

A G E N D A

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 - a. April 14, 2026
6. Business Arising from the Minutes
7. Business Page 5
 - a. Application for a Bell Mobility Ltd. Telecommunications Tower at 211 Topline Boulevard, Canaan (PID 555180772) (File 25-24, Melissa Chunick)
 - b. Application to amend the text of the Land Use By-law to Permit the development of Second Dwellings in the Historic Hamlet of Grand Pré (A5) Zone (File P24-01, Laura Mosher) Page 34
8. Other Business
 - a. Planning Ask Me Anything
9. Comments from the Public
10. Date of Next Meeting: June 9, 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.

**THE MUNICIPALITY OF THE COUNTY OF KINGS
PLANNING ADVISORY COMMITTEE
APRIL 14, 2026
DRAFT MINUTES**

Meeting, Date and Time A meeting of the Planning Advisory Committee was held on April 14, 2026 at 1pm in the Council Chambers, Municipal Complex, Coldbrook, Nova Scotia.

Attendance In attendance:

Committee 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

Staff: Trish Javorek – Director, Planning and Inspections
Laura Mosher – Manager, Planning
Alice Jacob – Planner
Peri Bowman – Planner
Cyenna Link – Recording Secretary
Haley Hutt – Administrative Assistant

Public: None

Regrets: Logan Morse – Citizen Member

The Chair acknowledged Mayor Dave Corkum’s attendance and welcomed him into the committee meeting.

1. **Meeting to Order** Councillor Lutz, The Chair called the meeting to order at 1pm.
2. **Roll Call & Land Acknowledgement** All Members of the Planning Advisory Committee were in attendance except Logan Morse, Citizen Member, with notice. Councillor Lutz read the Land Acknowledgement.
3. **Amendments to Agenda** None.
4. **Approval of Agenda** **On motion of Councillor Gates and Councillor Peckford, that Planning Advisory Committee approve the April 14, 2026 agenda as circulated.**
Motion Carried.
5. **Disclosure of Conflict of Interest Issues** No Conflict of Interest issues were declared.

6. **Approval of Minutes**

On motion of Citizen Member Deal and Citizen Member Friars, that the minutes of the March 10, 2026 Planning Advisory Committee meeting be approved as circulated.

Motion Carried.

7. **Business Arising from Minutes**

There was no business arising from the March 10, 2026 minutes.

8. **New Business**

8a. **Application for a Development Agreement to convert an existing building into a one-unit dwelling at 1138 West Halls Harbour Road (PID 55041073), Halls Harbour (File 25-19, Alice Jacob)**

Alice Jacob, Planner, presented an application by Logan Morse on behalf of Halls Harbour Properties Inc. for a development agreement to convert an existing building into a one-unit dwelling at 1138 West Halls Harbour Road (PID 55041073) Halls Harbour as attached to the April 14, 2026 agenda.

Questions for Clarification:

Councillor Gates asked for clarification on Municipal requirements on egress windows. Staff confirmed that building code is outside the scope of planning applications, but that code enforcement will be addressed during the permitting stage.

On motion of Deputy Mayor MacPherson and Councillor Peckford, that the Planning Advisory Committee recommends that Municipal Council give Initial Consideration to and hold a Public Hearing regarding entering into a development agreement to convert an existing building into a one unit dwelling at 1138 West Halls Harbour Road (PID 55041073), Halls Harbour which is substantively the same (save for minor differences in form) as the draft set out in Appendix D of the report dated April 14, 2026.

Motion Carried.

9. **Other Business**

Planning Ask Me Anything:

Councillor Lutz asked for clarification on what relaxations are and what situations they apply to for non-conforming properties.

Staff clarified what the MGA says about permissions and restrictions for non-conforming uses of land and structures.

Councillor Gates asked if the change of use tax applies in this particular scenario of non-conforming use. Staff clarified that the province is responsible for that assessment.

Deputy Mayor MacPherson asked if staff could provide more understanding and education in relation to A5 Zoning. Staff clarified that more information is forthcoming for Council and the Planning Advisory Committee. A brief discussion was about the Heritage Conservation District.

Councillor Gates asked about sewer and water for new builds in Grand Pré. Staff clarified where the Municipality has sewer and water lines in the area.

- 11. **Comments from the Public** No members of the public were present.
- 1. **Date of Next Meeting** May 12, 2026, 1pm, in Council Chambers.
- 13. **Adjournment** **On motion of Councillor Peckford and Councillor Gates, there being no further business, the meeting adjourned at 1:40pm.**

Motion Carried.

Minutes Approved:

Planning Advisory Committee
[Date of meeting when minutes were approved]

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

Application for a Bell Mobility Ltd. Telecommunications Tower at 211 Topline Boulevard, Canaan (PID 555180772)

File: #25-24

Date: May 12, 2026

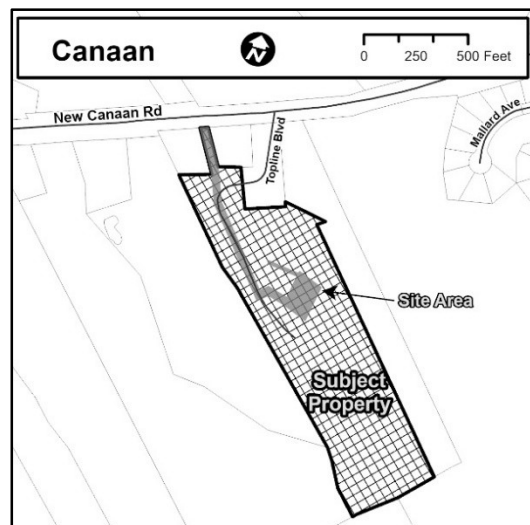
Prepared by: Planning Services

Applicant	Pauline Pangilinan on behalf of Canacre Ltd. (on behalf of Bell Mobility Ltd.)
Landowner	Topline Ventures Ltd.
Proposal	To construct a Telecommunications Tower on a portion (within a leased area) of the subject property.
Location	211 Topline Boulevard, Canaan PID 55180772
Lot Area	Total lot area: 14.5 acres Proposed portion to be used for easement (not inclusive of shared access area): 6,727 square feet.
Designation	Agricultural Designation
Zone	Rural Industrial (M3)
Surrounding Uses	Commercial, Industrial and Agricultural
Neighbour Notification	Neighbouring Properties within a 1000-foot radius: 20 letters were sent to neighbouring property owners. Municipalities/Villages/Towns within a 5-kilometre radius: Letters sent to the Village of New Minas, Town of Kentville, and Village of Port Williams.

1. PROPOSAL

Pauline Pangilinan with Canacre Limited has submitted an application on behalf of Bell Mobility Ltd. to build a 40-metre self-support style telecommunications tower on a leased portion of a property, owned by Topline Ventures Ltd. located at 211 Topline Boulevard (PID 55180772) in Canaan.

The process to construct a telecommunications tower includes a simultaneous process conducted by Staff using the Municipal Antenna Systems Process in the Municipal Planning Strategy and by the Applicant using the



2. OPTIONS

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

- A. Recommend that Council provide a letter of support for the application;
- B. Recommend that Council provide a letter of non-support.

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 support this application by Canacre Ltd./Bell Mobility to site a 40-metre telecommunications tower on a leased portion of PID 55180772, 211 Topline Boulevard, Canaan, as described in Appendix D of the report dated May 12, 2026.

4. BACKGROUND

Municipal Process and Responsibility

The jurisdictional authority to license and approve telecommunication sites lies completely with the Federal Government as stated in Section 5.1 of the *Radiocommunication Act*. Innovation, Science, and Economic Development Canada (ISED) is responsible for evaluating, regulating, and granting licenses for the construction of all radio and telecommunications infrastructure in Canada. Municipalities, however, as the entities responsible for land-use management and planning, are included in the process to provide municipalities and local residents an opportunity to voice and discuss any concerns related to the construction of telecommunications facilities. The proponents (CanaCre Ltd.), as mandated by ISED, are required to answer these concerns and to work with the municipality to mitigate potential negative effects these sites might cause to the surrounding area.

Staff are required to host a Public Meeting with the District Councillor to outline application details and the municipal process for this type of application. As per usual, Staff will provide recommendations to the Planning Advisory Committee. The Planning Advisory Committee will consider the Staff recommendations, Staff report and presentation and its supporting documentation including input from the Public Information Meeting as well as Canacre/Bell Mobility's responses to any public concerns and then make a recommendation to Council. Should Council support the application, Canacre/Bell Mobility would then be eligible to construct the tower, but must meet the municipal site requirements. This is the extent of

Municipal involvement. Council's resolution forms part of Canacre/Bell Mobility application to ISED for Federal approval. Bell Mobility may only progress with construction of the tower when they have received final approval from ISED.

The Municipality's Antenna Systems policies goal is to provide guidance and direction in the processing of applications to construct telecommunications facilities. A telecommunication facility is defined in the Land Use By-law as "*any facility, apparatus or other item that is used or is being used for telecommunications or for any operation directly connected with telecommunications, and includes a transmission facility*". The evolution of wireless technology has necessitated the physical development of the land. Accordingly, the Antenna Systems policies have evolved to provide choices for consumers, while respecting the environment, public health, community goals and development plans.

5. SITE INFORMATION

Staff visited the site on February 19, 2026. Staff viewed the property with the property owner and took photos of the site and surrounding area. The photos are included in Appendix E of this report.

The property is located in Canaan near the border to the Village of New Minas. It has a total area of 14.5 acres with 40 feet of road frontage on New Canaan Road. There are multiple buildings on the site, which are used as part of a construction yard business. The uses of the property are more than 220 metres from New Canaan Road. There are two entrances into the property. One of which is through the actual road frontage the property has and the other is through Topline Boulevard, an access easement that crosses through civic 274/278, which is under the same ownership as the subject property.

The surrounding properties are used for a mix of residential, commercial, and agricultural uses. The majority of the uses are located closer to New Canaan Road, whereas the uses of this subject property and where the tower is proposed are set further back.

The tower would be within an area that would be leased by Bell Mobility. This location is proposed to be towards the centre of the subject property. The leased site would have an area of 6,727 square feet and the tower is proposed to be a 40-metre-tall self-supported structure. The tower site would be accessed through an access and utility easement as shown in the site plan in Appendix B. The base of the tower will be enclosed with a steel fencing compound. The site itself is over 240 metres away from New Canaan Road and the land of the surrounding properties in in line with the tower site are heavily treed.

The Municipal Planning Strategy (MPS) requires a tower to be located no less than three times its tower height from any existing homes, schools, hospitals, and public open spaces. The proposed tower location meets the separation distances required in the as detailed in Appendix B and D.

Canacre Ltd./Bell Mobility have submitted information outlining the proposed tower's compliance with Health Canada's Safety Code 6 as part of their application package, which is included in Appendix D.

6. POLICY REVIEW

The subject property is located within the Rural Industrial (M3) Zone and the Agricultural Designation. The location of telecommunication facilities is enabled in all zones and designations, provided the Municipal separation distances and public consultation requirements can be met.

A Municipal by-law relating only incidentally to radiocommunications may co-exist with federal legislation provided such by-laws do not prohibit nor unduly restrict the conduct of radio services or the operation of federally licensed radio stations. The Municipal Planning Strategy contains a section on *Antenna Systems* which provides direction to Staff when processing applications for the siting of telecommunication facilities.

