (P1) Zone.

2.4 Erosion and Sedimentation Control

During any site preparation, construction activities or demolition activities of a structure or parking area, all exposed soil shall be stabilized immediately and all silt and sediment shall be contained within the site according to the practices outlined in the Department of Environment *Erosion and Sedimentation Control Handbook for Construction*, or any successor documents, so as to effectively control erosion of the soil.

2.5 Lighting

The Property Owner shall ensure that any lights used for illumination of the Property or signs shall be arranged so as to divert light away from streets and neighbouring properties.

2.6 Servicing

The Property Owner shall be responsible for providing adequate water services and wastewater disposal services to the standards of the authority having jurisdiction and at the Property Owner's expense.

2.7 Enhanced Buffering

A natural wooded area at least 100 feet in width along all side and rear lot lines shall be maintained. If any portion of the 100 foot wide area is cleared, then trees and shrubs that would naturally spread in the area shall be grown.

2.8 Setbacks

All developments, including parking areas, camp sites, public gathering areas, loading areas, and outdoor storage shall be set back 60 feet from all lot boundaries. This setback shall not apply to signage, which can locate closer to front lot lines.

PART 3 CHANGES AND DISCHARGE

3.1 Any matters in this Agreement which are not specified in Subsection 3.2 below are not substantive matters and may be changed by Council without a public hearing.

3.2 The following matters are substantive matters:

a) The uses permitted on the property as listed in Section 2.1 of this Agreement;

Uses and structures permitted by the underlying zoning on the Property shall not require any amendment to this Agreement.

3.3 Upon conveyance of land by the Property Owner to either:

- (a) the road authority for the purpose of creating or expanding a public street over the Property; or
- (b) the Municipality for the purpose of creating or expanding open space within the Property;

registration of the deed reflecting the conveyance shall be conclusive evidence that that this Agreement shall be discharged as it relates to the public street or open space, as the case may be, as of the date of registration with the Land Registry Office but this Agreement shall remain in full force and effect for all remaining portions of the Property.

3.4 Notwithstanding the foregoing, discharge of this Agreement is not a substantive matter and this Agreement may be discharged by Council at the request of the Property Owner without a public hearing.

PART 4 IMPLEMENTATION

4.1 Commencement of Operation

No construction or use may be commenced on the Property until the Municipality has issued any Development Permits, Building Permits and/or Occupancy Permits that may be required.

4.2 Drawings to be Provided

When an engineered design is required for any portion of a development, record drawings shall be provided to the Development Officer within ten days of completion of the work which requires the engineered design.

4.3 Completion and Expiry Date

- (a) The Property Owner shall sign this Agreement within 120 days from the date the appeal period lapses or all appeals have been abandoned or disposed of or the development agreement has been affirmed by the Nova Scotia Utility and Review Board or the unexecuted Agreement shall be null and void;
- (b) The Developer shall commence construction within ten (10) years of recording this Agreement at the Registry of Deeds.

PART 5 COMPLIANCE

5.1 Compliance with Other Bylaws and Regulations

Nothing in this Agreement shall exempt the Property Owner from complying with Federal, Provincial and Municipal laws, bylaws and regulations in force or from obtaining any Federal, Provincial, or Municipal license, permission, permit, authority or approval required thereunder.

5.2 Municipal Responsibility

The Municipality does not make any representations to the Property Owner about the suitability of the Property for the development proposed by this Agreement. The Property owner assumes all risks and must ensure that any proposed development complies with this Agreement and all other laws pertaining to the development.

5.3 Warranties by Property Owner

The Property Owner warrants as follows:

- (a) The Property Owner has good title in fee simple to the Lands or good beneficial title subject to a normal financing encumbrance, or is the sole holder of a Registered Interest in the Lands. No other entity has an interest in the Lands which would require their signature on this Development Agreement to validly bind the Lands or the Developer has obtained the approval of every other entity which has an interest in the Lands whose authorization is required for the Developer to sign the Development Agreement to validly bind the Lands.
- (b) The Property Owner has taken all steps necessary to, and it has full authority to, enter this Development Agreement.

5.5 Costs

The Property Owner is responsible for all costs associated with recording this Agreement in the Registry of Deeds or Land Registration Office, as applicable.

5.6 Full Agreement

This Agreement constitutes the entire agreement and contract entered into by the Municipality and the Property Owner. No other agreement or representation, oral or written, shall be binding.

5.7 Severability of Provisions

The provisions of this Agreement are severable from one another and the invalidity or unenforceability of one provision shall not affect the validity or enforceability of any other provision.

5.8 Interpretation

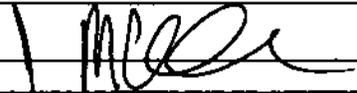
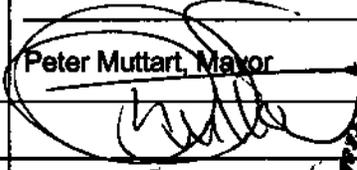
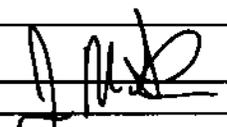
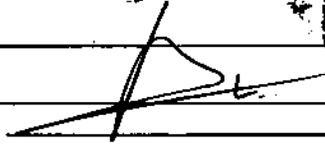
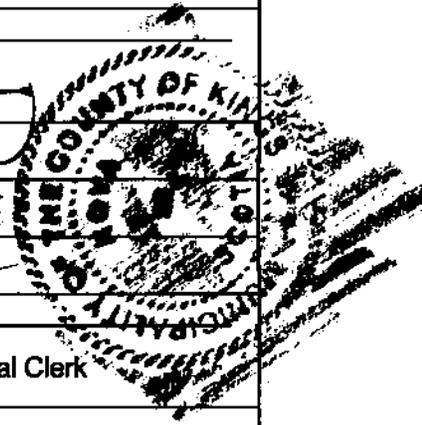
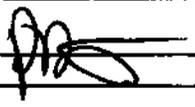
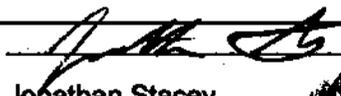
Where the context requires, the singular shall include the plural, and the masculine gender shall include the feminine and neutral genders.

5.9 Breach of Terms or Conditions

Upon the breach by the Property Owner of the terms or conditions of this Agreement, the Municipality may undertake any remedies permitted by the Municipal Government Act.

THIS AGREEMENT shall ensure to the benefit of and be binding upon the parties hereto, their respective agents, successors and assigns.

IN WITNESS WHEREOF this Agreement was properly executed by the respective parties hereto and is effective as of the day and year first above written.

<p>SIGNED, SEALED AND ATTESTED to be the proper designing officers of the Municipality of the County of Kings, duly authorized in that behalf, in the presence of:</p>	<p>MUNICIPALITY OF THE COUNTY OF KINGS</p>
<p> _____ Witness</p>	<p> _____ Peter Muttart, Mayor</p>
<p> _____ Witness</p>	<p> _____ Janny Postema, Municipal Clerk</p> 
<p>SIGNED, SEALED AND DELIVERED In the presence of:</p>	<p>JONATHAN STACEY (PRESIDENT/DIRECTOR OF VALLEY SKY)</p>
<p> _____ Witness Phyllis Dharmaratnam A Commissioner of the Supreme Court of Nova Scotia</p>	<p> _____ Jonathan Stacey</p> 
<p>_____ Witness</p>	<p>_____ Name of Signing Authority</p>

Schedule A – Property Description

PARCEL DESCRIPTION REPORT

2020-08-07 10:18:12

PID: 55235550
CURRENT STATUS: ACTIVE
EFFECTIVE DATE/TIME: 2020-04-30 08:37:16

ALL that land situated at Wallbrook, in the County of Kings and Province of Nova Scotia, known as the Front lot;

BOUNDED on the south by Mill Brook;

ON the west by Telegraph Road;

ON the north by land of Arch Vaughan;

ON the east by the Base Line.

BEING AND INTENDED TO BE a portion of those lands conveyed by Gordon C. Allen to Gordon C. Allen and Marjorie L. Allen, as Joint Tenants, by Deed registered at the Kings County Registry of Deeds in Book 489 Page 605 as Document 3668.

***** Municipal Government Act, Part IX Compliance *****

Not Subject To:

The parcel was created by a subdivision that predates subdivision control or planning legislation or by-laws in the municipality and therefore no subdivision approval was required for creation of this parcel.

AFFIDAVIT OF SPOUSAL STATUS

**CANADA
PROVINCE OF NOVA SCOTIA
KINGS COUNTY**

I, **Jonathan Stacey**, of Wallbrook, in the County of Kings, Province of Nova Scotia, make oath and say that:

1. I am the President of Valley Sky Luxury Camping. (the "Corporation"). Except as otherwise stated I have personal knowledge of the matters to which I have sworn in this Affidavit.
2. I am authorized to execute the forgoing instrument on behalf of the Corporation, and thereby bind the Corporation.
3. I acknowledge that the Corporation executed the foregoing Instrument by its proper officer(s) duly authorized in that regard on the date of this affidavit; this acknowledgment is made for the purpose of registering such Instrument pursuant to s.31(a) of the *Registry Act*, R.S.N.S. 1989, c.392. or s. 79(1)(a) of the *Land Registration Act* as the case may be, for the purpose of registering the instrument.
4. The Corporation is a resident of Canada under the *Income Tax Act* (Canada).
5. The ownership of a share or an interest in a share of the Corporation does not entitle the owner of such share or interest in such share to occupy a dwelling owned by the Corporation.
6. I have the authority to execute the document and bind the corporation.

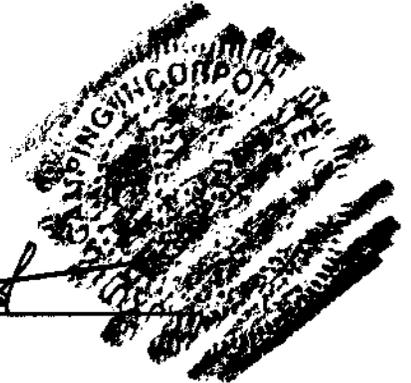
SWORN TO at Kentville in the County of Kings,
Province of Nova Scotia the 25 day of January
2022, before me,



A Barrister/Commissioner of Oaths of the
Supreme Court of Nova Scotia



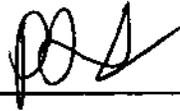
JONATHAN STACEY



Phyllis Dharmaratnam
A Commissioner of the Supreme
Court of Nova Scotia

**PROVINCE OF NOVA SCOTIA
COUNTY OF KINGS**

I CERTIFY that on the **25** day of January, 2022, **VALLEY SKY LUXURY CAMPING.**, caused this Development Agreement to be properly executed and its corporate seal affixed by its duly authorized officer(s). I have signed as a witness to such execution.



**A Commissioner of the Supreme Court
Of Nova Scotia**

**Phyllis Dharmaratnam
A Commissioner of the Supreme
Court of Nova Scotia**

Appendix E

Draft Amendments to the Development Agreement

THIS AMENDING AGREEMENT BETWEEN:

VALLEY SKY LUXURY CAMPING INCORPORATED, of Wolfville, Nova Scotia, hereinafter called the "Property Owner"

of the First Part

and

MUNICIPALITY OF THE COUNTY OF KINGS, a body corporate pursuant to the Municipal Government Act, S.N.S., 1998, Chapter 18, as amended, having its chief place of business at Coldbrook, Kings County, Nova Scotia, hereinafter called the "Municipality",

of the Second Part

WHEREAS the Parties entered into a Development Agreement registered at the Kings County Land Registration Office as Document 120085197 on February 7, 2022, affecting land described therein and now known as PID 55235550 (hereinafter called the "Property");

WHEREAS the parties wish to amend the Development Agreement as hereinafter set forth; and

WHEREAS the amendments are identified in the Development Agreement as matters that are substantive matters; and

WHEREAS policies 2.5.13 and 3.6.9 of the Municipal Planning Strategy (By-law 105) and section 10.3.5 (a) and (d) of the Land Use By-Law (By-law 106) provide that the use proposed through amending the existing development agreement may be permitted if authorized by a development agreement

WHEREAS the Municipality, by resolution of Municipal Council, approved this amending agreement.

