



Planning Advisory Committee

Tuesday September 8, 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. July 14, 2026
6. Business Arising from the Minutes
7. Business Page 6
 - a. Application to rezone a portion of 2346 Highway 1 (PID 55303846), Auburn, from the Rural Mixed Use (A2) Zone to the Rural Commercial (C4) Zone (File 25-11, Peri Bowman)
 - b. Application to rezone 1016 Main Street (PID 55122550), Kingston, from the Residential One and Two Unit (R2) Zone to the Multi-unit (R4) Zone (File 26-08, Melissa Chunick) Page 20
 - c. Application to rezone a vacant parcel on Lydiard Road (PID 55325609), Centreville, from the Residential One Unit (R1) Zone to the Residential Mixed Density (R3) Zone (File 26-10, Melissa Chunick) Page 36
8. Other Business
 - a. Planning Ask Me Anything; Information Session
9. Comments from the Public
10. Date of Next Meeting: October 13, 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
July 14, 2026
DRAFT MINUTES

**Meeting, Date
and Time**

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

Attendance

Committee Members: Councillor Emily Lutz - Chair
Councillor Riley Peckford – Vice Chair
Councillor Doug Gates
Deputy Mayor Everett MacPherson
Erik Deal – Citizen Member
Kate Friars – Citizen Member
Logan Morse – Citizen Member

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

Public: 1

Regrets: None.

1. **Meeting to Order** The Chair called the meeting to order at 1 pm.
2. **Roll Call & Land Acknowledgement** All Members of the Planning Advisory Committee were in attendance. The Chair, Councillor Lutz read the Land Acknowledgement per Policy [ADMIN 01-025: Land Acknowledgement](#).
3. **Amendments to Agenda** None.
4. **Approval of Agenda** **On motion of Councillor Peckford and Councillor Gates, that Planning Advisory Committee approve the July 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 Deputy Mayor MacPherson and Citizen Member Friars, that the minutes of the June 9, 2026 Planning Advisory Committee meeting be approved as circulated.

Motion Carried.

7. Business Arising from Minutes

There was no business arising from the June 9, 2026 minutes.

8. New Business

8a. Application to rezone a property located on Commercial Street (PID 55210884), New Minas, from the Residential Mixed Density (R3) Zone to the Residential Multi-unit (R4) Zone. (File 26-07, Alice Jacob)

Alice Jacob, Planner, presented an application by Morgan Zwicker for a rezoning of a property on Commercial Street, New Minas to permit a multi-unit dwelling containing more than 12 units.

Questions for Clarification:

Deputy Mayor MacPherson asked for clarification related to road access and connection to the water and sewer systems. Staff indicated these matters would be addressed at the time of permitting.

Deputy Mayor MacPherson asked for clarification on the elevation of neighbouring properties and potential surface water run-off. Staff clarified that the applicant would be required to submit a storm water management report at the time of permitting.

Councillor Lutz asked for clarification if there is a relationship between the height of a building and setbacks on a property. Staff clarified that the Municipality does not have height-specific setback requirements, however the Residential Multi-Unit (R4) Zone has increased setback requirements compared to the Residential Mixed Density (R3) Zone.

On motion of Councillor Gates and Citizen Member Morse, that the Planning Advisory Committee recommends that Municipal Council give First Reading to and hold a Public Hearing regarding the application to rezone a vacant property located on Commercial Street (PID 55210884), New Minas, from the Residential Mixed Density (R3) Zone to the Residential Multi-unit (R4) Zone, as described in Appendix C of the report dated July 14, 2026.

Motion Carried.

8b. Application to rezone the portion of 130 Cornwallis Ave (PID 55206247), New Minas, zoned Residential Multi-unit (R4) to the Institutional (I1) Zone. (File 26-11, Alice Jacob)

Alice Jacob, Planner, presented an application by Jane MacDonald on behalf of Orchard Valley Pastoral Charge to rezone a portion of 130 Cornwallis Avenue, New Minas to permit an illuminated sign.