6.1 Siting Objectives

Protection of Land Uses

Siting objectives are set out in Policies 2.3.28 and 2.3.29. The Municipality aims to manage the location of telecommunication facilities based on Municipal policies while balancing with federal jurisdiction.

Municipal Planning Strategy Siting Policies

Policy	Application/Proposal
<i>MPS 2.3.28 encourage all antenna systems required federal approval to locate no closer than three (3) times the tower height from a dwelling, school, or hospital;</i>	Reviewed within 2.3.29 (d)
<i>MPS 2.3.29 require applicants to submit an application for any new telecommunication facilities requiring federal approval consisting of the following:</i>	
<i>(a) a non-refundable application fee similar to the standard rezoning fees established by the Municipality;</i>	Submitted
<i>(b) a scaled site plan clearly indicating the location, type and height of the proposed telecommunication facility, on-site land uses and zoning, adjacent land uses and zoning, adjacent roadways, proposed means of access, setbacks from property lines, elevation drawings of the proposed tower and any other structures,</i>	Submitted, included in Appendix B.

<p><i>topography, parking, and other information required by Municipal Staff;</i></p>	
<p><i>(c) a statement of potential impacts on the surrounding environment (a copy of the Environmental Attestation) to the federal approval body;</i></p>	<p>An Environmental Attestation was submitted and is include as part of Appendix D and an attestation that the proposal will follow Safety Code 6 is included in the Information Package also found in Appendix D.</p>
<p><i>(d) the setback distance between the proposed telecommunication facility and the nearest residential unit, public open space, school or hospital;</i></p>	<p>The proposed tower is 40 metres in height and is approximately 160 metres from the nearest residence and there are no hospitals or schools or public open spaces within the immediate area. As part of the information package submitted by the Applicant, an image showing the required 120-metre buffer was provided. This distance satisfies the separation requirements outlined in the Municipal Planning Strategy (MPS).</p>
<p><i>(e) authorization from the property owner stating that they are aware of the application and have consented to the proposed location of a telecommunication facility on their property or building; and</i></p>	<p>A letter of Authorization submitted and signed by the landowner, Topline Ventures Ltd., included in Appendix D.</p>
<p><i>(f) evidence that the applicant has made a diligent effort to mount the facilities on an existing structure or tower.</i></p>	<p>The Municipality promotes and encourages co-location of existing and new towers as an option rather than construction of additional single-antenna towers and to reduce the number of such structures needed in the future. ISED also has a requirement that the Applicant must demonstrate that co-location is not possible. Canacre/Bell Mobility has assessed the location of existing towers or other structures and has determined that there are no suitable existing structures located within the search ring for the proposed tower site. The details are included in the information package found in Appendix D.</p>

7. PUBLIC CONSULTATION

Public consultation plays a pivotal role in both the Municipal and Federal application processes. Telecommunication facilities follow a process that differs from other Planning Applications such as a Land Use By-law Map or Text Amendment. The process specific to telecommunication facilities is outlined within 2.3.30 of the MPS. A public meeting is required for any telecommunication facility application that requires federal approval. The process is outlined as follows:

Policy	Application/Proposal
<p><i>2.3.30 require a public meeting for any application for a telecommunications facility requiring federal approval, the date of which shall be determined in consultation with the Councillor for the district within which the telecommunication facility is proposed. Notification of the public meeting shall include, but shall not be limited to, the following:</i></p>	<p>A Public Information Meeting was held on March 24, 2026, with District 7 Councillor Emily Lutz as Chair.</p>
<p><i>(a) a notice distributed to those property owners within 1,000 feet (300 metres) of the property where the proposed telecommunication facility is to be located;</i></p>	<p>A mailed notice was distributed to 20 property owners within 1,000 feet of the subject property. This was included in the package that Canacre Ltd. distributed.</p>
<p><i>(b) A sign, which is visible to the travelling public, erected by the applicant on the property where the proposed telecommunication facility is to be located. The sign shall be erected a minimum of two weeks prior to the public meeting and shall include the meeting details and contact information for both the applicant and the Municipality;</i></p>	<p>A sign was installed by the Applicant two weeks prior to the Public Information Meeting and provided the necessary information.</p>
<p><i>(c) a notice of the public meeting published in a local paper a minimum of 14 days prior to the meeting</i></p>	<p>Both Staff and the Applicant submitted a newspaper ad to the Valley Journal Advertiser, which was published on Friday, March 6, 2026. This was over two weeks before the Public Information Meeting.</p>
<p><i>(d) at the meeting the applicant will explain the application and will solicit feedback from the public;</i></p>	<p>The Staff presentation and public comment period satisfied this requirement as the Applicant assisted with responses.</p>

<p><i>(e) following the meeting, the applicant must provide a written submission to Municipal Staff, itemizing the public feedback and detailing how the applicant will address any public concerns raised;</i></p>	<p>The Applicant provided this document, which is attached in Appendix C.</p>
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The Public Information Meeting was held on Tuesday, March 24, 2026. This meeting was chaired by the District Councillor, Emily Lutz, with Staff from the Municipality, Canacre Ltd., and Bell Mobility in attendance. Staff made a presentation about the tower and the municipal consultation process, and the applicants assisted with the question and comment period. The notice for the Public Information Meeting was advertised in the local newspaper, the Valley Journal Advertiser, and a roadside sign was installed on the subject property, more than two weeks prior to the meeting. Twenty (20) surrounding property owners within 1,000 feet of the property were sent a notice advising them of the meeting. The purpose of the public meeting was to explain the application and provide an opportunity for the public to express concerns and ask questions.

Six members of the public attended the meeting. There were a few questions, including whether the tower would be illuminated, when construction would start, if the tower would shoot rays, along with other technical questions. Staff and the Applicant provided responses to the questions, which are included in Appendix C. Prior to the meeting, Staff received a phone call from a neighbouring resident regarding the application and where the tower would be located compared to their property. Staff provided them with a map showing the location of the proposed tower compared to their property lines.

Following the consultation period, the Applicant submitted a report that reviews the process and consultation steps, which can be found in Appendix C.

8. CONCLUSION

Telecommunications towers are an increasingly important part of communication infrastructure in the Municipality. While it is in the interest of cellular companies to provide good service to their clients and customers, it is the responsibility of Municipalities and the Federal Government to ensure that the health, safety and interests of residents are protected. The proposed tower is consistent with the policies and separation requirements of the Municipal Planning Strategy. Canacre/Bell Mobility has provided an attestation of compliance with Safety Code 6 within their application package and selected a rural location that offers coverage to Canaan and surrounding areas, while satisfying all requirements.

Staff recommends that the Planning Advisory Committee forward a positive motion to Council to support this application by Canacre/Bell Mobility for the construction of a telecommunications towers on PID 55180772 in Canaan.

9. APPENDIXES

Appendix A – Federal Jurisdiction and Context

Appendix B – Maps, Site Plans and Elevations

Appendix C – Public Consultation Follow Up

Appendix D – Application Package and Supporting Documents

Appendix E – Site Visit Photos

APPENDIX A – FEDERAL JURISDICTION AND CONTEXT SUMMARY

Innovation, Science and Economic Development Canada’s Client Procedure Circular 2-0-03

Innovation, Science and Economic Development (ISED) Canada’s Client Procedure Circular 2-0-03 (Client Procedure Circular-Radiocommunication and Broadcasting Antenna Systems) sets out what the Applicant (Canacore and Bell Mobility) needs to do or submit for their application to ISED to install or modify a significant telecommunication tower. Circular CPC 2-0-03 provides a general policy framework for the land use consultations that are to occur between certain antenna proponents and Canadian land use authorities when significant antenna and/or supporting structures (including towers) are to be installed or modified. The CPC document outlines the consultation obligations when a tower requires Municipal approval as well.

Mandate

Section 5 of the *Radiocommunication Act* states that the Minister of Industry issues radio authorizations and approves each site on which radio apparatus, including antenna systems, may be located. Under Canadian constitutional law, radio regulatory matters fall exclusively within the jurisdiction of the federal government. As such, provincial governments do not have any direct constitutional jurisdiction over radiocommunication that could be delegated to Canadian municipalities. However, a properly framed by-law, policy, protocol, or the like, relating only incidentally to the radiocommunications (e.g. buffering provisions or setbacks) may co-exist with federal legislation provided such by-laws do not prohibit nor unduly restrict the conduct of radio services or the operation of federally licensed radio stations.

ISED regulates all significant supporting structures (towers) regardless of the type of radio equipment located on the supporting structure. As per Municipal regulations, towers that require federal approval are those that are over 40 feet in height.

The Consumer and Clinical Radiation Protection Branch of Health Canada produces Safety Code 6. It is a safety guideline for exposure to radio frequency fields. ISED CPC 2-0-03 sets out that it is the responsibility of the proponents and operators of installations to ensure that all radiocommunication and broadcasting installations comply with Safety Code 6 at all times, including the consideration of combined effects of nearby installation within the local radio environment. It is ISED that has required compliance with it by incorporating Safety Code 6 into radio regulatory provisions.

CPC 2-0-03 outlines the Federal process that Bell Mobility is to follow. The broad elements of the process are as follows:

1. Investigating, sharing or using existing infrastructure before proposing new antenna-supporting structures.
2. Contacting the land use authority to determine local requirements regarding antenna systems.
3. Undertaking public notification and addressing relevant concerns, whether by following local land use authority requirements or ISED’s default process, as is required and appropriate.
4. Satisfying ISED’s general technical requirements.

Unless the proposal meets the exclusion criteria, proponents must consult with the local land use authority on an proposed antenna system prior to any construction with the aim of discussing site options; ensuring the local processes related to antenna systems are respected; addressing reasonable and relevant concerns (as set out in Section 4.2 of CPC 2-0-03) from both the land use authority and the community they represent and obtaining land use authority concurrence in writing.

Reasonable and Relevant Concerns

The factors that will determine whether a concern is reasonable or relevant (according to Section 4.2) in the public consultation process will vary but will generally be considered if they relate to the requirements of the Circular and to the particular amenities or important characteristics of the area surrounding the proposed antenna system. Examples of concerns that proponents are to address include:

- Why is the use of an existing antenna system or structure not possible?
- Why is an alternate site not possible?
- What is the proponent doing to ensure that the antenna system is not accessible to the general public?
- How is the proponent trying to integrate the antenna into local surroundings?
- What options are available to satisfy aeronautical obstruction marking requirements at this site?
- What are the steps the proponent took to ensure compliance with the general requirements of the Circular including the *Canadian Environmental Assessment Act* (CEAA), Safety Code 6, etc.?

Concerns that are not relevant include:

- Disputes with members of the public relating to the proponent's service, but unrelated to antenna installations.
- Potential effects that a proposed antenna system will have on property values or municipal taxes.
- Questions whether the *Radiocommunication Act*, the Circular, Safety Code 6, locally established by-laws, other legislation, procedures or processes are valid or should be reformed in some manner.