Now this Agreement witnesses that in consideration of covenants and agreements contained herein, the parties agree as follows:

1. Section 1.1 Schedules is deleted and replaced with the following:

1.1 Schedules

The following attached schedules shall form part of this Agreement:

Schedule A Property Description

2. Section 1.3 Definitions is deleted and replaced with the following:

1.3 Definitions

Unless otherwise defined in this Agreement, all words used herein shall have the same meaning as defined in the Land Use By-law. Words not defined in the Land Use By-law but used herein are:

- (a) *Amenity Structure* means an accessory structure that is accessory to the tourist cabins/camp sites and may include amenities for use by individuals staying at the tourist cabins/camp sites including, but not limited to, kitchen and washroom facilities, laundry facilities, common areas for recreation, reading, meeting, or dining.
- (b) *Camp Site* means the area used by a member of the travelling public for accommodations, either with the use of a recreational vehicle or other temporary structure, such as a camping tent. The recreational vehicle shall not become a derelict vehicle as defined in the Municipal Government Act.
- (c) *Development Area* means the developable area of the property, excluding the required buffer.
- (d) *Development Officer* means the Development Officer appointed by the Council of the Municipality.
- (e) *Tourist Cabin* means a rental cabin, yurt, geo dome or one unit dwelling in which accommodation is provided on a short term or temporary basis to the travelling public.

3. Section 2.1 Use is deleted and replaced with the following:

2.1 Use

That the Parties agree that the Property shall be limited to the following uses:

- (a) those uses permitted by the underlying zoning in the Land Use By-law (as may be amended from time-to-time); and
- (b) The development area shall be permitted to be developed with the following:
 - I. Tourist Cabins – not to exceed a total of 20 cabins, with:
 - a. 19 cabins having a maximum building footprint of 1,000 square feet each
 - b. 1 cabin having a maximum building footprint of 1,100 square feet
 - c. The cabins shall not exceed 20 feet in height
 - II. Camp sites- not to exceed a total of 40. The number of sites for recreational vehicles shall be limited to a maximum of 20.

- III. Amenity structures accessory to the tourist cabins and camp sites. Amenity structures shall not exceed 20 feet in height.
- IV. Event venue and associated buildings and structures, which shall be entirely contained within the 145-foot by 145-foot Event Venue Envelope shown in Schedule B Site Plan

Except as otherwise provided in this Agreement, the provisions of the Land Use By-law apply to any development undertaken pursuant to this Agreement. Parking for each camp site or cabin shall be provided in accordance with the requirements of the Land Use By-law.

4. Section 2.3 Subdivision is deleted and replaced with the following:

2.3 Subdivision

No alterations to the lot configuration that would result in a reduced lot area are permitted without a substantive amendment to this agreement except as may be required by the road authority for the purpose of creating or expanding a public street over the Property.

5. Section 2.4 Erosion and Sedimentation Control is deleted and replaced with the following:

2.4 Drainage, Erosion and Sedimentation Control

- (a) The property owner is responsible for implementing effective storm water management techniques to prevent post-development runoff from adversely affecting neighbouring properties.
- (b) During any site preparation, construction activities or demolition activities of a structure or parking area, all exposed soil shall be stabilized immediately and all silt and sediment shall be contained within the site according to the practices outlined in the Department of Environment *Erosion and Sedimentation Control Handbook for Construction*, or any successor documents, so as to effectively control erosion of the soil.

6. Section 2.5 Lighting is deleted and replaced with the following:

2.5 Lighting

The Property Owner shall ensure that any exterior lights used for illumination of the property shall be arranged so as to divert light downwards and away from streets and neighbouring properties.

7. Section 2.6 Servicing is deleted and replaced with the following:

2.6 Servicing

The Property Owner shall be responsible for providing adequate water services and wastewater disposal services to the standards of the authority having jurisdiction and at the Property Owner's expense.

No pit privies shall be permitted on the property.

8. Sections 2.7 Enhanced Buffering and 2.8 Setbacks are deleted and replaced with the following:

2.7 Vegetative Buffer

A natural vegetative buffer of at least 60 feet in width along all lot lines shall be maintained for all uses enabled in section 2.1(b). The vegetative buffer is to be an area of no activity related to the permitted uses enabled in section 2.1(b) of this agreement (all main and accessory structures, parking areas, camp sites, public gathering areas, loading areas and outdoor storage, etc.). Walking trails may be located within the required vegetative buffer. Nothing in this Agreement shall prevent the removal of dead or diseased vegetation. If vegetation is removed, the area shall be permitted to regrow to a naturally vegetated state.

9. Sections 2.8 and 2.9 are added:

2.8 On-site Caretaker

The property shall have an on-site caretaker in residence whenever the visitor-oriented business is open to visitors/travelling public.

2.9 Event Venue

(a) The hours of operation for the Event Venue permitted in section 2.1 (b) (IV) of the agreement shall be between 7 am and 11 pm Sunday through Thursday, inclusive, except when a Sunday precedes a holiday Monday, when the hours of operation shall be between the hours of 7 am and 12 am, inclusive. Hours of operation on Fridays, Saturdays and holidays shall be between 7 am and 12 am.

- (b) The use of sound amplification equipment (such as speakers) is prohibited outdoors and within open air structures for special events. The equipment can be used within enclosed structures/buildings that are part of the event venue.
- (c) All event venue parking shall be contained within the Development Area. No parking shall be permitted on or alongside the driveway, blocking access to fire or emergency services.

10. Section 3.4 is deleted and replaced with the following:

- 3.4** Notwithstanding the foregoing, discharge of this Agreement is not a substantive matter and this Agreement may be discharged by the Chief Administrative Officer (CAO) at the request of the Property Owner without a public hearing.

11. Sections 3.5 and 3.6 are added:

- 3.5** Notice of Intent to discharge this Agreement may be given by the Municipality to the Property Owner following the receipt of approval by the Chief Administrative Officer to give such Notice:

- (a) at the discretion of the Municipality, with or without the concurrence of the Property Owner, where the Development has, in the reasonable opinion of the Chief Administrative Officer on advice from the Development Officer, ceased operation for a period of at least twenty-four (24) months; or,
- (b) at any time upon the written request of the Property Owner, provided the use of the Property is in accordance with the Land Use By-law or a new Agreement has been entered into.

- 3.6** This Agreement may be discharged thirty (30) days after a Notice of Intent to Discharge has been given. Notwithstanding any other provision of this Agreement, the discharge of this Agreement is not a substantive matter and this Agreement may be discharged by the Chief Administrative Officer (CAO) without a Public Hearing.

12. Section 5.1 is deleted and replaced with the following:

5.1 Compliance with Other By-laws and Regulations

- (a) Nothing in this Agreement shall exempt the Property Owner from complying with Federal, Provincial and Municipal laws, by-laws and regulations in force or from obtaining any Federal, Provincial, or Municipal license, permission, permit, authority or approval required thereunder.

- (b) Where the provisions of this Agreement conflict with those of any by-law of the Municipality applicable to the Property (other than the Land Use By-law to the extent varied by this Agreement) or any statute or regulation, the higher or more stringent requirements shall prevail.

13. Section 5.8 is deleted and replaced with the following:

5.8 Interpretation

- (a) Where the context requires, the singular shall include the plural, and the use of words in one gender shall include all genders as circumstances warrant.
- (b) Where the written text of this Agreement conflicts with information provided in the Schedules attached to this Agreement, the written text of this Agreement shall prevail.
- (c) References to particular sections of statutes and bylaws shall be deemed to be references to any successor legislation and bylaws even if the content has been amended, unless the context otherwise requires.

14. Section 5.9 is deleted and replaced with the following:

5.9 Breach of Terms or Conditions

Upon breach of any term or condition of this Agreement, the Municipality may notify the Property Owner in writing. In the event that the Property Owner has not cured any such breach or entered into arrangements with the Municipality related to such breach to the Municipality's satisfaction, acting reasonably, within six (6) months of such notice then the Municipality may rely upon the remedies contained in Section 264 of the *Municipal Government Act* and may enter the land and perform any of the terms contained in the Development Agreement, or take such remedial action as is considered necessary to correct a breach of the Agreement, including the removal or destruction of anything that contravenes the terms of the Agreement and including decommissioning the site. It is agreed that all reasonable expenses, whether arising out of the entry on the land or from the performance of the terms, are a first lien on the land that is the subject of the Development Agreement.

15. Sections 5.10, 5.11 and 5.12 are added:

5.10 Onus for Compliance on Property Owner

Any failure of the Municipality to insist upon a strict performance of any requirements or conditions contained in this Agreement shall not be deemed a waiver of any rights or

remedies that the Municipality may have and shall not be deemed a waiver of any subsequent breach or default in the conditions or requirements contained in this Agreement.

5.11 Development Agreement Bound to Land

This Agreement shall be binding upon the parties hereto and their heirs, executors, administrators, successors and assigns, and shall run with the land which is the subject of this Agreement until such time as it is discharged by the Municipality in accordance with Section 229 of the Municipal Government Act.

5.12 Assignment of Agreement

The Property Owner may, at any time and from time to time, transfer or assign this Agreement and its rights hereunder and may delegate its obligations hereunder to an assign, successor, heir, or purchaser of the land bound by this Agreement.

This Amending Agreement is to be read and construed with the Development Agreement and be treated as part thereof, and for such purpose and so far as may be necessary to give effect to this Amending Agreement the Development Agreement, is hereby amended, and the Development Agreement as so amended, together with all the covenants and provisions thereof, which shall remain in full force and effect.

THIS AGREEMENT shall enure to the benefit of and be binding upon the parties hereto, their respective agents, successors and assigns.

IN WITNESS WHEREOF this Agreement was properly executed by the respective parties hereto on the day and year first above written.

SIGNED, SEALED AND ATTESTED to be the proper signing officers of the Municipality of the County of Kings, duly authorized in that behalf, in the presence of:

MUNICIPALITY OF THE COUNTY OF KINGS

Witness

David L. Corkum, Mayor

Date

Witness

Janny Postema, Municipal Clerk

Date

SIGNED, SEALED AND DELIVERED
In the presence of:

Valley Sky Luxury Camping Incorporated

Witness

Jonathan Stacey (Director/President)

Date

Schedule A

Property Description – Taken From Property On-line: October 3, 2025

Parcel Description

ALL that land situated at Wallbrook, in the County of Kings and Province of Nova Scotia, known as the Front lot;

BOUNDED on the south by Mill Brook;

ON the west by Telegraph Road;

ON the north by land of Arch Vaughan;

ON the east by the Base Line.