Questions for Clarification:

A short discussion occurred regarding sewer and water serving for the property, which is within the Village of New Minas service area for both.

On motion of Deputy Mayor MacPherson and Councillor Gates, That the Planning Advisory Committee recommends that Municipal Council give First Reading to and hold a Public Hearing regarding the application to rezone the portion of 130 Cornwallis Ave (PID 55206247), New Minas, zoned Residential Multi-unit (R4), to the Institutional (I1) Zone, as described in Appendix D of the report dated July 14, 2026.

Motion Carried.

8c. Semi-annual Planning and Development Review

Laura Mosher, Manager of Planning Services, presented the Semi-Annual Planning and Development Review.

Questions for Clarification:

Deputy Mayor MacPherson asked for clarification if the impact report of non-farming residential units on A1 farmland will include assessing permissions for secondary dwellings. Staff clarified that it will be included.

Councillor Peckford asked for clarification on what the staff capacity is for handling application files without needing to increase approval time. Staff clarified that the Planning Department has not had issues with capacity to this date and pro-longed timelines are typically a result of response times from external agencies or bodies of jurisdiction.

Councillor Peckford asked for further clarification on timelines for responses from the Department of Public Works. Staff clarified that it can take up-to six months or longer.

On motion of Councillor Gates and Deputy Mayor MacPherson, That the Planning Advisory Committee recommends that Municipal Council receive the results of the mid-year Planning Services review as set out in the report to Planning Advisory Committee dated July 14, 2026.

Motion Carried.

9. Other Business

Planning- Ask Me Anything

Councillor Gates asked if access to the future regional recreation facility is going to be flow-through access from Harrington Road to the main corridor or if it will be 2 separate cul-de-sacs'. Staff highlighted that it is not expected that the project will come through this committee but that the access point(s) will require NS Department of Public Works approvals.

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

1. **Date of Next Meeting** September 8, 2026, 1pm, in Council Chambers.

13. **Adjournment** **On motion of Councillor Gates and Councillor Peckford, there being no further business, the meeting adjourned at 1:54pm.**

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 Land Use By-Law Map Amendment to enable a building and construction contractors use at 2346 Highway 1 (PID 55303846), Auburn

(File #25-11)

September 8th, 2026

Prepared by: Peri Bowman

Applicant	DeWolfe & Morse Surveying Limited
Land Owner	Stephen Peel
Proposal	Rezoning from the Rural Mixed Use (A2) Zone to the Rural Commercial (C4) Zone
Location	2346 Highway 1 (PID 55303846), Auburn
Lot Area	44.88 acres
Designation	Agricultural
Zone	Rural Mixed Use (A2) Zone
Surrounding Uses	Residential and Agricultural
Neighbour Notification	32 letters were sent to neighbouring property owners

1. PROPOSAL

DeWolfe & Morse Surveying Limited, on behalf of Stephen Peel, has submitted an application to rezone a 4.79 acre portion of 2346 Highway 1 (PID 55303846), Auburn from the Rural Mixed Use (A2) Zone to the Rural Commercial (C4) Zone to permit a building and construction contractors use.

The use is currently being undertaken, and this application has been applied for to bring the site into compliance.

The site is currently being used to store materials and supplies by Watton's Concrete. Watton's Concrete would like to build a building to enable