Dispute resolution process

Innovation, Science and Economic Development (ISED) Canada outlines the process for if both parties (the applicants and municipality) in an application have reached an impasse. One of the stakeholders can submit a request to ISED requesting ISED intervention if it is a reasonable and relevant concern. In this case, ISED can request that all parties provide all relevant information. Based on the information that ISED gathers, it can either make a final decision on the issue and advise parties of the decision or suggest the parties enter an alternate dispute resolution process to come to a final decision. If a mutually agreeable solution cannot be reached, either party can request that ISED make the final decision. The process as outlined in CPC 2-0-03 is to continue once a final resolution is met.

Safety Code 6

Safety Code 6 is Canada's national standard that sets recommended safety limits for human exposure to radiofrequency electromagnetic fields (EMF) in the frequency range from 3kHz to 300 GHz. Safety Code 6 provides two sets of RF exposure limits that are based upon the status of the individual who may be exposed. One refers to radiofrequency and microwaves for workers who may be exposed in the course of their daily work. The other refers to the other persons including the general public who may be exposed at any time or place. ISED has required compliance with Safety Code 6 by incorporating it into radio regulatory provisions dealing with antenna installations. The onus is then placed on the owner/operator to ensure that the radio equipment is compliance with Safety Code 6 requirements and ISED may conduct audits of operational radio stations.

Summary

The intertwined processes between governmental bodies and applicable regulations ensures that the siting of telecommunication facilities is conducted in a sensitive manner. Community members are

consulted, impact on the environment is taken into account, and health and safety issues are considered. The Municipal process ties into the Federal approval process. It also ensures that community concerns are heard and that opinions at the local level (i.e., Council resolution for support or non-support) is relayed to ISED via Canacre/Bell Mobility's application for federal approval.