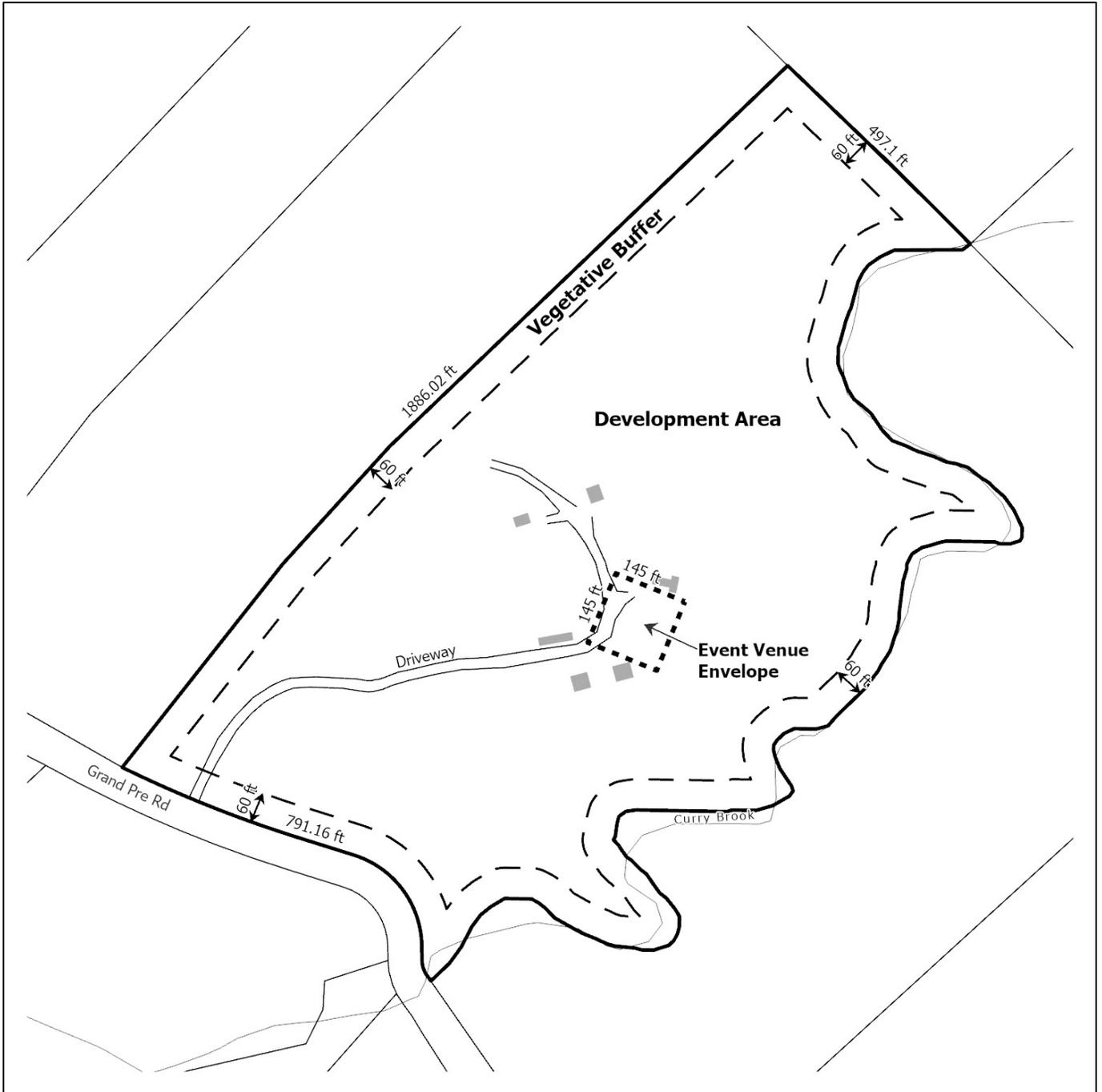
BEING AND INTENDED TO BE a portion of those lands conveyed by Gordon C. Allen to Gordon C. Allen and Marjorie I. Allen, as Joint Tenants, by Deed registered at the Kings County Registry of Deeds in Book 489 Page 605 as Document 3668.

*** Municipal Government Act, Part IX Compliance ***

Not Subject To:

The parcel was created by a subdivision that predates subdivision control or planning legislation or by-laws in the municipality and therefore no subdivision approval was required for creation of this parcel.

Schedule B - Site Plan





MUNICIPALITY *of the*
COUNTY *of* KINGS

Municipality of the County of Kings Report to the Planning Advisory Committee

Application to amend the text of the Land Use By-law to Permit Second Dwellings in Rural Areas and Associated Amendments

File #: P24-01

Date: March 10, 2026

Prepared by: Planning Services

Applicant	Council Directed
Proposed Change	Amendments to the text of the Land Use By-law to permit second dwellings in Rural Zones that permit Residential Uses and associated amendments.
Designations	Agricultural, Shoreland, and Resource.
Zones	Rural Zones that permit Residential Uses except for the Rural Commercial (C4), Agricultural (A1) Zone, Farm Commercial (A3), and the Country Residential (A4) Zone.

1. PROPOSAL

This report outlines the policy review and draft amendments associated with permitting second dwellings in all rural zones except the Rural Commercial (C4) Zone, the Agricultural (A1) Zone, the Farm Commercial (A3) Zone, and the Country Residential (A4) Zone. Amendments to these zones are being considered through other project avenues at this time.

2. OPTIONS

In response to the application, the Planning Advisory Committee may:

- A. Recommend that Council approve the amendments as drafted;
- B. Provide alternative direction, such as requesting further information on a specific topic, or recommending changes to the draft amendments;
- C. Recommend that Council refuse the amendments as drafted.

3. STAFF RECOMMENDATION

Staff recommend that the Planning Advisory Committee forward a positive recommendation by passing the following motion.

That the Planning Advisory Committee recommends that Municipal Council give First Reading and hold a Public Hearing regarding amendments to the Land Use By-law to permit the development of second dwellings in Rural Areas where Residential Uses are permitted except for the Rural Commercial (C4) Zone, the Agricultural (A1) Zone, the Farm Commercial (A3) Zone, and the Country Residential (A4) Zone.

4. BACKGROUND

In 2023, Municipal Council adopted amendments to the Land Use By-law that permitted additional forms of housing in Growth Centres including accessory dwellings. But at the time, rural zones were excluded from the amendments.

In 2024, the Provincial Government established regulations that require short-term rental operators to register with the province. As part of the registration process, operators require a letter from the Municipality indicating that the short-term rental is compliant with the requirements of the Land Use By-law. As a result, in October of 2024, the Municipality adopted amendments to permit the use of any residential unit as a short-term rental, such as an AirBnB or VRBO. Following these changes, Staff received a request from Sean Dixon requesting that accessory dwellings be considered in the Agricultural (A1) Zone. Staff prepared an options report and presented it to the Committee of the Whole at its meeting on [September 16, 2025](#), at which time Council authorized Staff to process amendments to the Municipal Planning Documents to permit accessory dwellings in rural zones.

Accessory dwellings are intended to increase residential flexibility in ways that generate few impacts on surrounding properties and, as a result, are often subject to regulations that restrict the overall size or height of the dwellings in order to provide more flexible lot requirements such as decreased setback requirements. This degree of flexibility is useful in Growth Centres where lots are smaller, however, in reviewing amendments for rural areas, Staff are of the opinion that there is no need to restrict the size of the dwelling as lots are generally large enough that main building setbacks are not overly onerous in permitting a second dwelling.

The motion from Council initially directed Staff to review all rural zones however, amendments enabling the use in the Country Residential (A4) Zone have been reviewed as part of a different project that seeks to expand the boundary of the Growth Centre of New Minas (P23-01). With regard to the Agricultural (A1) Zone, as part of this review Staff determined that greater scrutiny is required and amendments to this zone will continue to be reviewed and will be presented to Council at a later date.

Second dwellings are residential units that are wholly contained in a separate structure from the first dwelling on the lot and they must meet the regulations for a main building and are proposed to be implemented as a continuation of previous amendments that introduced accessory dwellings.

5. PUBLIC CONSULTATION

Under the Planning Policies of the Municipality of the County of Kings (PLAN-09-004), a Public Information Meeting (PIM) was required because the application concerns an amendment to the text of the Land Use By-law. Notification emails were sent to neighbouring towns and villages. In addition, an advertisement was placed on the Municipal Website and social media sites, providing notice of the planning application and details about the PIM. The PIM was held in the Municipal Council Chambers (within the Orchards and Vineyards Room) on Tuesday, October 28, 2025, at 6:00 pm. Approximately 20 members of the public and multiple Municipal Councillors attended. Following the meeting, Staff recorded a voice over of the meeting presentation and uploaded it to the Municipal Website, where it has been available for viewing since. The meeting included the Councillor who was Chair of the meeting, two Staff members, and approximately twenty members of the public.

Following the presentation, there was a period for questions and comments from the public. As the PIM was specific to accessory dwellings, the theme of the questions pertained to what regulations would apply to accessory dwellings such as minimum separation from the main dwelling, minimum and maximum square footage, and how many would be permitted on a property. Following the PIM, Staff received an email from a resident inquiring about how the meeting went and asking if the project would allow for accessory dwellings in the Agricultural (A1) Zone. They were also interested in what future public input would consist of and if there would be consideration for wooded area of lots that are not used or suitable for agricultural purposes. The resident was provided with the PIM information and was advised that their comments would be noted.

6. POLICY REVIEW

6.1 Enabling Policy

Policy 5.3.2 of the Municipal Planning Strategy establishes the ability for Council to consider amendments to the text of the Land Use By-law. The policy states the following:

Council shall:

Policy 5.3.2 *amend the text of the Land Use By-law provided the amendment is consistent with the Vision, Goals and Objectives of this Strategy (amended October 1, 2024, File #P21-01).*

6.2 Supporting Policies

The following section discusses how the proposed amendments are consistent with the vision, goals, and objectives of the Strategy.

MPS Section 1: Setting Priorities

Section 1.1 of the Municipal Planning Strategy discusses a Vision that guides the document through balancing rural and urban life. There are eight themes outlined in the Vision Statement, and the proposed amendments have been reviewed against the themes of Settlement, Agriculture, Rural and Natural Areas, Economic Development, and Energy to ensure consistency with the MPS. The adoption amendments to permit the development of accessory dwellings in Growth Centres was in response to the ongoing housing crisis in Nova Scotia. Second dwellings are proposed to assist in this regard but are tailored to better take into account the characteristics of rural areas including larger lots, larger setbacks for both main and accessory dwellings and relatively fewer land use compatibility concerns.

Theme	Priorities
Settlement	<i>Enable and encourage a diversity of housing throughout the region.</i>
Economic Development	<i>Support new innovative areas for economic growth and sustain a blend of traditional and non-traditional sectors.</i>
Energy	<i>Local actions reinforce the 3 Rs of community energy: reducing, re-using, and replacing energy.</i>
Healthy Communities	<i>Encourage housing that is healthy, affordable, sustainable, adequate, appropriate, safe and accessible.</i>

MPS Section 2.2 – Rural Areas

Section 2.2 of the MPS provides specific policy direction related to rural areas of the Municipality, which occupy over 80% of the land area in the Municipality. The introductory text of the section indicates that the priority for the use of these areas is intended to primarily be associated with resource extraction uses including agriculture and limited residential opportunities. This is echoed in the stated objectives of the section as outlined in the table below:

Theme	Objective
Settlement	<i>To minimize development opportunities for uses for Growth Centres.</i>
Agriculture	<i>To restrict residential developments in agricultural areas by providing a variety of development opportunities within Growth Centres;</i>
Rural and Natural Areas	<i>To maintain the rural character of the landscapes;</i>
Transportation	<i>To minimize the creation of new public roads in rural areas; and To use the existing rural road network efficiently and provide opportunities for recreational trails.</i>
Arts and Culture	<i>To maintain the rural character and landscape of areas outside of Growth Centres as part of the region’s cultural identity.</i>

With regard to the Objectives related to Settlement and Agriculture, which are related, the proposed amendments do not intend to significantly increase the total number of possible units that can be developed in rural areas as most rural zones, with the exception of the Shoreland Zones located around lakes, permit the development of a dwelling containing two residential units. The proposed amendments seek to permit two residential units, in one or two dwellings. The amendments would not enable the development of a two unit dwelling as well as a second dwelling. The continued restriction on the development of residential uses will also assist in maintaining the rural character, addressing objectives related to Rural and Natural Areas as well as Arts and Culture.

With regard to Transportation objectives, the proposed amendments do not seek to enable the development of additional rural roads but will assist in reducing demand for new roads as the amendments will modestly increase the flexibility associated with the development of any given lot by increasing the types of built form that can be utilized.