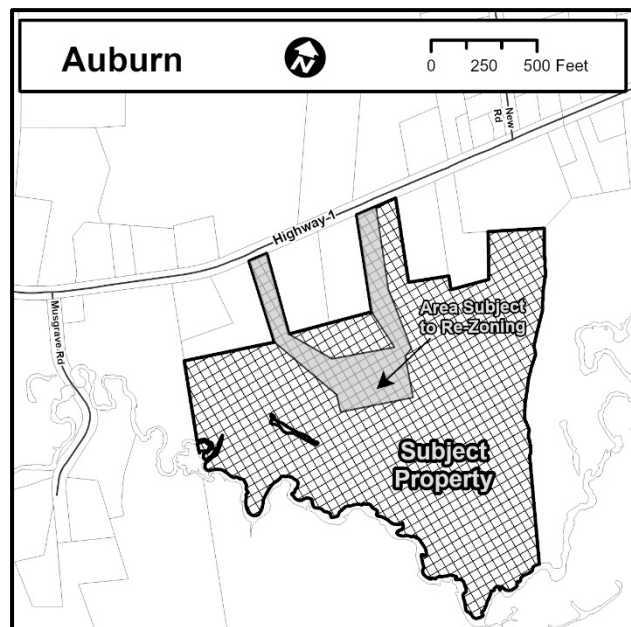


Figure 1: Ad Map

heated indoor storage in winter, but they require their own property and supporting zoning to achieve this goal.

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 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 4.79 acre portion of 2346 Highway 1 (PID 55303846), Auburn from the Rural Mixed Use (A2) Zone to the Rural Commercial (C4) Zone as described in Appendix C of the report dated September 8th, 2026.

4. BACKGROUND

The subject site was purchased by Stephen Peel in 1996. Under Repealed By-Law 75 – Land Use By-Law the subject site was located in the Country Residential (R6) Zone. The Country Residential (R6) Zone did not permit a building and construction contractors use or the equivalent under the definitions of Repealed By-Law 75.

For approximately 10 years, the central area on site has been used by Watton's concrete to store their equipment, materials and forms. Dave Watton has advised (during the Public Information Meeting) that he wishes to construct a heated building for storage during the winter, so has started the process of reaching compliance to enable additional development associated with the existing illegal use. The ultimate proposal would include subdivision to place the building and construction contractors use on its own parcel of land. The ultimate proposal and shape of the proposed area to be rezoned, will be discussed in more detail in the site information section.

In February of 2025, DeWolfe & Morse Surveying Limited applied to rezone a 4.79 acre portion of the subject site from the Rural Mixed Use (A2) Zone to the Rural Commercial (C4) Zone to legalize the existing building and construction contractors use.

5. SITE INFORMATION

The subject site is located directly to the west of the Aylesford Growth Centre in Auburn. The subject site has an overall area of 44.88 acres, with two areas of street frontage. The eastern portion of street frontage is 200 feet in width. The western portion of street frontage is 65 feet in width. The southern boundary of the subject site directly abuts the Annapolis River, with the boundary line reflecting the shape of the riverbank.

The majority of the subject site is located in the Rural Mixed Use (A2) Zone. The southern and western most portions of the subject site are covered by the Environmental Constraints (O1) Zone, as a result of the proximity to the Annapolis River. The Environmentally Sensitive Area overlay covers area further inside the subject site than the Environmental Constraints (O1) Zone. The land directly to the east, inside the Aylesford Growth Centre, is covered by a range of residential zones. The remaining surrounding land to the north of the Annapolis River is a mix of rural residential properties, agriculture and a retail premises (Holland Home Leisure). Land to the south of the Annapolis River is used for agriculture. Appendix A of this report provides a visual representation of the surrounding area.

All of the area proposed to be rezoned is 4.79 acres in area and encompasses the entirety of the western street frontage and half of the eastern street frontage, creating a U-shaped parcel that wraps around 2326 and 2330 Highway 1. Driveway access, providing access to both the existing dwelling and the building and construction contractors use is on the eastern portion of street frontage. The western portion of street frontage is completely vegetated with no vehicle access.

The reasoning behind the layout proposed for rezoning is two fold. The first reason relates to subdivision, the second reason relates to access. When a new lot is proposed, that lot needs street frontage. However, there are circumstances where access to a lot is not through its appointed lot street frontage. This is usually permitted through a right-of-way or easement which is resolved at the time of subdivision. In this case, the applicant wishes to subdivide the existing area used for the building and construction contractors use from the remainder of the site. Figure 2 shows the preliminary subdivision plan between the owner of the land and Watton's Concrete. However, Watton's Concrete does not propose to construct a new driveway, and proposes to continue to use the existing driveway through the eastern portion of street frontage. If the subdivision occurs an easement or right-of-way would permit this method of access. When the application was first received, the area in Figure 2 shown in blue, was the only area proposed to be rezoned. The area shown in blue is 3.21 acres in area. Given it is Watton's Concrete's intent to continue to use the existing driveway for access, Land Use By-Law Section 14.2.1a – Driveway access required an amendment to the area