APPENDIX B – MAPS AND SITE PLANS

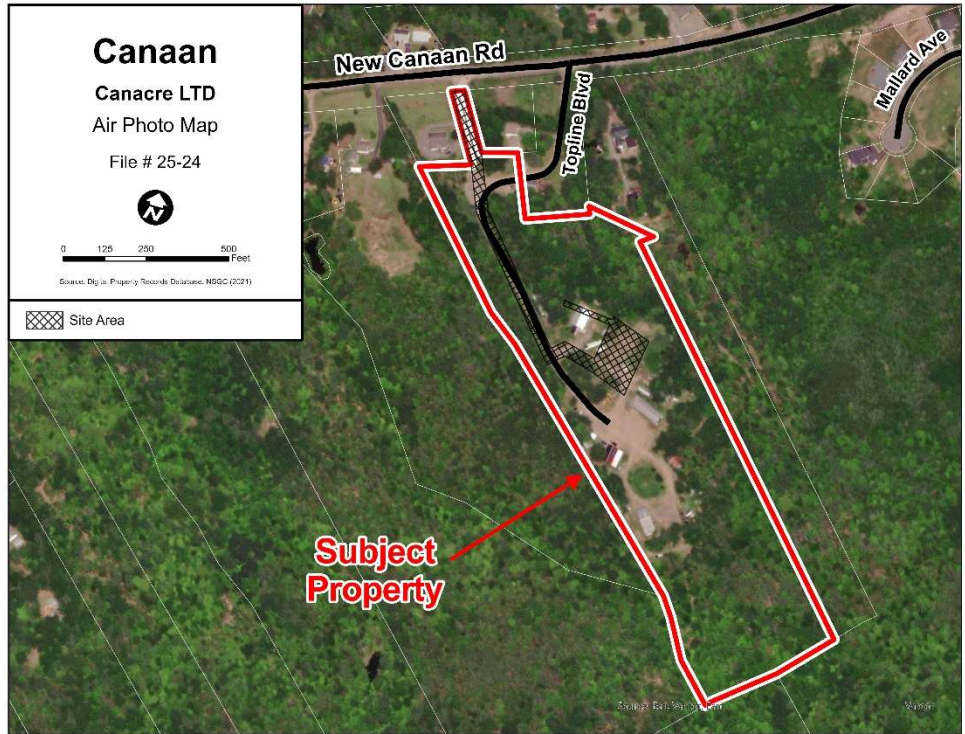


Figure 1: Aerial view of the subject property

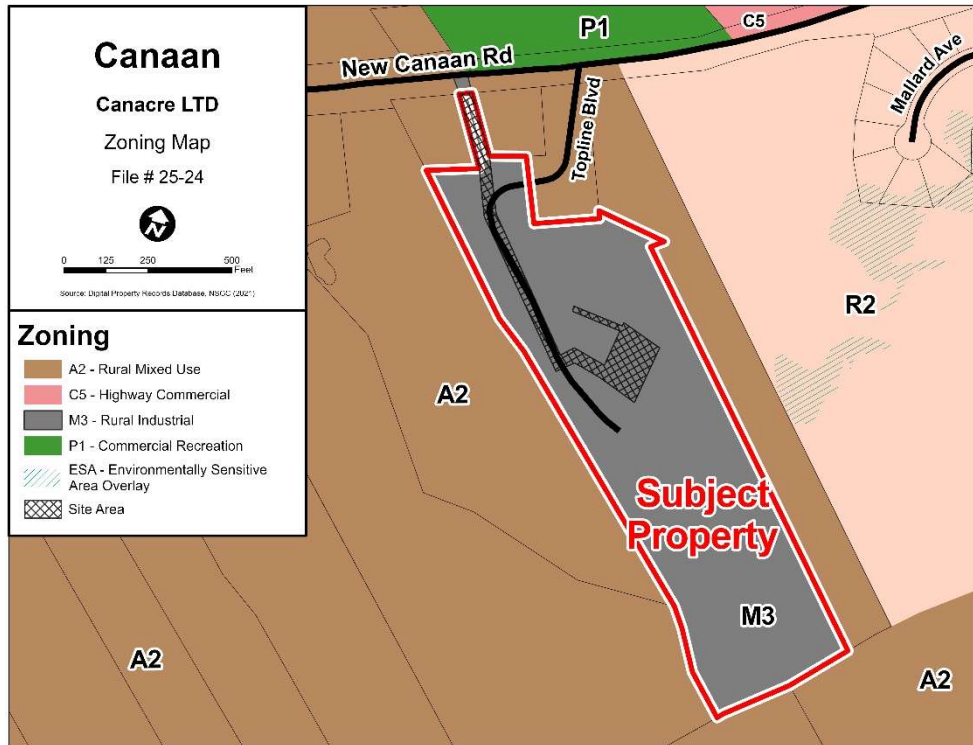


Figure 2: Zoning Map

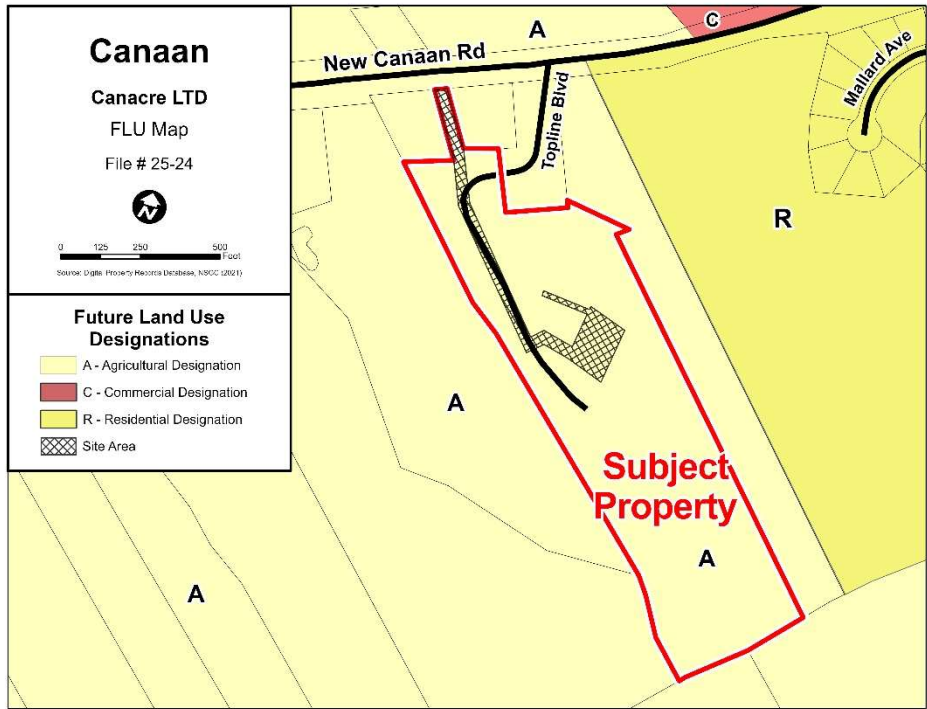


Figure 3: Future Land Use Designations Map

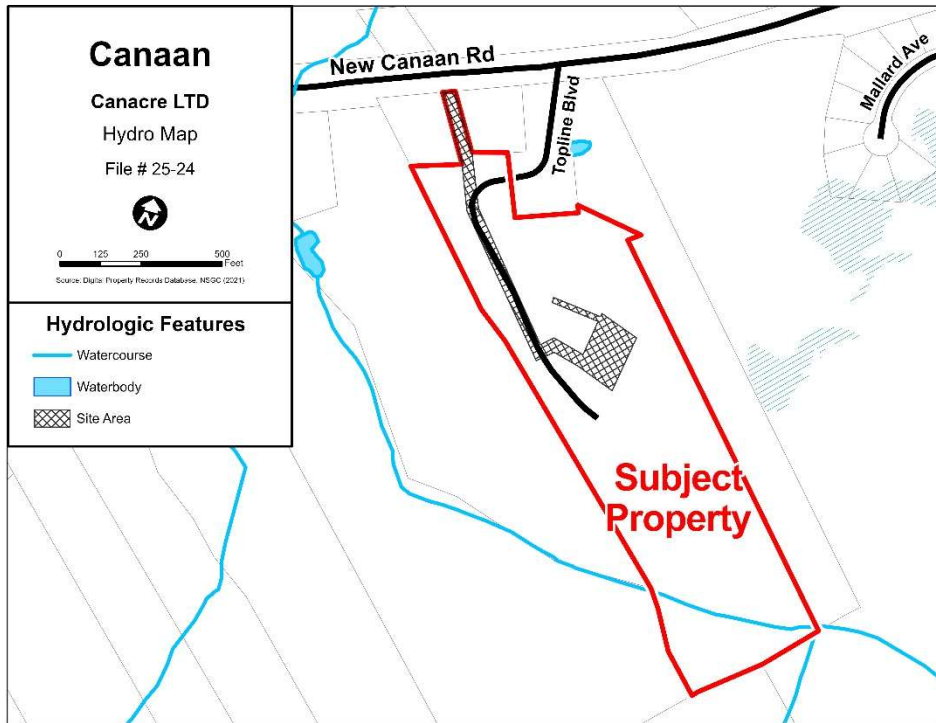
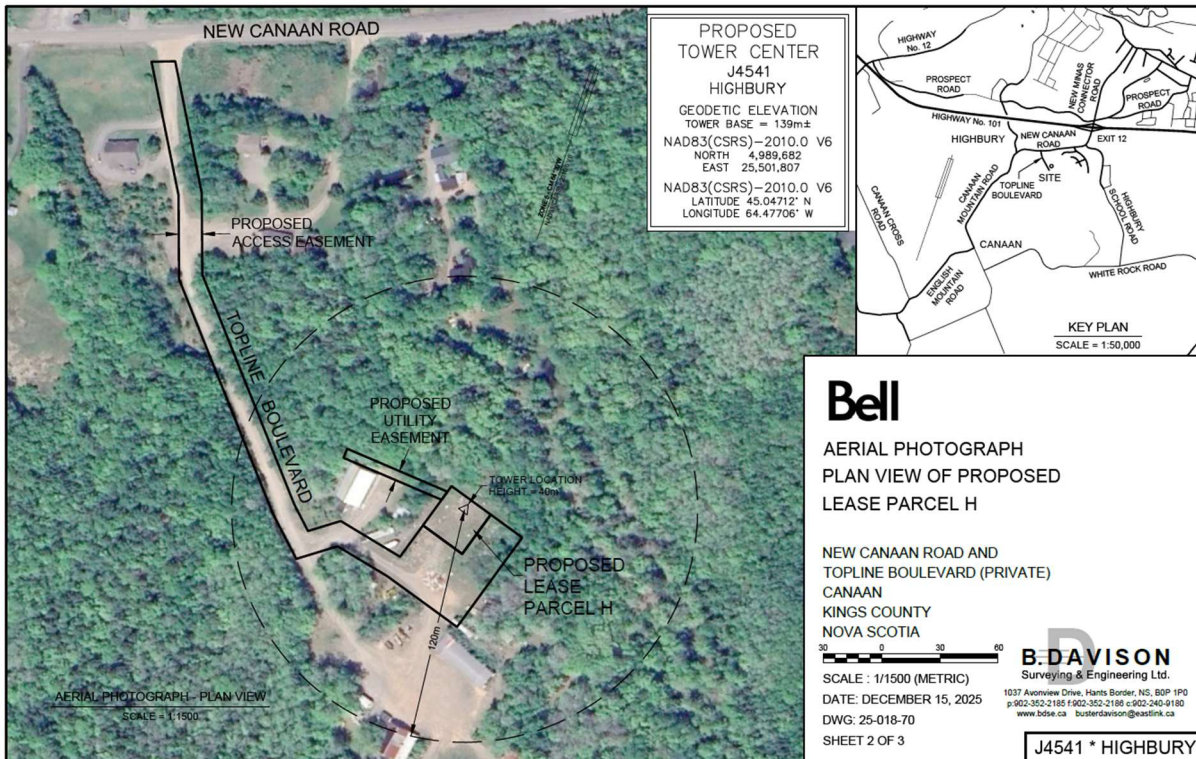
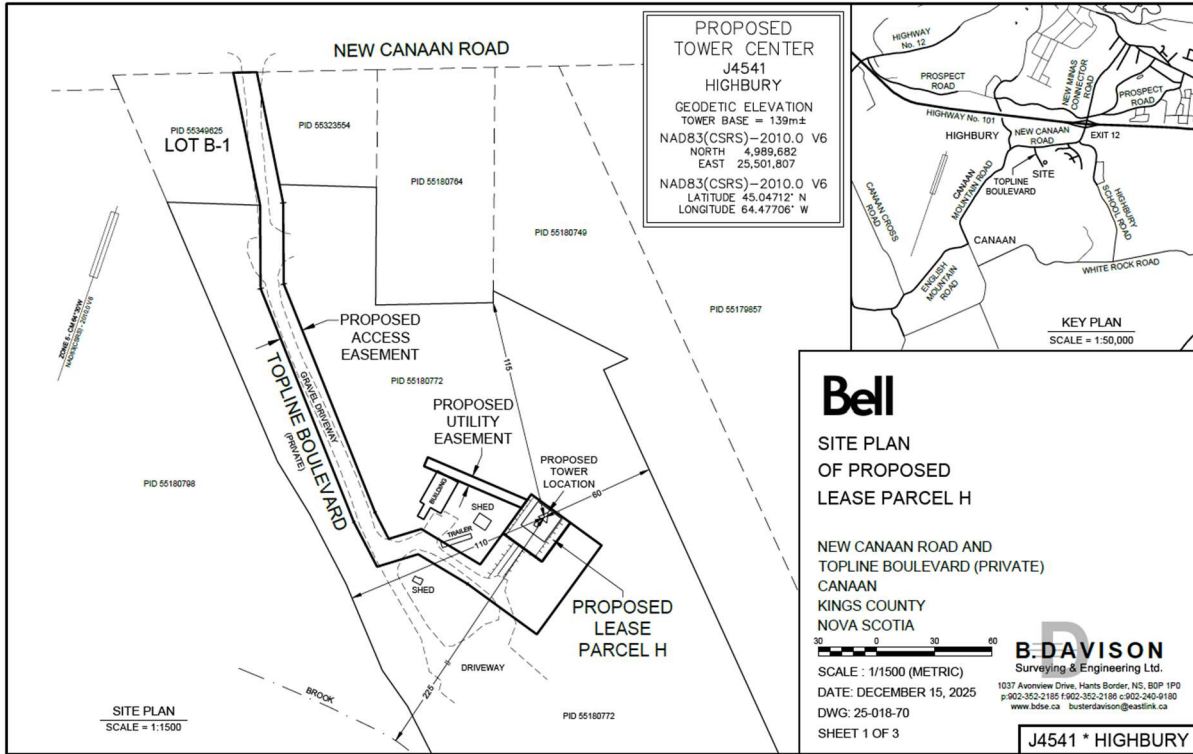
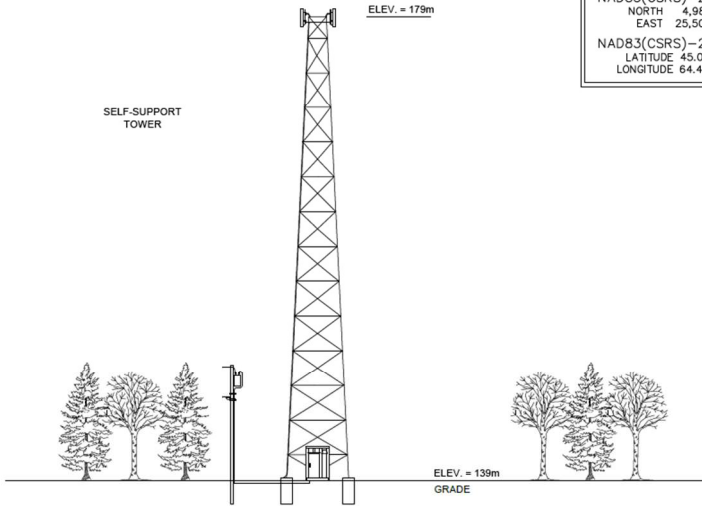


Figure 4: Hydrologic Features Map

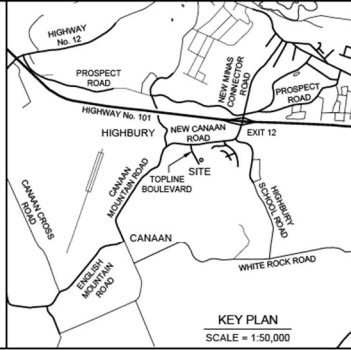
Site Plan and Elevations



TOWER ELEVATION VIEW - LOOKING NORTH
SCALE = 1:250 (METRIC)



PROPOSED
TOWER CENTER
J4541
HIGHBURY
GEODETIC ELEVATION
TOWER BASE = 139m±
NAD83(CRS)-2010.0 V6
NORTH 4,989,682
EAST 25,501,807
NAD83(CRS)-2010.0 V6
LATITUDE 45.04712° N
LONGITUDE 64.47706° W



KEY PLAN
SCALE = 1:50,000

Bell
TOWER ELEVATION VIEW OF
40 METRE SELF-SUPPORT TOWER
LOOKING NORTH

NEW CANAAN ROAD AND
TOPLINE BOULEVARD (PRIVATE)
CANAAN
KINGS COUNTY
NOVA SCOTIA

SCALE : 1/250 (METRIC)
DATE: DECEMBER 15, 2025
DWG: 25-018-70
SHEET 3 OF 3

B. DAVISON
Surveying & Engineering Ltd.
1037 Avonview Drive, Hants Border, NS, B0P 1P0
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J4541 * HIGHBURY

APPENDIX C - PUBLIC CONSULTATION FOLLOW UP

Melissa Chunick
Planner
Municipality of the County of Kings
181 Coldbrook Village Park Drive, Coldbrook, NS, B4R 1B9
mchunick@countyofkings.ca

April 27, 2026

Subject: Bell Mobility – J4541 – Highbury – Consultation Summary

Consultation Summary:

Bell Mobility is proposing the J4541 Highbury self-support telecommunications tower to improve wireless service in the Municipality of the County of Kings. As per ISED's default Public Consultation process, Bell sent out notifications to all property owners within 1000 ft of the 40 m self-support telecommunication tower and Bell publish a public notification in a local newspaper with a 30-day period to receive written comments. No parties submitted written comments regarding the proposed tower.

Summary of written comments:

Comment Type	Summary of Comments
Positive	• N/A
Neutral/Questions	• N/A
Negative	• N/A

Record of Public Information Meeting held March 24, 2026

Attendees:

- Gloria Whittaker (Canacre)
- Chris Fourgnaud (Bell Mobility)
- Regan McDonald (Bell Mobility)
- Evan Taylor (Bell Mobility)
- Cory McGregor
- Justin Smith
- Vern Fraser
- Perry Wallace
- Marc Jewer

Public Information Meeting Dialogue:

Question/Comment	Response	Attendee
What is the purpose of the tower and could the rays be directed towards residents?	The purpose of the tower is to help relieve cell network pressure and increase speeds. No rays with this level of radiofrequency will be directed towards residents.	Perry Wallace
Is there a need for the cell tower?	There is a need for capacity.	Marc Jewer
What technology would be deployed and where would it be directed?	There will be a 5G tower targeting two sectors, the Alpha sector will be towards the	Marc Jewer

Question/Comment	Response	Attendee
	Kent store and the Beta sector will be towards the highway.	
Will there be lighting at the top?	There will be no lighting at the top.	Group Discussion
What will happen to the tower in the case of a power outage or emergency?	There is a backup battery at the tower site and should last a couple of days in the event of a power outage. In the case of prolonged power outage/emergencies, a diesel generator will be brought to the site.	Group Discussion
Are there any health concerns associated with the tower and EMF?	Please refer to Safety Code 6 with any concerns for EMF.	Group Discussion
Will there be an impact on house prices?	In our experience the installation of a telecommunications tower does not negatively impact house prices. It is more likely to support sales as many buyers will ask if coverage is good before purchasing.	Group Discussion
How is the land leased for the tower?	As with any lease for a space, only the landlord will be paid for the use of their land for the tower. There will be no compensation to neighbouring properties.	Group Discussion
When will the construction for the tower start?	An 'active antenna' date can't be provided at this time, but Bell is looking to schedule construction, when possible, after municipal concurrence /non-objection is received,	Group Discussion
If the Land Use Authority were to provide a non-concurrence, what is the process afterwards?	If the tower isn't supported by the Land Use Authority, Bell would have the right to appeal to ISED but Bell generally tries to work with municipalities to site the tower to both parties' satisfaction.	Group Discussion
Will users of other cell providers benefit from this tower?	Users of other cell providers will benefit from increased coverage and capacity when roaming.	Group Discussion

Melissa Chunick
Planner
Municipality of the County of Kings
181 Coldbrook Village Park Drive, Coldbrook, NS, B4R 1B9
mchunick@countyofkings.ca

April 27, 2026

Dear Melissa,

As you are aware, Bell Mobility is proposing to build a 40-metre self-support telecommunications tower adjacent to 211 Topline Blvd to meet the telecommunications needs for high quality wireless services in the community.