MPS Section 3: Designations

Section 3 of the MPS provides policy direction related to Future Land Use Designations. Policies contained within each Designation provide the main framework for the development of permissions and regulations governing land use categories within the LUB. The associated zones proposed to be amended are within the Agricultural, Shoreland, and Resource Designations. Each Designation contains themes and priorities that the policies aim to maintain. Between the three designations, the proposed amendments satisfy the objectives for themes of Agriculture, Rural and Natural Areas, Economic Development, and Settlement. The following are emphasized as objectives in these designations:

- Protection of agricultural land through limiting residential development;
- The maintenance of rural character;
- Maintaining a flexible regulatory environment that accommodates innovation, agri-business, value-added agriculture and agritainment;
- Provision of flexibility for local development in coastal communities; and,
- The provision of opportunities for tourism development in shoreland areas.

There is an overarching goal of directing inappropriate development towards Growth Centres to maintain the rural character of these landscapes but allowing second dwellings would continue to be consistent with this direction as the amendments do not propose an increase in the number of permitted residential units within the associated zones. Instead, they provide flexibility on how those units can be developed. The proposal provides property owners with alternatives including opportunities for on-site employee housing on a farm or resource use, and additional streams of income through short and long-term rentals.

Second dwellings can be used as a tool to provide flexibility and a modest increase in housing without the need for further subdivision causing fragmented lands. Allowing the second permitted unit on a property to be in a separate structure still results in concentrated residential footprints that can help maintain the visual and physical landscape of rural areas. In addition, second dwellings can offer suitable housing for young individuals that may be having difficulties entering the housing market and enable senior residents

to stay close to family. This flexibility provides families with more options all while maintaining rural character.

Within the Shoreland Designation, the MPS speaks to the provision of opportunities for local development in coastal communities. This is emphasized within the theme of Economic Development. Second dwellings can benefit communities by supporting the local economy if they are used as rentals or further housing. While the Land Use By-law would permit second dwellings as a use, property owners are responsible for conducting due diligence and assessing any risks or hazards associated with their property before beginning the process. Second dwellings would be required to meet all other applicable requirements of the LUB applicable at the time of permitting.

MPS Section 4.6: Grand Pré and Area Secondary Plan: Residence and Recreation

Section 4.6 of the MPS outlines the Grand Pré and Area Secondary Plan, which emphasizes a diverse housing base. Because the Historic Hamlet of Grand Pré (A5) Zone is included in the proposed amendments, Staff have reviewed the applicable MPS policies to ensure the changes remain consistent with the intent for the area. The goals and objectives of Section 4.6 highlight the importance of supporting residential growth and providing housing options that allow residents of all demographics to remain in the community.

No changes to the Grand Pré Heritage Conservation District By-law or the Grand Pré Heritage Conservation District Plan are required and this use can be enabled through amendments to the LUB.

7. SUMMARY OF AMENDMENTS

A copy of the draft amendments is provided for review within Appendix A of this report.

Summary of Amendments Proposed to the Land Use By-law

- The list of permitted uses within the associated zones will be amended to permit second dwellings by outlining that two residential units regardless of if they are contained in one or two structures are permitted.
- Amendments to the General Provisions of the LUB located in section 14.

8. CONCLUSION

The proposed text amendments support housing needs while continuing to limit residential development in rural areas. Staff have reviewed this request for text amendments to the Land Use By-law against the vision, goals, objectives and the policies of the Municipal Planning Strategy and have determined that the proposed amendments are consistent with the intent of the MPs. As a result, Staff are making a positive recommendation to the Planning Advisory Committee.

9. APPENDICES

Appendix A – Proposed Land Use By-law Text Amendment (By-law 106)

Appendix A

Proposed Land Use By-law Text Amendment (By-law 106)

THE MUNICIPALITY OF THE COUNTY OF KINGS

AMENDMENT TO BY-LAW 106 – LAND USE BY-LAW

BY-LAW 106 Land Use By-law

Amend Section 8.4.2.1 Permitted Uses in the Rural Mixed Use (A2) Zone – Residential Uses

1. Delete Section 8.4.2.1 and replace with:

8.4.2.1 Permitted Uses

The following uses shall be permitted in the Rural Mixed Use (A2) Zone subject to all applicable requirements of this By-law, including Section 14 – General Regulations.

RESIDENTIAL USES	SPECIAL CONDITIONS
Mobile Homes	Maximum two residential units per lot in one or two dwellings. ¹
Mini-home Parks – Existing	
One Unit Dwellings	Maximum two residential units per lot in one or two dwellings. ¹
Recreational Cabins	
Semi-detached Dwellings	
Two Unit Dwellings	

NON-RESIDENTIAL USES	SPECIAL CONDITIONS
Abattoirs	
Agricultural Related Industries	
Animal Boarding Facilities	Section 14.3
Community Facilities – Existing	
Fish Farms	
Forestry Industry Uses	
Places of Worship	
Tourist Commercial Uses	Section 14.3
Wildlife Rescue and Rehabilitation Centres	
Zoos – Existing	

AGRICULTURAL USES	SPECIAL CONDITIONS
Agricultural Equipment and Part Sales and Services	
Agricultural Uses	
Agritainment Uses	Section 14.3
Bunkhouses	Section 8.4.4.1
Farm or Vineyard Product Sampling	Section 14.3
Farm Market Outlets	
Farm Supportive Uses	
Farm Tenements	Section 8.4.4.1
Fishing Uses	
Forestry Uses	
Greenhouses	
Livestock Operations	Section 14.3

1. Amended special conditions related to residential uses, [date], File P24-01

Amend Section 8.7.2.1 Permitted Uses in the Historic Hamlet of Grande Pré (A5) Zone – Residential Uses

1. Delete Section 8.7.2.1 and replace with:

8.7.2.1 Permitted Uses

The following uses shall be permitted in the Historic Hamlet of Grand Pré (A5) Zone subject to all applicable requirements of this By-law, including Section 14 – General Regulations.

RESIDENTIAL USES	SPECIAL CONDITIONS
One Unit Dwellings	Maximum two residential units per lot in one or two dwellings. ²
Semi-detached Dwellings	
Two Unit Dwellings	

NON-RESIDENTIAL USES	SPECIAL CONDITIONS
Agricultural Uses	
Agritainment Uses	Section 14.3
Bunkhouses	Section 8.7.4.1
Community Facilities	
Farm or Vineyard Product Sampling	Section 14.3
Farm Market Outlets	

Farm Supportive Uses ¹	
Farm Tenements	Section 8.7.4.1
Greenhouses	
Livestock Operation	Section 14.3
Places of Worship	
Tourist Commercial Uses	Section 14.3

1. Amended to add "Farm Supportive Uses", April 4, 2023, File 22-21

2. Amended special conditions related to residential uses, [date], File P24-01

Amend Section 9.3 Lakeshore Residential (S1) Zone

1. Delete 9.3.2.1 Permitted Uses in the Lakeshore Residential (S1) Zone and replace with:

9.3.2.1 Permitted Uses

The following uses shall be permitted in Lakeshore Residential (S1) Zone subject to all applicable requirements of this By-law, including Section 14 – General Regulations.

RESIDENTIAL USES	SPECIAL CONDITIONS
One Unit Dwellings	Section 9.3.4
Recreational Cabins	Section 9.3.4
Recreational Vehicles	Section 9.3.4
Two Unit Dwellings ¹	Section 9.3.4

NON-RESIDENTIAL USES	SPECIAL CONDITIONS
Boathouses	Must be associated with a lot located on an island unless it is accessory to a residential use
Community Facilities – Existing	
Forestry Uses	

1. Amended to add two unit dwellings, [date], File P24-01

2. Delete Section 9.3.4.3 and replace with:

9.3.4.3 Residential Uses

A maximum of two residential uses excluding two unit dwellings are permitted on a lot and may include any combination of a one unit dwelling, recreational cabin, or recreational vehicle. A maximum of one two unit dwelling is permitted on a lot. (Amended [date], File P24-01)

3. Delete Section 9.3.4.4 and replace with:

9.3.4.4 Recreational Vehicles

A recreational vehicle shall be permitted as a main use on a lot subject to the conditions noted below.

- (a) A development permit could be issued for a dwelling or recreational cabin on the lot.
- (b) The recreational vehicle does not meet the definition of a derelict vehicle under the Act.
- (c) The location of the recreational vehicle on the lot meets the setback requirements for a dwelling in the zone.

(Amended [date], File P24-01)

4. Delete Section 9.3.4.8 and replace with:

9.3.4.8 Site Plan Exemptions

The following matters do not require site plan approval but all other requirements of this By-law shall be met prior to the issuance of a development permit:

- (a) Repairs, renovations and additions to buildings and structures on the lot.
- (b) The development of new accessory buildings.
- (c) The replacement of a legally existing residential use.
- (d) The addition of a residential unit to an existing building.

(Amended [date], File P24-01).

Amend Section 9.4 Lakeshore Limited Development (S2) Zone

1. Delete Section 9.4.2.1 Permitted Uses in the Lakeshore Limited Development (S2) Zone and replace with:

9.4.2.1 Permitted Uses

The following uses shall be permitted in the Lakeshore Limited Development (S2) Zone subject to all applicable requirements of this By-law, including Section 14 – General Regulations.

RESIDENTIAL USES	SPECIAL CONDITIONS
One Unit Dwellings	Section 9.4.4
Recreational Cabins	Section 9.4.4
Recreational Vehicles	Section 9.4.4
Two Unit Dwellings ¹	Section 9.4.4

NON-RESIDENTIAL USES	SPECIAL CONDITIONS
Agricultural Uses	

Boathouses	Must be associated with a lot located on an island unless it is accessory to a residential use
Forestry Uses	

1. Amended to add two unit dwellings, [date], File P24-01

2. Delete Section 9.4.4.3 and replace with:

9.3.4.3 Residential Uses

A maximum of two residential uses excluding two unit dwellings are permitted on a lot and may include any combination of a one unit dwelling, recreational cabin, or recreational vehicle. A maximum of one two unit dwelling is permitted on a lot. (Amended [date], File P24-01)

3. Delete Section 9.4.4.4 and replace with:

9.4.4.4 Recreational Vehicles

A recreational vehicle shall be permitted as a main use on a lot subject to the conditions noted below.

- (a) A development permit could be issued for a dwelling or recreational cabin on the lot.
- (b) The recreational vehicle does not meet the definition of a derelict vehicle under the Act.
- (c) The location of the recreational vehicle on the lot meets the setback requirements for a dwelling in the zone.

(Amended [date], File P24-01).

4. Delete Section 9.4.4.8 and replace with:

9.4.4.8 Site Plan Exemptions

The following matters do not require site plan approval but all other requirements of this By-law shall be met prior to the issuance of a development permit:

- (a) Repairs, renovations and additions to buildings and structures on the lot.
- (b) The development of new accessory buildings.
- (c) The replacement of a legally existing residential use.
- (d) The addition of a second main residential use in an existing or new building.

(Amended [date], File P24-01).

Amend Section 9.5.2.1 Permitted Uses in the Tidal Shoreland (T1) Zone

1. Delete Section 9.5.2.1 and replace with:

9.5.2.1 Permitted Uses

The following uses shall be permitted in the Tidal Shoreland (T1) Zone subject to all applicable requirements of this By-law, including Section 14 – General Regulations.

RESIDENTIAL USES	SPECIAL CONDITIONS
One Unit Dwellings	Section 9.5.4 ¹
Recreational Cabins	Section 9.5.4 ¹
Recreational Vehicles	Section 9.5.4
Semi-detached Dwellings	Section 9.5.4 ¹
Two Unit Dwellings	Section 9.5.4 ¹

NON-RESIDENTIAL USES	SPECIAL CONDITIONS
Agricultural Uses	
Community Facilities	
Fishing Uses	
Forestry Uses	
Places of Worship	
Tourist Commercial Uses	Section 14.3

1. Amended special conditions related to residential uses, [date], File P24-01

2. Amend Section 9.5.4 Additional Requirements and add Section 9.5.4.3

9.5.4.3 Residential Uses

A maximum of two residential uses except two-unit dwellings are permitted on a lot and may include any combination of a one unit dwelling, recreational cabin, recreational vehicle or one unit of a semi-detached dwelling. A maximum of one two unit dwelling is permitted on a lot. (Amended [date], File P24-01).