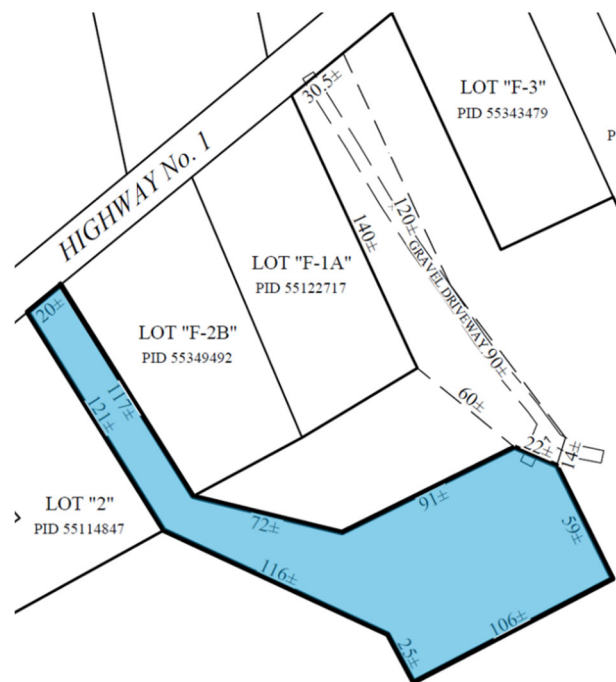


Figure 2: Area proposed to be subdivided and rezoned

The area shown in blue is 3.21 acres in area. Given it is Watton's Concrete's intent to continue to use the existing driveway for access, Land Use By-Law Section 14.2.1a – Driveway access required an amendment to the area

proposed to be rezoned. Land Use By-Law Section 14.2.1a states that 'Outside Growth Centres, driveway access through multiple zones shall only be permitted if the use is a listed permitted use in all zones applied to the property'. As mentioned above, the Rural Mixed Use (A2) Zone does not permit building and construction contractors uses, therefore the area shown in green in Figure 3 was added to the area proposed to be rezoned to permit driveway access to the building and construction contractors use. The area shown in green is 1.58 acres in area (for a total of 4.79 acres proposed to be rezoned). One unit dwellings are a listed permitted use in the Rural Commercial (C4) Zone, so access to the dwelling at the rear of the property by the existing driveway proposed to be rezoned would not be prohibited.

The portion of the subject site that is proposed to be rezoned for the purpose of legalising the existing building and construction contractors use is currently located in the Rural Mixed Use (A2) Zone and is within the Agricultural Designation. In accordance with section 8.4.2.1 (Permitted Uses), the Land Use By-Law (LUB) does not permit the land to be used for the purpose of a building and construction contractors use as-of-right. As such the applicant has applied to rezone a total of 4.79 acres of the subject site to allow for the use and future development.