Canacre Ltd., being an Authorized Agent of Bell Mobility Inc., has followed the Municipality of the County of King's Public Consultation process. As per the policy, all properties within a radius of 1000 feet of the proposed tower property were contacted by mail, a public open house held, and an ad was also published in the local newspaper (Valley Journal Advertiser) to inform the entire community about the project. A notice sign was also installed on the subject property to provide additional notification. Throughout this process, Bell Mobility was available to all residents who may have had a concern regarding the proposed structure.

No additional third-party permits are required for this tower proposal. Transport Canada and NAV Canada permits have been applied for. As you may know, telecommunication towers are exempt from building permits and so this will not be pursued. Therefore, please accept this letter as a formal request for concurrence.

Please provide a concurrence letter on town letterhead to confirm that you have no further comments or concerns.

Thank you,

Pauline Pangilinan
Planner, Canacre Ltd.

Subject: Information Package
Proposed 40m Self-support Telecommunications Tower

Address: 211 Topline Blvd.

Coordinates: Latitude: N 45°02' 49.85", Longitude: W 64°28' 37.67"

Bell Site Reference: J4541 – Highbury

1. Proposed Location

Bell Mobility Inc. ("Bell") is proposing to locate a new self-support telecommunications tower at the above referenced location, on land owned by a private property owner. The proposed tower is being proposed to bring high-speed wireless mobile network coverage and capacity. The site is located on lands designated and zoned in the Municipality of the County of Kings's Land Use By-Law "Rural" (please note radio installations are federally regulated and not subject to the Planning Act). The site is located South of New Canaan Rd and Topline Blvd. Access to the tower will be entirely via a private driveway off of Topline Blvd.

In selecting the proposed location, a number of other sites were also considered:

- a. **Evaluation of Existing Structures.** As required by Innovation, Science and Economic Development Canada ("ISED", formerly known as Industry Canada), before a new free standing tower is proposed, a telecommunications carrier must make best efforts to evaluate any existing structures - towers or rooftops - that may be available to support new equipment or to use for co-location. After careful examination, it has been determined there are no viable existing structures in the area that would be suitable for the operations of Bell's network equipment.
- b. **Alternative Sites Considered.** Other properties were investigated by Bell but were determined not to be appropriate or feasible for hosting new telecommunications equipment for various reasons. These sites were assessed by a detailed analysis conducted by Bell's Radio Frequency Engineering Department, and subsequently in the field by conducting multiple site visits by the project team personnel. The proposed site location and alternative sites considered are depicted under **Appendix 1: Proposed and Alternative Site Locations.**

The reasons for rejecting the alternate candidate sites are as follows:

Proposed Site (“CAN4”): CAN4 was optimal for meeting radio frequency objectives and the landowner was receptive to the proposed land-use arrangement.

Alternate Site 1 (“CAN1”): CAN1 was not viable for construction as there were significant slope and environmental considerations, and the owner was not receptive to the proposed land use arrangement.

Alternate Site 2 (“CAN2”): CAN2 was rejected as the owner was not receptive to the proposed land use arrangement.

Alternate Site 3 (“CAN3”): CAN3 was rejected as the owner was not receptive to the proposed land use arrangement

Alternate Site 4 (“CAN5”): CAN5 was rejected by the landowner stating that it would interfere with the current use of the land.

2. Proposed Design

In order to enhance wireless service, Bell is proposing to install a 40-metre self-support telecommunications tower and radio equipment shelter, located in the northern portion of the property to support a new radiocommunications facility that will service the area.

Bell has completed a survey plan (see **Appendix 2: Survey Plan**) as well as visual simulations of the proposed self-support telecommunications tower (see **Appendix 3: Visual Simulations**). The tower will use a private right-of-way (driveway) for safe vehicular access into the site. The proposed design is subject to change based on final engineered design and final land survey.

Bell has made efforts to minimize the visibility of the tower to the area residents. This location was selected not only because it had the least visual impact compared to all the viable sites and is over 167 metres away from the closest residential dwelling, but also provides the community with the highest network coverage and capacity improvements.

Bell welcomes any comments from the Municipality of the County of Kings in regards to the proposed tower location and design.

3. Public Consultation Process

The Municipality of the County of Kings follows the Municipality of the County of Kings’s Telecommunication Consultation policy for the consultation process. Although ISED has exclusive jurisdiction in the licensing of radiocommunication sites, such as the proposed tower, ISED also requires proponents to consult with the local land use authority and public.

Since the proposed tower is within 300 metres of other properties, these property owners will be sent a notification package that includes the proposal and consultation details. Additionally, an ad will be published

in a local newspaper determined by planning staff. The consultation period will run for 30 days where members of the public can submit comments and questions

During the consultation period, any questions, comments or concerns will be acknowledged within 14 days and address in writing all reasonable and relevant concerns within 60 days of receipt. Members of the public will have 21 days from the date of the correspondence to reply to the proponent's response

In in order to move forward with the public consultation process, Bell has submitted an application for a tower installation to the Municipality of the County of Kings. At the conclusion of the consultation process, Bell will prepare and submit a summary of comments received from the community and the replies provided by Bell.

4. Concurrence Requirements

Although Bell is exclusively regulated by the Federal Government, ISED requires Bell to consult with the land use authority as a commenting body in the siting of antenna support structures. As a form of comment, Bell will be seeking support or concurrence from the Municipality in the form of a Resolution, Minutes of a committee meeting or council and/or a letter that addresses the following items:

- The Municipality is satisfied with Bell's consultation process, as outlined in the current telecommunication policy;
- That the Municipality has been consulted and concurs with the tower location.

5. Health and Safety Compliance

The installation and operation of the proposed tower will be in compliance with the following safety standards:

a) Safety Code 6

Bell attests that the proposed tower will at all times comply with Health Canada's Safety Code 6 which limits the public's exposure to radiofrequency electromagnetic fields (EMF) and ensures public safety. This code is based on current, accepted scientific data. Additional information on health and safety may be found on-line at:

http://www.ic.gc.ca/eic/site/smt-gst.nsf/eng/h_sf01702.html

Safety Code 6 takes into account all RF emissions in the area to ensure levels in EMF energy operate within the safety limits. Safety Code 6 exposure limits are not device specific, but the limits do take into account the total exposure from all sources of RF energy.

For more detailed information on Safety Code 6, please see:

https://www.canada.ca/content/dam/hc-sc/migration/hc-sc/ewh-sembt/alt_formats/pdf/consult/2014/safety_code_6-code_securite_6/final-finale-eng.pdf

b) Environmental

Bell will undertake all the necessary environmental assessment(s) to mitigate potential impacts in the siting and construction of the proposed tower.

c) Engineering Practices

Bell attests that the proposed tower will be constructed in compliance with all applicable building standards and comply with good engineering practices including structural adequacy.

d) Transport Canada's Aeronautical Obstruction Marking Requirements

The proposed tower is in compliance with Transport Canada and NAV CANADA aeronautical safety requirements. Bell submitted an application to Transport Canada and NAV CANADA.

6. Conclusion

Bell is seeking to improve high speed wireless service to the residential community and businesses by improving **high-speed mobile network coverage** in the Highbury area. To provide service, Bell is proposing the construction of a new tower. After investigating the area, reviewing local regulations and considering Bell's technical requirements, Bell finds the proposed infrastructure appropriate as it has taken into consideration the following:

- The proposed tower location will bring much needed mobile wireless network coverage and capacity,;
- The proposed tower is designed to provide high quality service to Bell customers in the Highbury community and surrounding areas;
- The proposed tower is located over 167 metres away from the closest residential dwelling;
- The proposed tower is located over 262 metres away from the nearest public road; and
- The proposed tower is well located due to the mature tree cover that will provide a natural aesthetic barrier for the tower.

May 06, 2026

Municipality of the County of Kings

181 Coldbrook Village Park Drive,
Coldbrook, NS, B4R 1B9

**RE: Bell Mobility "Bell"
J4541 – Highbury – Proposed Telecommunications Tower**

To all interested parties,

Regarding the proposed cell site located at: J4541 Highbury 211 Topline Blvd. Kentville, NS Latitude: N 45° 02' 49.63", Longitude: W 64° 28' 37.41".

Bell Mobility (Bell) will undertake all the necessary environmental assessment(s) to mitigate potential impacts in the siting and construction of the proposed tower as well as installed and operated in a manner that respects the local environment and complies with other statutory requirements, such as those under the Canadian Environmental Protection Act, 1999, the Migratory Birds Convention Act, 1994, and the Species at Risk Act, as applicable.

Should you have any questions comments or concerns, feel free to contact the undersigned.



Chris Fournaud
Senior Advisor, Real Estate
Bell Mobility

SITE NO.: J4541 – HIGHBURY

PERMITTING AUTHORIZATION AND PERMISSION

TO WHOM IT MAY CONCERN:

BELL MOBILITY INC. and **Canacre LTD.** have my/our permission to act as my/our Agent to acquire the necessary permits, drawings, authorizations, and information from the Municipal or other authorities concerned, needed to approve the construction of the site set out below and as shown on the preliminary site plan attached to the Lease or Schedule.