3. Delete Section 9.5.4.2 and replace with:

9.5.4.2 Recreational Vehicles

A recreational vehicle shall be permitted as a main use on a lot subject to the conditions noted below.

- (a) A development permit could be issued for a dwelling or recreational cabin on the lot.
- (b) The recreational vehicle does not meet the definition of a derelict vehicle under the Act.
- (c) The location of the recreational vehicle on the lot meets the setback requirements for a dwelling in the zone.

(Amended [date], File P24-01).

Amend Section 9.6.2.1 Permitted Uses in the Tidal Commercial (T2) Zone

Delete Section 9.6.2.1 and replace with:

9.6.2.1 Permitted Uses

The following uses shall be permitted in the Tidal Commercial (T2) Zone subject to all applicable requirements of this By-law, including Section 14 – General Regulations.

RESIDENTIAL USES	SPECIAL CONDITIONS
One Unit Dwellings	Section 9.6.4 ¹
Recreational Cabins	Section 9.6.4 ¹
Recreational Vehicles	Section 9.6.4
Residential Units in Commercial Buildings	Located above, behind or below ground floor commercial uses
Semi-detached Dwellings	Section 9.6.4 ¹
Two Unit Dwellings	Section 9.6.4 ¹

NON-RESIDENTIAL USES	SPECIAL CONDITIONS
Business Offices	
Community Facilities	
Day Care Facilities	
Domestic Animal Grooming	Section 14.3
Educational Facilities	
Emergency Services	
Fish and Seafood Processing	
Fishing Uses	
Fixed Roof Overnight Accommodations	Up to 5 guest rooms within a single building per lot
Goods and Services Shops	
Medical and Dental Clinics	
Personal Services Shops	
Places of Worship	
Restaurants	
Retail Stores	
Tourist Commercial Uses	Section 14.3
Veterinary Clinics	Section 14.3
Visitor Information Centres	

1. Amended special conditions related to residential uses, [date], File P24-01

2. Amend Section 9.6.4 Additional Requirements and add Section 9.6.4.3

9.6.4.3 Residential Uses

A maximum of two residential uses except two-unit dwellings are permitted on a lot and may include any combination of a one unit dwelling, recreational cabin, recreational vehicle or one unit of a semi-detached dwelling. A maximum of one two unit dwelling is permitted on a lot. *(Amended [date], File P24-01)*

3. Delete Section 9.6.4.2 and replace with:

9.6.4.2 Recreational Vehicles

A recreational vehicle shall be permitted as a main use on a lot subject to the conditions noted below.

- (a) A development permit could be issued for a dwelling or recreational cabin on the lot.
- (b) The recreational vehicle does not meet the definition of a derelict vehicle under the Act.
- (c) The location of the recreational vehicle on the lot meets the setback requirements for a dwelling in the zone.

(Amended [date], File P24-01).

Amend Section 10.3.2.1 Permitted Uses in the Resource (N1) Zone

1. Delete Section 10.3.2.1 and replace with:

10.3.2.1 Permitted Uses

The following uses shall be permitted in the Resource (N1) Zone subject to all applicable requirements of this By-law, including Section 14 – General Regulations.

RESIDENTIAL USES	SPECIAL CONDITIONS
Mobile Homes	Maximum two residential units per lot in one or two dwellings. ¹
One Unit Dwellings	
Recreational Cabins	
Semi-detached Dwellings	
Two Unit Dwellings	

NON-RESIDENTIAL USES	SPECIAL CONDITIONS
Abattoirs	
Agricultural Related Industries	
Agricultural Uses	
Agritainment Uses	Section 14.3
Animal Boarding Facilities	Section 14.3
Bunkhouses	Section 10.3.4
Community Facilities	

Composting Facilities	
Farm Market Outlets	
Farm Tenements	Section 10.3.4
Fish and Seafood Processing	
Fish Farms	
Fishing Uses	
Forestry Industry Uses	
Forestry Uses	
Greenhouses	
Heavy Equipment Facilities	
Livestock Operations	Section 14.3
Places of Worship	
Tourist Commercial Uses	Section 14.3
Wildlife Rescue and Rehabilitation Centres	

1. Amended special conditions related to residential uses, [date], File P24-01

Amend Section 14.3 Uses

1. Delete Section 14.3.2 Multiple Main Buildings and replace with:

14.3.2 Multiple Main Buildings

Except on a lot located in the Residential One Unit (R1) Zone, any number of main buildings may be located on the same lot, subject to the applicable zone requirements. (Amended [date], File P24-01)

2. Delete Section 14.3.3 One Dwelling on a Lot and replace with:

14.3.3. One Dwelling Per Lot:

More than one dwelling shall be permitted on a lot where residential uses are permitted except for the Rural Commercial (C4) Zone, the Agricultural (A1) Zone, the Farm Commercial (A3) Zone, and the Commercial Recreation (P1) Zone. (Amended [date], File P24-01)

3. Delete Section 14.3.5A Accessory Dwellings and replace with:

14.3.5A Accessory Dwellings

One accessory dwelling shall be permitted per lot in all Residential Zones, the Mixed Commercial Residential (C3) Zone, the Country Residential (A4) Zone, the Lakeshore Residential (S1) Zone and the Lakeshore Limited Development (S2) Zone. Accessory dwellings shall be subject to the zone requirements for accessory buildings, including height, unless the entrance to the accessory dwelling is located in the side or rear yard in which case a 10-foot setback shall be maintained between the lot line and the building wall containing the entrance. The Accessory Dwelling shall be required to have one dedicated parking space on the lot.

Accessory dwellings are not permitted to be a mobile home. (*Amended February 6, 2024, File P22-02 File P22-04; Amended [date], File P23-01; Amended [date], File P24-01*)

Municipality of the County of Kings Report to the Planning Advisory Committee

Application to rezone a portion of 1200 Parkway Drive (PID 55479562), Port Williams, from the Light Industrial Commercial (M1) Zone to the General Commercial (C1) Zone.

File: #25-22

Date: March 10, 2026

Prepared by: Planning Services

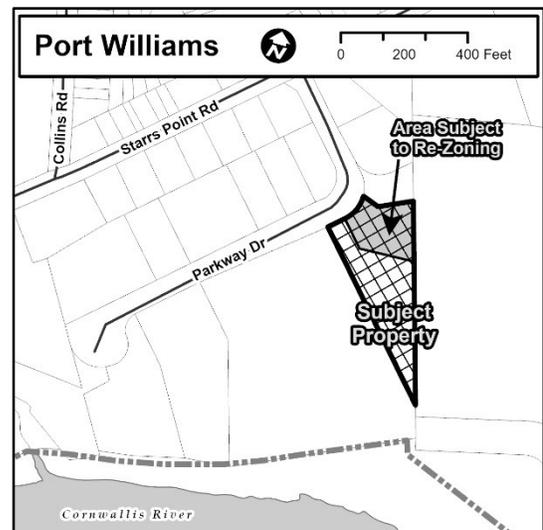
Applicant	Jeremy Banks
Landowner	Big Sky Builders Inc.
Proposal	Rezone a portion of the property from the Light Industrial Commercial (M1) Zone to the General Commercial (C1) Zone to permit a Day Care Facility
Location	1200 Parkway Drive, Port Williams PID 55479562
Lot Area	Total lot area: 91,699.8 square feet Proposed portion to be rezoned: 31,009.7 square feet
Designation	Commercial Designation
Zone	Light Industrial Commercial (M1)
Surrounding Uses	Commercial, Industrial and Agricultural
Neighbour Notification	Neighbouring Properties within a 500-foot radius: 20 letters were sent to neighbouring property owners. Municipalities/Villages/Towns within a 5-kilometer radius: Letters sent to the Village of New Minas and the Town of Wolfville.

1. PROPOSAL

Jeremy Banks, on behalf of Big Sky Builders Inc. has applied for a Land Use By-Law Map Amendment to rezone a portion of 1200 Parkway Drive (PID 55479562), Port Williams from the Light Industrial Commercial (M1) Zone to the General Commercial (C1) Zone to permit the conversion of an existing building to a Day Care Facility.

2. OPTIONS

In response to the application, the Planning Advisory Committee may:



- A. Recommend that Council approve the amendment as drafted;
- B. Provide alternative direction, such as requesting further information on a specific topic, or recommending changes to the draft amendment;
- C. Recommend that Council refuse the amendment as drafted.

3. STAFF RECOMMENDATION

Staff recommend that the Planning Advisory Committee forward a positive recommendation by passing the following motion.

The Planning Advisory Committee recommends that Municipal Council give First Reading to and hold a Public Hearing regarding the application to rezone a portion of 1200 Parkway Drive (PID 55479562), Port Williams from the Light Industrial Commercial (M1) Zone to the General Commercial (C1) Zone as described in Appendix C of the report dated March 10, 2026.

4. BACKGROUND

The subject property is located within both the Village and Growth Centre of Port Williams and is part of a non-residential subdivision. Over time, the zoning of the property has changed between the Light Industrial Commercial (M1) Zone and the General Commercial (C1) Zone. Under the Municipality's former Land Use By-law (Repealed By-law 75), the property was zoned Light Industrial Commercial. In 2010, when the Port Williams Secondary Plan was adopted, the property was rezoned to the General Commercial (C1) Zone. This General Commercial (C1) zoning was maintained in By-law 106 - Land Use By-law ('LUB') and By-law 105 - Municipal Planning Strategy ('MPS) were adopted in 2019.

In 2021, Council approved a rezoning application to rezone the property back to the Light Industrial Commercial (M1) Zone from the General Commercial (C1) Zone to permit the development of a self-storage facility which has not yet been developed. Instead, the building has been used as an office and workshop for a construction business operated by the property owners, Big Sky Builders Inc.

In November of 2025, Staff received an application from Jeremy Banks, on behalf Big Sky Builders Inc., to rezone a portion of the property from the Light Industrial Commercial (M1) Zone back to the General Commercial (C1) Zone to permit the change in use to a Day Care Facility, which is not a permitted use under the current Light Industrial Commercial (M1) Zone. The remaining portion of the property will remain in the Light Industrial Commercial (M1) and continue to be used for construction-related business purposes in the future.

A subdivision application is simultaneously underway to sever the portion proposed within the General Commercial (C1) Zone from the portion within the Light Industrial Commercial (M1) Zone.

5. SITE INFORMATION

Staff visited the site on January 30, 2026. Staff walked the property with the applicant and took photos of the site and surrounding area. The photos are included in Appendix D of this report.

The property is located on the eastern side of Port Williams. It has a total lot area of 91,699 square feet and 153 feet of public road frontage along the southern side of Parkway Drive. The property is irregular in shape.

There is currently one building which is used as a construction office and workshop and an accessory shipping container on the property. There is also a cleared area used for parking and equipment storage. The southern portion of the property remains undeveloped and contains natural vegetation. There is one existing driveway access from Parkway Drive. An additional entrance into the property is required.

Most other properties along Parkway Drive are zoned General Commercial (C1), except for civic 1184, which was recently rezoned to the Light Industrial Commercial (M1) Zone. Existing businesses consist of a variety of light industrial and commercial uses including automobile repair, sales and service, Professional Trades, Food and Drink Production and self-storage facilities. The properties to the east and south (rear) of the subject property are zoned Environmental Constraints (O1) and are used as agricultural land.

The subject property is within multiple overlay areas, including:

- Provincially Protected Marsh, Farnham Marsh,
- Urban Floodplain Overlay (UF1),
- Environmentally Sensitive Area (ESA) Overlay, and the
- Port Williams Wellfield Protection Overlay (Zone C).

Several properties in this subdivision are located within the Farnham Marsh, which is regulated by the Nova Scotia Department of Agriculture under the Agriculture Marshland Conservation Act (2000). The northern portion of the subject property falls within an exemption area under this Act. This exemption allows development to occur without requiring a variance from the Department of Agriculture. The property was created through a 2006 subdivision by Starr Point Developments where these lots were created for industrial/non-residential uses. As part of those past subdivisions and development approvals, an exemption under the Agricultural Marshland Conservation Act was granted. Confirmation of this exemption was provided by the Department of Agriculture on August 30, 2021, during the building permit process for the existing structure. A small portion of the southern corner of the property remains within regulated marshland. Any future development in that area would require a variance. This current application does not include any new development within the marshland areas, but any future development would be subject to the applicable requirements at the time.

Although the property does not directly border the Cornwallis River, it is located north of the river. As a result, the property is subject to the Environmentally Sensitive Area (ESA) Overlay and the Urban Floodplain (UF1) Overlay, which regulate flooding and storm surge risks. Because this application involves

converting an existing building, any additional flood prevention related upgrades would be determined at the time of permitting.

Approximately 1.5 acres of the front of the property is located within Zone C of the Port Williams Wellfield Protection Overlay. Section 13.9.2 of the Land Use By-law lists uses that are not permitted in Zone C; however, day care facilities are not prohibited. Therefore, the proposed use is permitted within the overlay.

6. PUBLIC CONSULTATION

Under the Planning Policies of the Municipality of the County of Kings, PLAN-09-004 (formerly PLAN-09-001), a Public Information Meeting (PIM) was not required because the application concerns a Land Use By-Law Map Amendment for a portion of the property less than 1 acre in area. The application was presented to the Port Williams Village Commission on February 17, 2026. The Village Commission did not have any comments on the application.

7. POLICY REVIEW

7.1 Enabling Policy

The proposal is to rezone part of the property from the Light Industrial Commercial (M1) Zone to the General Commercial (C1) Zone. *Section 5.3, Development Agreements and Amending the Land Use By-law* in the Municipal Planning Strategy (MPS) outlines the policies that allow Council to consider this application. These are known as enabling policies. In particular, Policy 5.3.3 enables the proposed rezoning to occur.

Council shall:

Policy 5.3.3 *Consider amendments to any one of the zoning maps of the Land Use By-Law provided the application is for a specific development and:*

- (a) Is to rezone land to another zone enabled within the same designation, unless the zone change is specifically prohibited within this Strategy;*

The subject property is located within the Commercial Designation and within Policy 3.2.3 of the MPS, the General Commercial (C1) Zone is enabled within this Designation.

Policy 5.3.5 of the MPS provides guidance for Council when considering rezoning applications:

Council shall:

Policy 5.3.5 Consider, in relation to all applications to rezone land:

- (a) The applicable zone placement policies, including any specific policy criteria for applying the proposed zone set out within this Strategy;
- (b) The impact of both the specific development proposal and of other possible uses permitted in the proposed zone; and
- (c) The general criteria for amending the Land Use By-Law set out in section 5.3 Development Agreements and Amending the Land Use By-Law.

Policy 3.2.2 (a) sets out the zone placement policy:

Council shall:

Policy 3.2.2 establish the following Industrial Zones in the Land Use By-Law:

- (a) *General Commercial (C1): lands located in this zone are intended to accommodate a very wide range of commercial uses, as well as limited residential opportunities, and low-impact industrial developments, along main transportation corridors.*

Rezoning a portion of the property back to the General Commercial (C1) Zone is consistent with the surrounding area, which contains a mix of commercial and light industrial uses. The Zone allows a variety of uses, including automotive repair shops, educational facilities, manufacturing operations, indoor recreation facilities, parking lots, medical and dental clinics, food and beverage production, drive-thru restaurants, and other commercial uses. Many of which already exist in the subdivision. Staff are of the opinion that the proposed rezoning is appropriate for the subject property and reflects the existing mix of commercial and light industrial uses along with the residential uses just outside this subdivision.

The proposed day care is expected to have minimal impacts on neighbouring properties. The main change could be increased traffic during drop-off and pick-up times. In addition, the General Commercial (C1) Zone requires landscaping along the rear and side lot lines at the time of development. This landscaping will provide a buffer between the day care and adjacent properties.

Policy 5.3.7 outlines the general criteria that rezoning applications must meet. They require Council to consider: environmental features on the property and surrounding area or negative impacts to adjacent farming operations; if the application would create flooding situations; if there are adequate fire protection services, sewer and water services and adequate road and sidewalk networks along with proximity to institutional and community uses; along with ensuring land use compatibility with surrounding areas and that the application would not result in inappropriate costs.

Staff are of the opinion that the proposal meets these criteria. The rezoning would not create additional costs for the Municipality. In addition, there are no concerns related to emergency services, environmental impacts, flooding, traffic safety, or pollution. A detailed review of these criteria is provided in Appendix B.

7.2 Municipal Planning Strategy - Supporting Goals, Objectives, and Policies

The proposed amendments were reviewed against the relevant sections of the Municipal Planning Strategy (MPS). The following section discusses how the proposed amendments are consistent with the vision, goals, and objectives of the Strategy.

Growth Centres were created in the municipality with a goal of providing and supporting complete communities. Section 2.1 indicates that non-rural uses should be directed to Growth Centres. The proposed rezoning aligns with the objectives that encourage development in Growth Centres. Port Williams has experienced steady residential growth in recent years, particularly among young families, due to its proximity to larger urban centres and the local elementary school.

There is a recognized need for additional childcare spaces across the province, and the Provincial Government established targets in 2021 to increase the number of licensed spaces by March 2026. While there are several licensed and unlicensed day cares in Port Williams, additional spaces are still needed to meet that goal. This proposal would help meet the demand and it supports the Growth Centre objective of encouraging appropriate development in serviced areas.

Section 2.4 of the MPS focuses on minimizing impacts on environmentally sensitive areas. This proposal involves reusing a building constructed in 2021, rather than developing a new structure. The property is located within the Environmentally Sensitive Area (ESA) Overlay and the Urban Floodplain (UF1) Overlay. This site was identified as within a floodplain in 2012 by the Applied Geomatics Research Group (AGRG). When the building was constructed, it met all flood-resilient building requirements under the Land Use By-law and Building Code.

The development of a daycare facility supports the economic development goals of Section 2.5 of the MPS, which aim to “cultivate a resilient economy, supporting business development while maintaining environmental awareness.” The proposal provides support to existing businesses enabling greater employment within the broader community.

7.3 Port Williams Secondary Plan

The MPS includes Secondary Plans to address the specific needs of individual communities. The Commercial goal for the Growth Centre of Port Williams is to “expand the Growth Centre’s role as a commercial destination serving the immediate community, surrounding area and travelling public.” Located on the edge of the Growth Centre boundary, the proposal is in keeping with the goal, while also being in an easy to access area for those in the surrounding area.

As mentioned, this property is subject to several overlays pertaining to flood risk. Any future development will need to meet the regulations of these overlays and align with the Secondary Plan’s objective of supporting light industrial and commercial uses without negatively affecting the environment.

The Secondary Plan encourages institutional and community facilities to locate near existing services and in areas that are accessible to pedestrians. Although this property is within a non-residential subdivision, several nearby residential subdivisions are within walking distance along and off Starrs Point Road, which connects to Parkway Drive.

8. CONCLUSION

The proposed rezoning is in keeping with the intent of the Municipal Planning Strategy, including the general criteria for all Land Use By-Law Map Amendments. There is a shortage of childcare facilities within the province and municipality, and this proposal will help with closing the gap and provide the community a much-needed service. As a result, Staff are forwarding a positive recommendation to the Planning Advisory Committee.

9. APPENDIXES

Appendix A – Maps

Appendix B – Municipal Planning Strategy (By-Law #105), Section 5.3 – General Criterial for Development Agreements and Amending the Land Use By-Law

Appendix C – Proposed Land Use By-Law Map Amendment (By-Law #106)