COMPANY/OWNER: **Topline Ventures Ltd.**

ADDRESS: **289 Topline Boulevard, PO Box 847, Kentville, NS, B4N 4K1**

CONTACT NAME: **Harold Fisher**

PHONE NO.: **902-679-7615**

SITE:

Highbury – J4541


MUNICIPAL ADDRESS:

211 Topline Blvd.

PID:

55180772

DATED at NEWMINAS this 11 day of **December, 2025**

Per: 
Name: Harold Fisher

Proposed and Alternative Site Locations











Proposed Site



Proposed and Alternate Locations



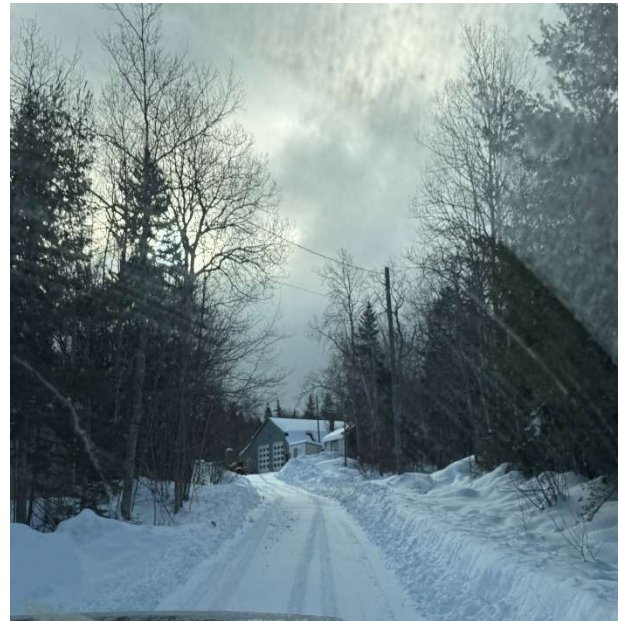
Visual Simulations

<p>Visual Simulation</p>  <p>Tower Location</p> <p>Close-up of Tower Location</p>	<p>Location Map</p> 			
<p>Original Photograph</p> 	<p>Photograph and Tower Location</p> 			
 <p>Location 1 View from New Canaan Road Northeast of Proposed Tower Location</p> <p>Visual Simulation of Proposed 40m Self-Supporting Tower</p> <p>Bell J4541- Highbury Canaan, Nova Scotia</p>	<p>  Camera Location  Tower Location  Road </p> <p>Note: This visual simulation is a general visual simulation of the proposed tower and the final equipment configuration is subject to change. The tower will be marked and lighted in accordance with Transport Canada and NAV Canada requirements.</p>	<p>County: Municipality of the County of Kings Municipality: Canaan Tower Location: Latitude: 45.047010, Longitude: -64.477202 Photo Location: Latitude: 45.049047, Longitude: -64.478653 Direction of View: Southeast Approximate Distance to Proposed Tower: 300m</p>	<p>Date: October 22, 2025 Projection: NAD 1983 2011 UTM Zone 20N Sources: Road: NSRN 2024; Tower Location: Bell 2025; Photo Location: Bell 2025</p> <p>Scale - 1:5,000 - Photograph and Tower Location Map</p> 	 <p>CANACRE A GISARTA SERVICES COMPANY</p>

APPENDIX E – SITE VISIT IMAGES



Images 1 & 2: The image on the left is looking from New Canaan Road at the road frontage of the property, which will be used as the Bell access easement. The image on the right is looking at the beginning of Topline Boulevard from New Canaan Road. Topline Boulevard goes through a parcel owned by the same property owner.



Images 3 & 4: These photos are looking up Topline Boulevard, which runs towards a clearing in the centre of the property, which is used for the business on the property and towards where the tower site would be. The building visible in the right image is around 340 metres from New Canaan Road. The tower site is to the clear of the clearing.



Image 5: This image shows the tower site. This will be enclosed with a fence compound. This area is also surrounded with a partial treed buffer, and the Bell access is to the left.

Municipality of the County of Kings

Report to the Planning Advisory Committee

Amendments to the text of the Land Use By-law to permit the development of Second Dwellings in the Historic Hamlet of Grand Pré (A5) Zone

(File #P24-01)

May 12, 2026

Prepared by: Planning and Development Services

Proposal	To permit second dwellings in the Historic Hamlet of Grand Pré (A5) Zone
Designation	Agricultural Designation
Zone	Historic Hamlet of Grand Pré (A5) Zone
Surrounding Uses	Agricultural
Neighbour Notification	A total of 66 letters were sent to the residents in the Zone

1. PROPOSAL

Council has directed Staff to investigate possible amendments to permit second dwellings in rural areas. This report specifically relates to properties in the Historic Hamlet of Grand Pré (A5) Zone.

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 development agreement;
- 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 Planning Advisory Committee recommend that Municipal Council give First Reading to and hold a Public Hearing related to the amendments to the text of the Land Use By-law to permit the development of second dwellings in the Historic Hamlet of Grand Pré (A5) Zone as described in the report dated May 12, 2026.

4. BACKGROUND

At its meeting of September 16, 2025, Council directed Staff to investigate possible amendments to the Municipal Planning documents to permit accessory dwellings in rural areas. As part of the investigation, Staff have adjusted the project to permit second dwellings to differentiate from accessory dwellings which are permitted in Growth Centres.

At its meeting on April 7, 2026, Council gave First Reading to the amendments, however, removed the Historic Hamlet of Grand Pré (A5) Zone to enable additional consultation with the community on the amendments and seek greater understanding regarding the multiple layers of heritage designation in the area.

Planning Staff sent a letter to all property owners in the zone on April 10, 2026 to gauge the level of support for the proposal and to provide an opportunity to the community ask questions of Staff. Members of the community were invited to review the materials and provide Planning Staff with any feedback no later than April 30th, 2026. Staff received several letters and emails from the community of both support and opposition to the proposal. The nature of the comments in opposition would indicate that there is often a misunderstanding among members of the public related to what is being protected through the many overlapping heritage identifications.

5. POLICY REVIEW

5.1 Policy Background

The report to Planning Advisory Committee dated [March 10th, 2026](#) provides a general policy review for rural areas. This report provides specific information related to the community of Grand Pré and more specifically on the additional legislative framework related to heritage considerations and other materials related to the community and should be read in conjunction with the report dated March 10, 2026.

5.2 Heritage Property Act and Regulations

Portions of the area covered by the Historic Hamlet of Grand Pré (A5) Zone are part of a Heritage Conservation District ('HCD'). The ability to create a Heritage Conservation District is outlined in the provincial *Heritage Property Act*. Section 19A of the *Heritage Property Act* outlines the establishment of HCDs. An HCD is established through the adoption of a HCD Plan and By-law. The Grand Pré Heritage Conservation District Plan and By-law were adopted in 1999.

Section 19C relates to design guidelines that may be included in a HCD By-law. The section states:

19C Design guidelines included in a conservation by-law shall

- (a) With respect to a building or structure, address only the exterior of the building or structure;*
- (b) Not address the use to which land, a building or a structure may be put.*

Design guidelines can only control the aesthetic of the exterior of a permitted building. The ability to construct a building or structure and the uses permitted to operate within are regulated through the Land Use By-law.

Section 26 of the *Heritage Property Act* enables the minister to adopt regulations related to HCD which provide more detail on the content of the HCD Plan and By-law.

The regulations associated with Heritage Conservation Districts provide information on the purpose of both the Plan and the By-law as well as the content of each. Section 3 of the regulations outline the purpose of a conservation plan:

3(1) The purpose of a conservation plan is to

- (a) Provide statements of policy that address problems and opportunities concerning the conservation of the historic or architectural value of buildings and structures in the district and their setting;...*

It is important to note that the conservation plan does not prevent development that is otherwise permitted under the Land Use By-law. The setting outlined in the section relates to the arrangement of open spaces, topography, vegetation, views within the district from public places, and other natural or constructed features. While the regulations indicate the conservation plan and by-law can include statements of policy related to the conservation or preservation of the setting, the Municipality's documents do not include policy statements to that effect and, it is Staff's opinion that it is outside the scope of the Municipality's jurisdiction to control much of what is outlined as the setting including the topography and vegetation since the alteration of topography and removal of vegetation do not require a permit to undertake. The views within the district will be addressed in section 5.3 of this report.

The regulations outline those matters that must appear in a conservation plan and by-law as well as other optional matters that may be included. Section 5 outlines the mandatory elements of the conservation plan and by-law. These include a description of the boundaries, developments that require a certificate of appropriateness and the form and content of an application.

Section 4 outlines the matters for which policies may be drafted and they include policies related to the demolition or removal of a building or structure in the district, the effects of alteration, the location of new developments and their setting in relation to existing developments, the conservation of settings, tourism and community improvement undertakings, the relationship between the conservation plan and by-law with other municipal planning documents, and other matters related to the conservation of the historical, architectural or cultural value of the district. The by-law may identify types of development that are exempt from a certificate and may include design guidelines. These can control the architectural design of building including scale, massing, bulk, height, roof shape, building materials and the placement of utility structures or ornamentation. These would apply only to the exterior of the building. It is

important to note that the regulation indicates that these *may* be incorporated but are not required. The Grand Pré Heritage and Conservation District Plan and By-law do not address all of these.

Nothing in the *Heritage Property Act* or its companion regulations related to Heritage Conservation Districts enable a conservation plan or by-law to control the use of buildings or prevent the development of buildings permitted in the zone. Further, they do not have the ability to dictate lot size, frontage or other land use requirements.

5.3 Heritage Conservation District Plan and By-law

The Grand Pré Heritage Conservation District Plan and By-law, along with accompanying design guidelines, were adopted by Municipal Council in February 1999 and received provincial approval in March of 1999. The plan and by-law, *“expresses the policies of Kings County Municipal Council with respect to architectural heritage conservation and development in Grand Pré village.”*

The stated purpose of the conservation plan and by-law is:

- (a) *To satisfy the long-standing community desire for statutory protection of historic buildings and conservation of the pastoral setting and scenic character of Grand Pré Village.*
- (b) *To complement existing heritage conservation provisions in the Municipal Planning Strategy and By-law.*
- (c) *To conserve the historic character of the village as the core area of settlement in the newly designated Grand Pré National Rural heritage District.*
- (d) *To encourage new development to be architecturally compatible with existing 18th, 19th and 20th-century buildings, so as to reinforce the image of Grand Pré as a heritage area.*
- (e) *To enhance the attractiveness of Grand Pré as a tourist destination area.*
- (f) *To complement the efforts of the community to develop economic opportunities based on heritage conservation and cultural tourism.*
- (g) *To maintain a supportive environment for the Grand Pré National Historic Park.*
- (h) *To qualify owners for provincial financial incentives for conservation of buildings in heritage conservation districts.*

The Plan outlines the background related to the area which is the location of the deportation of Acadians from Nova Scotia and the subsequent settlement area for Planters following the expulsion of the Acadians in 1755. None of the protected properties in Grand Pré predate the expulsion of the Acadians and the interest on the part of the province, as well as Parks Canada, is in the potential for archaeological resources in the area related to Acadian or Mi'kmaq settlements. The background section also outlines that the area has been subject to planning policies and regulations limiting residential development and restricting inappropriate commercial development since 1979. This continues to be true under the Municipality's 2020 Planning Documents.

The boundary of the district was formed, in part, through a survey of residents in Grand Pré, Hortonville and the surrounding area. On this basis, only those properties in Grand Pré, the area where most heritage properties were concentrated, were considered for the establishment of the Heritage Conservation District, notwithstanding that the area in its entirety is important for Acadian culture.

The HCD was established through voluntary inclusion in the district by property owners at the time. Since that time, two properties developed with buildings constructed since 1975 have been removed from the district. To date, there are approximately 19 dwellings, one church, one commercial building and four vacant lots (of which one is a federal monument) located in the HCD. For reference, the Historic Hamlet of Grand Pré (A5) Zone encompasses roughly 80 lots. A map showing the HCD can be found in Appendix A of this report. The district is a patchwork of properties that have opted in to preserve the architectural value of their dwellings and outbuildings. This is somewhat unusual in heritage planning where HCDs are established in areas where all of the buildings date from a similar time period and convey a somewhat consistent aesthetic that has been determined to have heritage value. An example of such an area would be the Hydrostone area or Barrington Street between Duke Street and Bishop Street in Halifax. Both of these areas encompass all properties within the area.

Part 3 of the Plan discusses the rationale for the establishment of the HCD. It states that the interest comes from an increase in development in the area and outlines fears for future development that may threaten the heritage character. There was a desire on the part of the community to ensure that new buildings be in keeping with the old. Properties within the HCD would be required to be architecturally consistent with the guidelines, however, those properties that do not form part of the HCD would not be required to do so.

Part 5 outlines policies for conservation of architecture and setting on those properties within the HCD. Policies provide direction on several matters including design criteria for new buildings, alterations to heritage buildings, the use of vinyl and aluminum cladding, demolition or removal of heritage buildings, provincially registered properties, existing modern buildings, outbuildings, signs, trees, roads and highways, views, the enhancements and promotion of the district, potential financial incentives and the building code. The development of new buildings, including outbuildings, or alterations to existing buildings do not need to replicate historic styles but must be sympathetic through the design including considerations related the number of storeys, roof shape and pitch, proportion and massing, the size of buildings, the façade design, size and proportion of windows and doors, style, proportion and placement of dormers, building materials, trim and ornamentation, design and placement of porches, verandas and exterior stairs, and the materials and placement of chimneys. Properties located within the Historic Hamlet of Grand Pré (A5) Zone but not within the HCD are not subject to these policies.

Section 5.3 outlines acceptable alterations to Heritage Buildings by stating [emphasis added]:

*“While the purpose of the conservation district plan and bylaw is to protect and conserve the historic architecture of Grand Pré, **it is not intended to prevent change.** Heritage buildings will continue to be used and lived in and will inevitably need to be altered or added to for one reason or another. The purpose of the conservation district plan and bylaw is simply to ensure that when alterations or modifications are made they shall be in keeping with the historic character of the building and its surroundings. “*

The conservation plan discusses outbuildings in section 5.8 and indicates the those associated with heritage buildings are an important part of the visual character of Grand Pré. The policies outline that new outbuildings are permitted to be constructed and existing outbuildings can be altered provided it is consistent with the existing style and the design guidelines, for those properties that opted in to the HCD. Properties that did not opt in are able to construct outbuildings in any style they wish.

As previously mentioned, the protection of views is something that can be addressed through a conservation plan and by-law. Section 2.3 Setting outlines views that are important to the HCD. All of the views are from vantage points on public land, in accordance with the definition contained in the provincial Regulations. Some point toward streetscapes and others, such as toward the privately-owned pasture in the northwest quadrant of the intersection of Highway 1 and Grand Pré Road. Section 5.12 addresses views in the HCD and states:

In order for views to be most effectively conserved, the entire village should be included in the conservation district so that all vacant, developable sites become subject to the design guidelines and the requirement for a Certificate of Appropriateness. However, this is not presently the case due to the over-riding consideration of voluntary inclusion – most vacant, developable sites in the village are not included in the conservation district.

The section further notes that the views where settlement form and visual character are revealed along public roads can best be maintained by ensuring the character of the roads is maintained. All of the roads within the HCD are provincial roads and fall to the provincial Department of Public Works.

In summary, the HCD plan and by-law apply inconsistently across the Historic Hamlet of Grand Pré Zone and are not concentrated in one area. Only those properties in the HCD are required to adhere to the policies, regulations and guidelines applicable to the HCD. The HCD contemplates the construction of new dwellings and outbuildings on properties in the HCD provided they are sympathetic to the existing built form dating from the 18th, 19th and 20th centuries and the HCD design guidelines. Properties located in the Historic Hamlet of Grand Pré (A5) Zone are subject only to the requirements of the Land Use By-law.

5.4 Grand Pré Secondary Plan

The Grand Pré and Area Secondary Plan was adopted following the development and adoption of the HCD. The Community Plan was developed in concert with the UNESCO Nomination Advisory Board's bid for inscription as a World Heritage Site. A vision statement for the community was developed as part of the Secondary Planning process:

The Grand Pré and Area communities work together with a shared interest in sustaining a healthy rural setting by conserving the culture, environment, and agricultural landscape. In defined areas, the larger community provides opportunities for community growth, agriculture, the recreational use of shared space, and local business.

The community encompasses the historic hamlet of Grand Pré as well as the community of Hortonville located northeast of the historic hamlet, and the Dykelands to the north. The areas outside of the historic hamlet are located within the Agricultural (A1) Zone, including Hortonville, or within the Environmental Constraints (O1) Zone, such as the dykelands to the north. Long Island, located to the north of the dykelands and along the coast of the Minas Basin is located within the Agricultural (A1) Zone with the Tidal Residential (T1) Zone and the Commercial Recreation (P1) Zone also applied in appropriate areas. The Agricultural (A1) Zone and the Environmental Constraints (O1) Zone are very limited in terms of the types of development permitted, with the Environmental Constraints (O1) Zone permitting virtually no development at all. As such, the 'defined areas' in the Secondary Plan area are generally thought to be

those properties in the Historic Hamlet of Grand Pré (A5) Zone and, to a lesser extent, those lands on Long Island. A map of the Secondary Plan Area can be found in Appendix B of this report.

This is supported by the list of permitted uses in the Historic Hamlet of Grand Pré (A5) Zone which permits, on an as-of-right basis, one unit dwellings, two unit dwellings, semi-detached dwellings, bunkhouses, farm tenements and tourist commercial uses. Additional development potential can be considered by Council in the form of a development agreement outlined in policy 4.6.7 which enables the development of multi unit dwellings of 4 or 8 residential units, depending on whether sewer services are available. The policy does not outline a minimum lot size or area requirements for consideration by Council, nor does it establish any restrictions such as building height or limitations on the number of dwellings permitted per lot.

Within a section related to Residence and Recreation, a list of objectives includes as a statement the following:

To encourage the provision of suitable housing options within the Historic Hamlet of Grand Pré to encourage young individuals and families to live in the community and to enable senior residents to remain within the community.

Second dwellings often provide housing for family members that otherwise have difficulty finding suitable housing including older children and the elderly who may want to downsize their living spaces and may need some additional support.

The Secondary Plan contains policies related to the Agricultural designation in the Secondary Plan area. The Historic Hamlet of Grand Pré (A5) Zone is a zone enabled in the Agricultural Designation and therefore would be subject to these policies, where applicable. Of note, policy 4.6.11 states, “*Council shall provide more stringent lot requirements within the Agricultural Designation in Grand Pré and Area to preserve a density consistent with the rural character of the area;*”. The Historic Hamlet of Grand Pré (A5) Zone requires a minimum of 50,000 square feet per lot for residential uses. By comparison, all other rural lots require 30,000 square feet and, in the case of the Country Residential (A4) Zone, a lower lot area requirement is established in sewer serviced areas. This is not the case in the Historic Hamlet of Grand Pré (A5) Zone; a lot area of 50,000 square feet is required regardless of whether a property benefits from sewer servicing, of which most do in the zone.

The density in the area is not proposed to change through the amendments to permit the development of second dwellings. Each residential lot in Grand Pré is permitted to be developed with a semi-detached dwelling or a two unit dwelling. These amendments are proposing to enable two residential units, regardless of built form. The total number of potential units is not being increased through these amendments. Concerns were raised related to the development of new buildings, however, new outbuildings are permitted to be developed in the community, both within and outside the HCD properties. It is Staff’s opinion that the proposed amendments are consistent with policy 4.6.11 and with the Secondary Plan, more generally.

6. UNESCO REGISTRATION

Grand Pré and area are part of a United Nations Educational, Scientific and Cultural Organization (UNESCO) World Heritage site, so designated in 2012. The site was designated on the basis of two criteria outlined in a submission dossier. UNESCO has a list of ten criteria that can be used to designate areas and touch on a broad range of topics including natural phenomena (biological, ecological, geological), cultural traditions, and human achievements in architecture, technology, town planning or landscape design.

The submission related to Grand Pré was made under criteria v and vi:

(v) to be an outstanding example of a traditional human settlement, land-use, or sea-use which is representative of a culture (or cultures), or human interaction with the environment especially when it has become vulnerable under the impact of irreversible change;

(vi) to be directly or tangibly associated with events or living traditions, with ideas, or with beliefs, with artistic and literary works of outstanding universal significance. (The Committee considers that this criterion should preferably be used in conjunction with other criteria);

Interestingly, there is a UNESCO criteria that celebrates human settlement, architecture and town planning, but this was not used to designate the area:

(ii) to exhibit an important interchange of human values, over a span of time or within a cultural area of the world, on developments in architecture or technology, monumental arts, town-planning or landscape design;

In support of the applicable criteria, the dossier outlines emphasizes the unique landscape made up of the dykelands and the ingenious farming practices that utilizes dykes and aboiteaux to reclaim agricultural land from the sea and the historic settlements of the Acadians of which there are no remaining buildings. The dossier includes a chart outlining the heritage attributes that contribute to the rationale for inscription as a World Heritage Site and the associated jurisdiction over each attribute. These include archaeological sites, the Memorial Church, Herbin Cross, Deportation Cross, Acadian cemetery, roads, drainage, dykes, Dykelands and farmland. The only attribute that falls to MOK is the farmland which is protected through zoning, which is discussed below. The table included in the dossier is attached to this report as Appendix C.

The dossier makes very brief references to the subsequent Planters' settlements in Hortonville, including its traditional town grid layout and the village of Grand Pré, however the emphasis is focused on the protection of agricultural areas and particularly the dykelands.

With regard to maintaining the UNESCO designation, and particularly the rural character consisting of the agricultural lands and, in particular, those agricultural lands located behind the dykes and drained by aboiteaux are protected from development through the application of the Agricultural (A1) Zone and the Environmental Constraints (O1) Zone which severely limit and prohibit residential development, respectively.

It is important to note that, while the Municipality was a partner in designating the area as UNESCO World Heritage site, there are no requirements contained within the dossier dictating limiting the number of buildings on any given property and the dossier has no legislative standing for the consideration of planning applications or amendments to the Planning Documents, as determined by the Nova Scotia Regulatory and Appeals Board in decision a decision dated October 19, 2023 and referenced as 2023 NSUARB 191.

7. CONCLUSION

In conclusion, Staff are of the opinion that the proposed amendments to the Historic Hamlet of Grand Pré are consistent with the policies of the Grand Pré and area Secondary Plan as well as the Heritage Conservation District and By-law. As a result, Staff are making a positive recommendation.