Appendix D – Site Photos

Appendix A – Maps

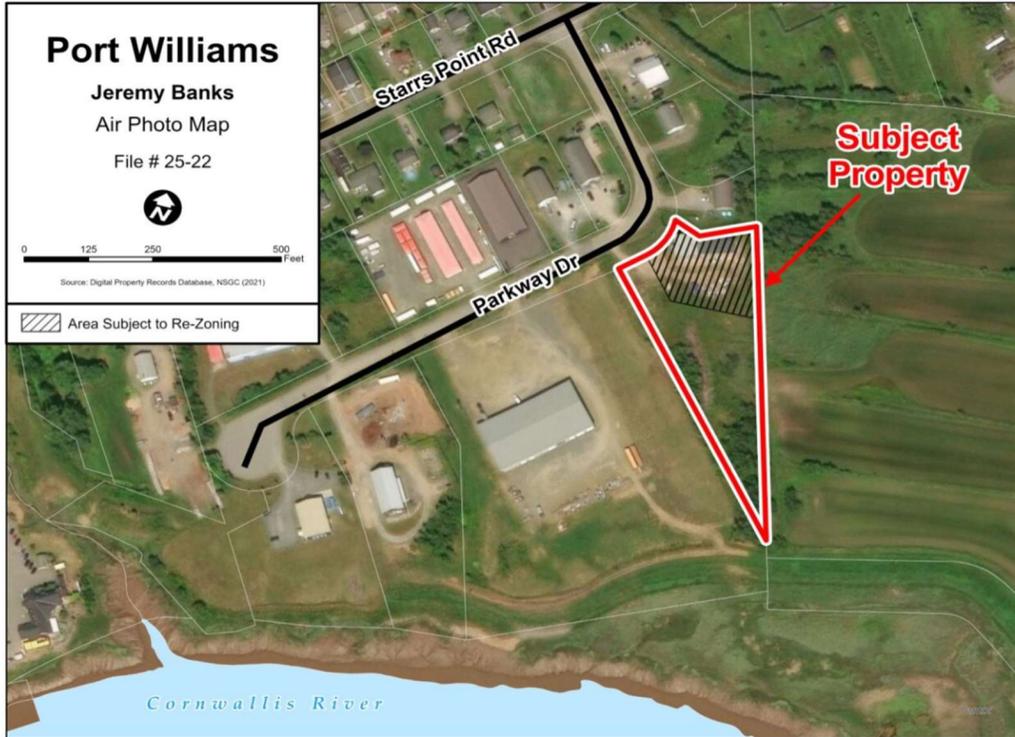


Figure 1: Aerial view of the subject property

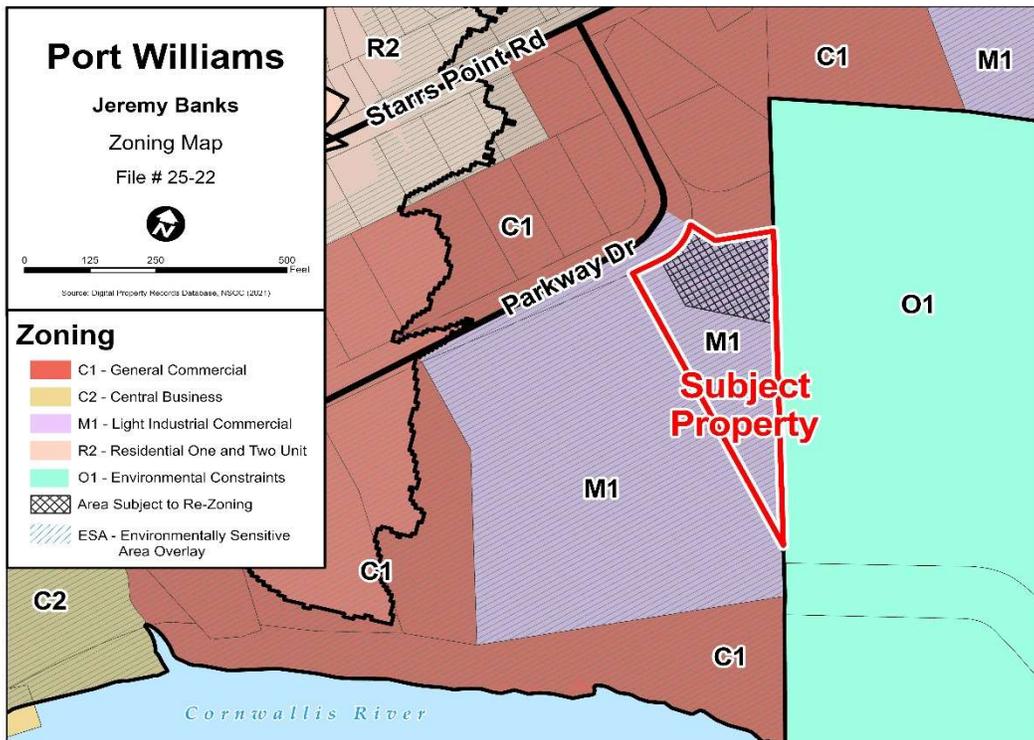


Figure 2: Zoning Map

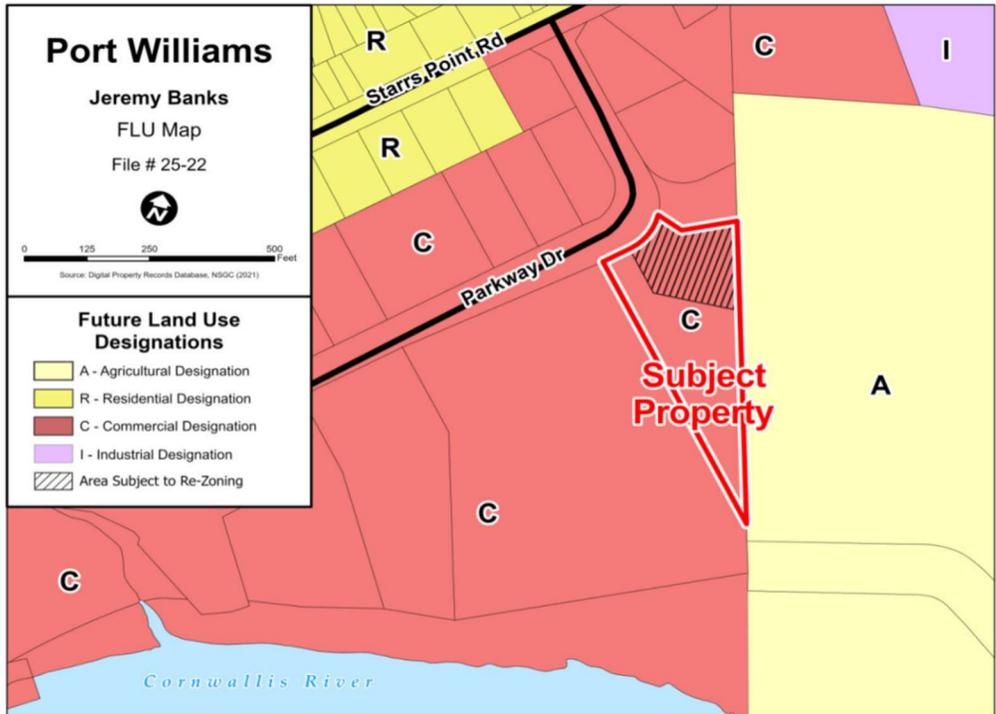


Figure 3: Future Land Use Designations Map

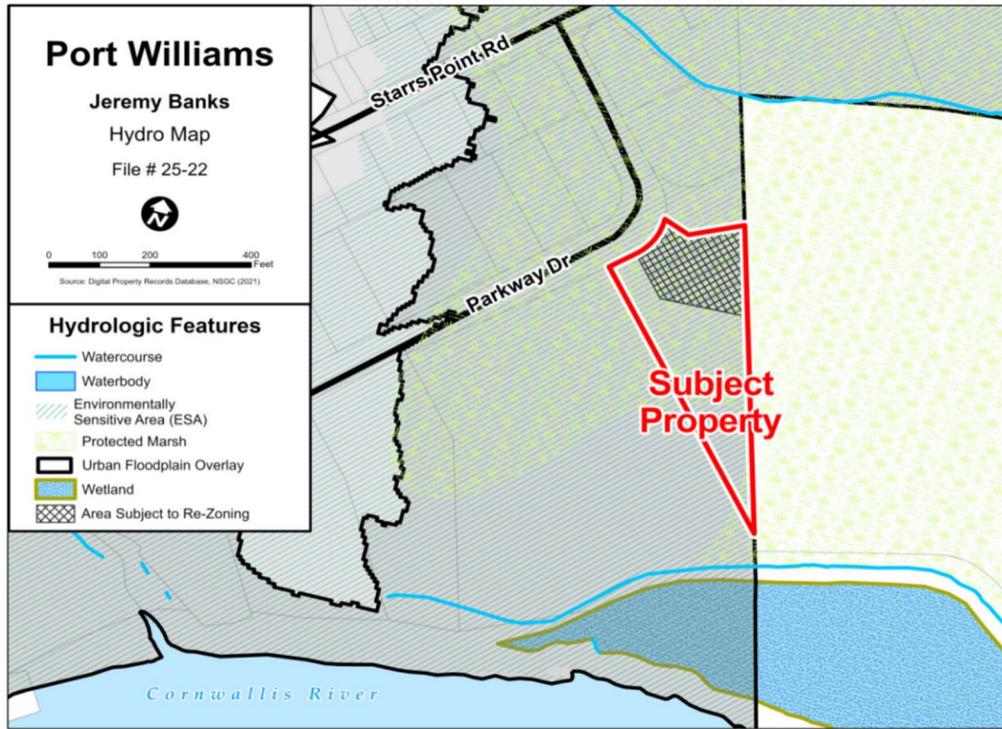


Figure 4: Hydrologic Features Map

Appendix B – Section 5.3.7 General Criteria to consider for all Development Agreements and Land Use By-Law Amendments

Policy 5.3.7

Council expects to receive applications to amend the Land Use By-Law or enter into a development agreement for development that is not permitted as-of-right in the Land Use By-Law. Council has established criteria to ensure the proposal is appropriate and consistent with the intent of this strategy.

Council shall be satisfied that a proposal to amend the Land Use By-Law or to enter into a development agreement:

Criteria	Comments
<i>a. is consistent with the intent of this Municipal Planning Strategy, including the Vision Statements, relevant goals, objectives and policies, and any applicable goals, objectives and policies contained within a Secondary Plan;</i>	The proposed Land Use By-law map amendment is consistent with the intent of the Municipal Planning Strategy, and the applicable goals, objectives and policies contained within the Municipal Planning Strategy.
<i>b. is not in conflict with any Municipal or Provincial programs, By-laws, or regulations in effect in the Municipality;</i>	The proposed amendment is not in conflict with any Municipal or Provincial programs, By-laws, or regulations.
<i>c. that the proposal is not premature or inappropriate due to:</i>	
<i>i. the Municipal or village costs related to the proposal;</i>	The proposal does not involve any development costs to the Municipality. This proposal utilizes existing infrastructure.
<i>ii. land use compatibility with surrounding land uses;</i>	The subject property is located within a non-residential subdivision consisting of commercial and industrial uses and to the rear of the property is an agricultural use. Residential uses can be found outside the subdivision. The proposed day care facility will not conflict with uses on adjacent properties or the wider community.
<i>iii. the adequacy and proximity of school, recreation and other community facilities;</i>	Not applicable – no residential development is proposed.
<i>iv. the creation of any excessive traffic hazards or congestion due to road or pedestrian network adequacy within, adjacent to, and leading to the proposal;</i>	The Nova Scotia Department of Public Works advised that there are no concerns or issues related to traffic and access.
<i>v. the adequacy of fire protection services and equipment;</i>	The Port Williams Fire Chief advised that fire protection services and equipment are adequate to serve this proposal.
<i>vi. the adequacy of sewer and water services;</i>	The Department of Public Works for the Port Williams Village Commission advised that the Village of Port Williams can provide water and wastewater services for the conversion of the

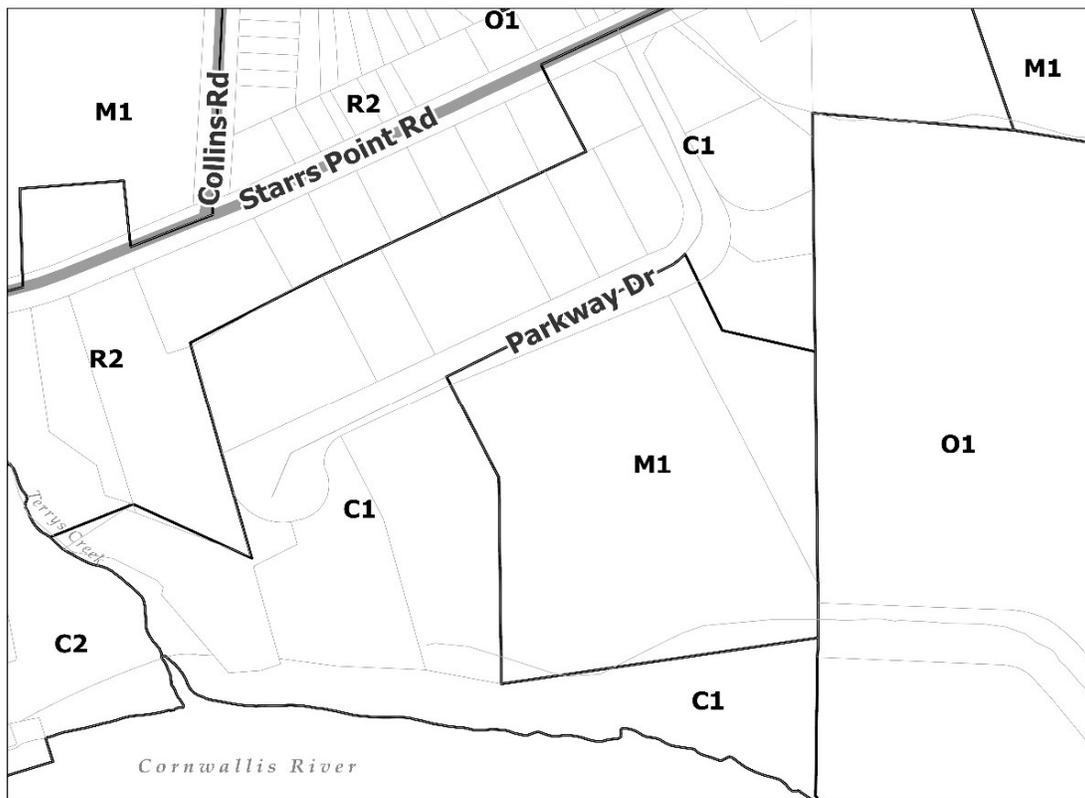
	property from a construction office to a day care facility.
<i>vii. the potential for creating flooding or serious drainage problems either within the area of development or nearby areas;</i>	Not applicable – no new buildings are proposed.
<i>viii. negative impacts on identified wellfields or other groundwater supplies for the area;</i>	Daycare facilities are not prohibited uses within the Wellfield Protection Overlays.
<i>ix. pollution, in the area, including but not limited to, soil erosion and siltation of watercourses; or</i>	Not applicable - no new development is proposed.
<i>x. negative impacts on lake water quality or nearby wetlands;</i>	Not applicable - proposal is not in proximity to any lakes.
<i>xi. negative impacts on neighbouring farm operations;</i>	The proposal is not expected to impact any farming operations in the area.
<i>xii. the suitability of the site regarding grades, soils and geological conditions, location of watercourses, marshes, bogs and swamps, and proximity to utility rights-of-way.</i>	The subject site is suitable for development, but no new buildings are proposed.

**Appendix C – Draft Land Use By-Law Map Amendment (By-Law 106)
THE MUNICIPALITY OF THE COUNTY OF KINGS**

AMENDMENT TO BY-LAW 106 – LAND USE BY-LAW

By-Law Map Amendment to rezone a portion of 1200 Parkway Drive (PID 55479562), Port Williams from the Light Industrial Commercial (M1) Zone to the General Commercial (C1) Zone.