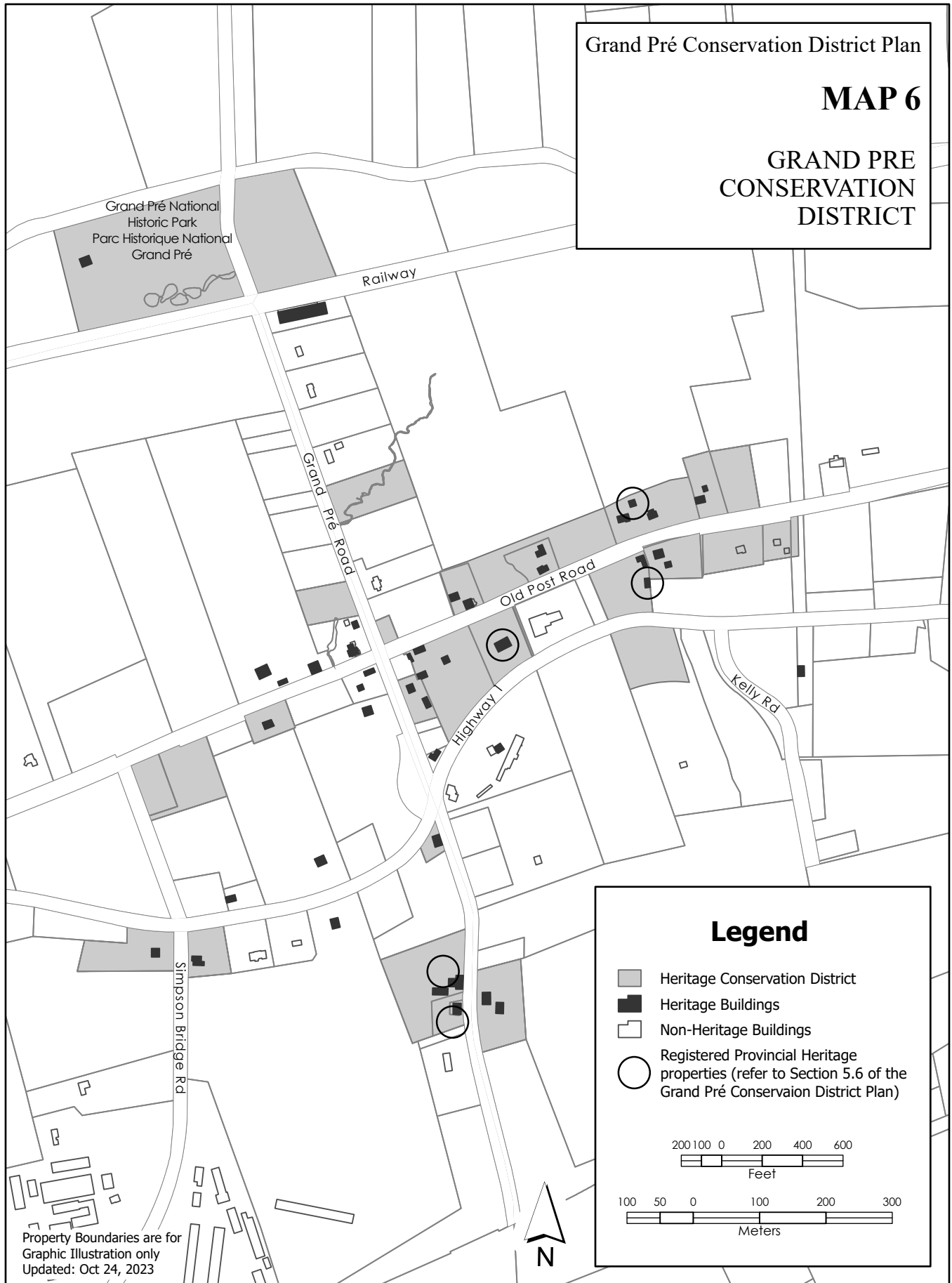
8. APPENDIXES

Appendix A – Grand Pré Heritage Conservation District Plan Map 6 – Grand Pré Conservation District

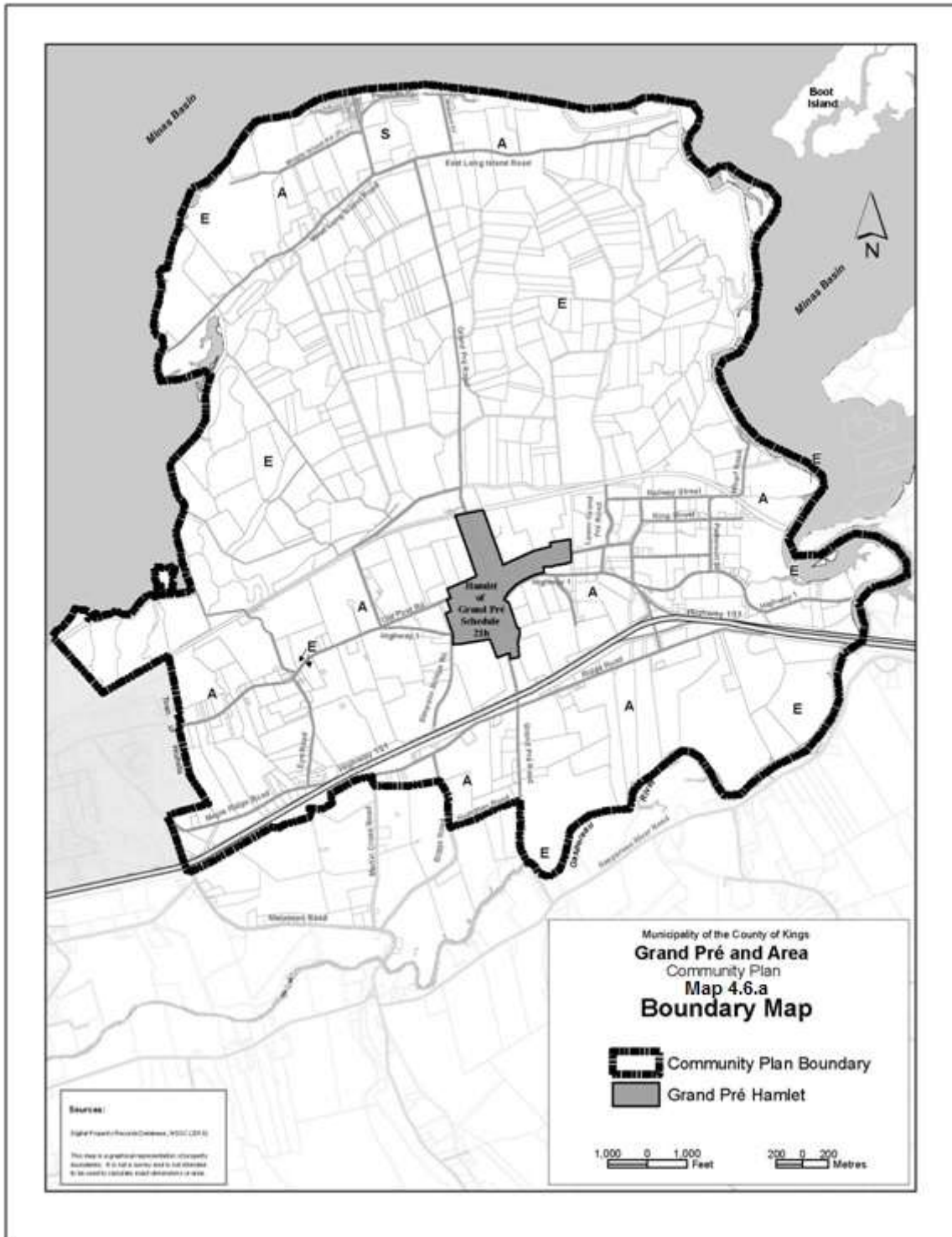
Appendix B – Grand Pré and Area Secondary Plan Map 4.6a – Boundary Map

Appendix C – World Heritage Nomination Proposal for the Landscape of Grand Pré – Table 4-3 - State of attributes in the nominated property

Appendix A - Grand Pré Conservation Plan Map 6 - Grand Pré Conservation District



Appendix B – Grand Pré and Area Secondary Plan – Map 4.6a – Community Plan Boundary



**Appendix C – World Heritage Nomination Proposal for the Landscape of Grand Pré – Table 4-3 –
State of Attributes in the Nominated Property**

Table 4-3 State of attributes in the nominated property

Attribute	Condition	Authority carrying out the monitoring	Source	Date of the most recent assessment	Assessment
Archaeological sites (on Parks Canada administered land)	Fair	Parks Canada Agency	2009 Grand-Pré National Historic Site State of the Site Report	2008	Performed as part of the Commemorative Integrity Evaluation and included in the <i>Grand-Pré National Historic Site of Canada State of the Site Report</i> for 2009. The “fair” assessment was because of vegetation-management issues that have since been corrected. Conservation measures include impact assessment, site avoidance, site capping, vegetation maintenance, and research.
Archaeological sites (on provincial Crown land and private property)	Fair	Department of Tourism, Culture and Heritage	Department of Tourism, Culture and Heritage	2010	No specific monitoring. Condition assessed as fair based on potential coastal erosion impacts. Conservation measures focus on mitigating impacts, surveying the sites, and educating the public.
Memorial Church	Good	Parks Canada Agency	2009 Grand-Pré National Historic Site State of the Site Report	2008	Performed as part of the Commemorative Integrity Evaluation and included in the <i>Grand-Pré National Historic Site of Canada State of the Site Report</i> . Regular repointing and shingle replacements. Structurally sound. Conservation measures focus on maintenance.
Herbin Cross	Good	Parks Canada Agency	2009 Grand-Pré National Historic Site State of the Site Report	2008	Performed as part of the Commemorative Integrity Evaluation and included in the <i>Grand-Pré National Historic Site of Canada State of the Site Report</i> . Herbin Cross is in good condition. Regular repointing is the main conservation measure.
Deportation Cross	Good	Parks Canada Agency	2009 Grand-Pré National Historic Site State of the Site Report	2008	Performed as part of the Commemorative Integrity Evaluation and included in the <i>Grand-Pré National Historic Site of Canada State of the Site Report</i> . The Deportation Cross was stabilized during the 2005 relocation to Horton Landing. Conservation measures focus on regular maintenance.
Acadian cemetery	Good	Parks Canada Agency	2009 Grand-Pré National Historic Site State of the Site Report	2008	Performed as part of the Commemorative Integrity Evaluation and included in the <i>Grand-Pré National Historic Site of Canada State of the Site Report</i> . Burials are undisturbed and are not under pressure. Conservation measures focus on avoidance.
Roads (under provincial jurisdiction)	Good – Poor	Department of Transportation and Infrastructure Renewal	Department of Transportation and Infrastructure Renewal	2010	Expert assessment. Roads footprint is in good condition. Road surfaces vary in condition. Conservation measures focus on maintenance.
Roads (under Marsh Body jurisdiction and private ownership)	Poor	Grand Pré Marsh Body (informally)	Grand Pré Marsh Body (informally)	2010	Expert assessment. Road footprint is in good condition. Surfaces are in poor condition. Would require grading and ditch cleaning along the roads.
Drainage	Good	Department of Agriculture Grand Pré Marsh Body	Department of Agriculture Grand Pré Marsh Body	2010	Minimum of biannual monitoring (spring and fall). Additional monitoring during regular maintenance, after storms, and during extremely high tides. Drainage outlets, <i>aboiteaux</i> , and creeks maintained. Conservation measures focus on maintenance.
Dykes	Good – Fair	Department of Agriculture	Department of Agriculture	2010	Minimum of biannual monitoring (spring and fall). Additional monitoring during regular maintenance, after storms, when ice jams are present, during wind events and during extremely high tides. Varying degrees of impacts from erosion and health of vegetation. Conservation measures include rock facing, regular topping, and vegetation management.
Dykelands	Good	Department of Agriculture	Department of Agriculture	2010	Expert assessment. Conservation measures focus on maintaining the dykelands free from permanent structures.
Farmland (dykelands and uplands)	Good	Department of Agriculture Municipality of the County of Kings	Department of Agriculture Municipality of the County of Kings	2010	Expert assessment. Conservation measures focus on maintaining zoning that encourages agricultural land use. Measures also include dyke topping.