1. Amend Map 11 – Port Williams Zoning, to rezone a portion of 1200 Parkway Drive (PID 55479562), Port Williams from the Light Industrial Commercial (M1) Zone to the General Commercial (C1) Zone as shown on the copy of a portion of Map 11 below.



Appendix D – Site Photos



Photos 1 & 2: These photos are looking at the subject property from Parkway Drive and at the businesses across the street from the site.



Photos 3 & 4: These photos are a more up-close look at the building and looking at the rear of the property, which looks towards the Cornwallis River.



Photos 5 & 6: These photos are looking both west and east along Parkway Drive from the entrance to the subject property.



Photos 7 & 8: These photos are showing the properties that are on both sides of the subject property. The photo on the left is looking at civic 1206, which is a building used for Cosman and Whidden Honey. The photo on the right is looking at civic 1184, which is New Minas Sheet Metal.

Municipality of the County of Kings Report to the Heritage Advisory Committee

Request to remove a property located at 1108 Middle Street, (PID 55036867), Port Williams from the Municipal Heritage Property Registry

(File #26-03)

March 10, 2026

Prepared by: Planning Services

Applicant	Chad Warren
Land Owner	Chad Allen Warren, Jenna Leanne Hirtle
Proposal	Application to remove a property from the Municipal Heritage property registry
Location	1108 Middle Street, PID 55037867, Port Williams
Lot Area	10,656 square feet
Designation	Residential
Zone	Residential Mixed Density (R3) Zone
Surrounding Uses	Residential uses in the immediate area with commercial and industrial uses beyond

1. PROPOSAL

Chad Warren has requested that his property, located at 1108 Middle Street in Port Williams be removed from the Municipal Heritage Property Register.



2. OPTIONS

In response to the application, the Heritage Advisory Committee may:

- A. Recommend that Council approve the deregistration of the property;
- B. Provide alternative direction, such as requesting further information on a specific topic;
- C. Recommend that Council refuse the deregistration.

3. STAFF RECOMMENDATION

Staff recommend that the Heritage Advisory Committee forward a positive recommendation by passing the following motion.

That Heritage Advisory Committee recommend that Municipal Council remove the property located at 1108 Middle Street, (PID 55036867), Port Williams from the Municipal Heritage Property Register, as described in the report dated March 10, 2026.

4. BACKGROUND

The property located at 1108 Middle Street, known as the McElvy House, was designated as the first Municipal Heritage Property in 2010, by previous owners. The property was registered primarily on the basis of the people that inhabited the home and, to a lesser extent, due to the age, architecture, and condition of the home. The materials submitted by the applicants at the time of registration indicated that the property was originally owned by an individual named Mr. McElvy (first name unknown) who was an employee of George A. Chase Ltd, a General Merchant and apple exporter. The submission also indicated that the 1935 dwelling was constructed with exotic wood retrieved from ships docked at the shipyard at the south end of the street.

The current owners applied in 2021 for an alteration to the exterior of the house to remove a porch on the side of the house and replace with a window, which was approved by Council. The owners are not proposing additional renovations to the house at this time but have indicated that it has been difficult to obtain insurance for the property and that the process that was undertaken before was difficult and onerous for a minor renovation.

5. SITE INFORMATION

The property is located in the southern portion of the Growth Centre of Port Williams on Middle Street. Middle Street extends from Starrs Point Road southward to Kars Street. The north end of the street, where the subject property is located, is residential in nature and is characterized by large one unit dwellings, and appear to have been constructed during a similar period as the subject property. The south end of the street is characterized by commercial uses including an office supply store and a vacant commercial building.

The subject property has a total lot area of roughly 10,600 square feet and 75 feet of frontage. The property is located in the Residential Mixed Density (R3) Zone. The rear of the property is covered by the Urban Floodplain 2 overlay, however the dwelling is not subject to this overlay.

6. POLICY REVIEW

6.1 By-law 80: Heritage Property By-law

By-law #80 is the by-law governing the registration and deregistration of properties on the Municipal Heritage Property Register. It also governs the operation of the Heritage Advisory Committee. Currently, the Planning Advisory Committee also serves as the Heritage Advisory Committee, as necessary.

Section 4.6 of the by-law states that, “Council may deregister a Municipal Heritage Property in accordance with the provisions of the Act and such deregistration shall be filed in the Municipal Registry of Heritage Property.”

6.2 Heritage Property Act

The *Heritage Property Act* provides the legislative framework for the registration and deregistration of properties on both the Provincial and Municipal Registries of Heritage Properties. Section 16 of the *Heritage Property Act* outlines when a municipal heritage property may be deregistered. Section 16(1) states:

- (1) *On the application of an owner of a municipal heritage property or on its own motion, the council may deregister a municipal heritage property where*
 - a. *The property has been destroyed or damaged by any cause; or*
 - b. *The continued registration of the property appears to the council to be inappropriate as a result of the loss of the property’s heritage value, as identified in the property’s heritage file or notice of recommendation, unless the loss of the heritage value was caused by neglect, abandonment or other action or inaction of the owner, after holding a public hearing to consider the proposed deregistration.*

The form required for registration lists the reasons why the property was initially registered. This form is included as Appendix A of this report. The reasons for registration are listed as:

1. *The building is associated with George A. Chase Ltd., General Merchant & Apple Exporter (1919-1953), which provided employment in the shipping industry through the Great Depression to many people in the community including Mr. McElvy who constructed the building in 1935.*
2. *The building is a late example of the Arts and Crafts style of architecture in Canada and it also includes elements of the Cottage and Bungalow styles.*
3. *The building is a rare example of the Arts and Crafts style because it was constructed by material that was available in the local shipyard at the time; it stands in very good condition and the owners are committed to its restoration.*
4. *The building is centrally located in Port Williams within a historic residential area near the historic industrial waterfront maintaining a dominant character as an Arts and Crafts building with few exterior alterations.*

With regard to the primary reason, it is important to note that the house did not belong to Mr. George A Chase, but rather one of his employees. It also indicates that Mr. Chase employed many in the community, indicating that this was not a rare circumstance in the area. Moreover, the employee in question is listed

throughout the initial staff report as Mr. McElvy, implying that the first name of the employee was not known. As such, the builder and initial owner of the house can hardly be classified as a prominent member of the community.

Other reasons associated with the registration have to do with the architectural style and the provenance of the building materials. The Arts and Craft style of architecture is defined, in part, as using local building materials. As the property was built during the Great Depression, it was very likely a common occurrence to source local building materials as it would have been very costly to ship materials from elsewhere. This would be especially true since the builder/owner of the dwelling was an employee of George A. Chase, and not Mr. Chase himself who may have been quite wealthy. To use surplus materials from the shipyard, located roughly 600 feet to the south, would have likely been the most economical way to construct a house.

In reviewing Allan Penney's *Houses of Nova Scotia* which outlines various architectural styles used in Nova Scotia during various time periods, the house does not appear to be a representative example of the Bungalow style of architecture, missing the characteristic front porch and columns of the Bungalow style. The Cottage style is defined by simplicity as many of these types of houses were owner-constructed, much like the subject dwelling, however, it is Staff's opinion that this does not, in and of itself make the property worthy of registration. *Houses of Nova Scotia* does not outline the Arts and Crafts architectural style but the ornamentation at the roof line is consistent with this style of architecture. The dwelling is not a definitive example of any of these three architectural style but rather includes elements of each style.

7. CONCLUSION

The subject property is the first property that was registered as a Municipal Heritage Property and at the owner's request. Staff are now recommending that the property be deregistered due to the difficulties associated with registration and following a review of the initial reasons for registration.

Given that Staff now have a better understanding the implications of heritage registration, including, but not limited to, increased costs of renovations, additional municipal processes for alterations to the exterior of the building and the difficulties in securing home insurance, Staff are of the opinion that these costs outweigh the heritage value of the house. As a result, Staff are recommending that the property be removed from the Municipal Heritage Registry.

8. APPENDIXES

Appendix A – Form A: Notice of Recommendation to Register as a Municipal Heritage Property
Appendix B – Photographs

**Appendix A –
FORM A**

**NOTICE OF RECOMMENDATION TO REGISTER AS A
MUNICIPAL HERITAGE PROPERTY**

TO: Andrew Fry and Monik Richard
1108 Middle Street
Port Williams, Nova Scotia
B0P 1T0

YOU ARE HEREBY NOTIFIED THAT:

1. The McElvy Home (herein referred to as "the Property") located at:

Civic Address:	1108 Middle Street, Port Williams, Nova Scotia
P.I.D. No.:	55036867
Subdivision and Lot No.:	Lot 2 on a plan registered at the Office of the Registrar of Deeds for Kings County, dated April, 1935 filed as A-80
Registration and Filing Nos. of Plan of Subdivision:	Lot 2 on a plan registered at the Office of the Registrar of Deeds for Kings County, dated April, 1935 filed as A-80
Approximate Size:	1,000 square feet
Legal Description	(Attached as a Schedule)

has been recommended by the Heritage Advisory Committee of the Municipality of the County of Kings to be registered in the Municipal Registry of Heritage Property for the Municipality of the County of Kings.

2. The reasons for this proposed designation are:
- a. The building is associated with George A. Chase Ltd., General Merchant & Apple Exporter (1919-1953), which provided employment in the shipping industry through the Great Depression to many people in the community including Mr. McElvy who constructed the building in 1935.
 - b. The building is a late example of the Arts and Crafts style of architecture in Canada and it also includes elements of the Cottage and Bungalow styles.
 - c. The building is a rare example of the Arts and Crafts style because it was constructed by material that was available in the local shipyard at the time; it stands in very good condition and the owners are committed to its restoration.
 - d. The building is centrally located in Port Williams within a historic residential area near the historic industrial waterfront maintaining a dominant character as an Arts and Crafts building with few exterior alterations.

3. Section 14 (4) of the Heritage Property Act prohibits any substantial alteration to the exterior appearance of, or demolition of, a building, streetscape or area for a period of one hundred and twenty (120) days from the date and service of this notice except where within the one hundred and twenty (120) days, the Municipality refuses to register the Property.
4. The effect of registration in the Municipal Registry of Heritage Property of the Property described in paragraph 1 is that no demolition or substantial alteration in exterior appearance may be undertaken from the date of registration unless an application, in writing, for permission is submitted to the Municipality of the County of Kings and the approval, with or without conditions, is granted. Where such application is not approved the owner(s) may make the alterations, or carry out the proposed demolition, described in the application at any time after one year but not more than two years from the date of the written application.
5. You are hereby notified that the Council of the Municipality of the County of Kings will give the owner or any other person an opportunity to be heard regarding the recommendation of the Heritage Advisory Committee regarding the Property described in this notice at a Public Hearing to be held on the 2nd day of March 2010 at 6:00 pm, at the Council Chambers, Municipal Administration Building, 87 Cornwallis Street, Kentville, Nova Scotia.
6. Information and particulars concerning the recommendation and reasons to support it may be examined at the office of the Department of Community Development Services, Municipality of the County of Kings, Municipal Administration Building, 87 Cornwallis Street, Kentville, Nova Scotia, between the hours of 8:30 a.m. and 4:30 p.m., Monday through Friday, excepting holidays.
7. You are also invited to forward any comments you might wish to make concerning this matter to the Heritage Officer, Municipality of the County of Kings, PO Box 100, Kentville, NS B4N 3W3.

DATED at Kentville, Nova Scotia, this
____ day of _____, 20__.

Brian T. Smith, Municipal Clerk

Appendix B – Photographs



Photos 1 & 2: Subject Property – 1108 Middle Street



Photos 3 & 4: 1104 Middle Street and 1103 Middle Street



Photo 5: 1103 and 1107 Middle Street



Photo 6: 1100 and 1096 Middle Street