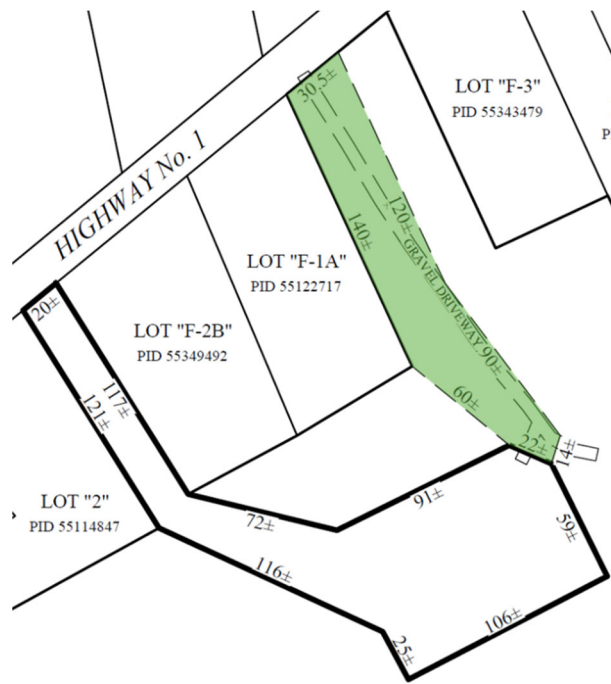


Figure 3: Area proposed to be rezoned to provide access

6. PUBLIC CONSULTATION AND BODIES WITH JURISDICTION

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 concerned a Land Use By-Law Map Amendment for an area greater than 1 acre in size.

On March 12th, 2026, a Public Information Meeting was held at the Aylesford and District Lions Club Hall, with 7 members of the public and the land owner in attendance. A total of 32 property owners within 500 feet of the subject site were notified of the planning application and Public Information Meeting by mail. The Village of Aylesford was notified of the planning application by email. An advertisement providing notice of the planning application was placed on the planning application page of the Municipal website and the Municipality's social media pages.

A video of the PIM slide deck with voiceover from the Planner was made available on the Municipal website in March of 2026 and has been available since that time.

During the meeting, a number of questions were asked about what Dave Watton's plans for the future are, including where the new driveway is proposed, whether chemicals are stored on site, what visible changes are planned (e.g. signage, vegetation clearing or development) and if anything was proposed in proximity to the Annapolis River.

Mr. Watton Advised that the intent of the rezoning was to enable subdivision and development of a heated storage building on land that was already cleared. Mr. Watton advised that any future building was not expected to be visible from Highway 1 and no signage is proposed. No change is proposed to how the site is accessed and Mr. Watton intends to continue to use the existing driveway. No development is proposed outside of the area proposed to be rezoned and is not in direct proximity to the Annapolis River. Mr. Watton advised that the only chemicals that were stored on site is the lubricant which is to stop the concrete sticking to the forms, but the lubricant is not used on site. It is transported to a job site and used there.

There was a question about whether the existing use would impact the subject site's owner's property values. Property values are not considered through a planning application and the contact information for Property Valuation Corporation Services was provided

One neighbour (located on the northern side of Highway 1) made the comment that they could hear traffic on the driveway in the mornings. Another direct neighbour, directly abutting the eastern section of street frontage, advised that he didn't know that Watton's Concrete was located there so did not have any issues with it, as they had not incurred any impact. A further neighbour directly abutting the western street frontage advised that he had no concern with the proposed rezoning.

Consultation with other bodies with jurisdiction: Comments were requested from the Nova Scotia Department of Public Works (DPW), the Aylesford Fire Chief and the Municipality's Building and Enforcement Division.

The Aylesford Fire Chief advised that there is adequate fire protection services and equipment available to serve this proposal.

The DPW did not raise any concerns with the proposed rezoning or raise any concerns regarding traffic hazards, congestion or access to the site.

7. POLICY REVIEW

7.1 Enabling Policy

This application concerns the proposed rezoning of a portion of the subject site from the current Rural Mixed Use (A2) Zone to the Rural Commercial (C4) Zone. Section 5.3, Development Agreements and Amending the Land Use By-Law in the Municipal Planning Strategy (MPS) enables Council to consider this application.

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 site is located within the Agricultural Designation. On this basis, Council can consider rezoning 4.79 acres of the property from the Rural Mixed Use (A2) Zone to the Rural Commercial (C4) Zone since the Rural Commercial (C4) Zone is enabled within the Agricultural Designation in Policy 2.2.2 of the MPS.

MPS Policy 5.3.5 provides more detailed 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;
- 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.

Section 2.2 of the MPS sets out the zone placement policy:

Council Shall:

Policy 2.2.2 establish and enable the following Rural Zones common to the Agricultural and Resources Designation in the Land Use By-Law:

- a. Rural Commercial (C4): lands zoned for commercial uses serving rural industries, visitors, and residents to locate and expand in rural communities.

The existing illegal use has been serving rural residents of Kings County and the wider construction industry for approximately 10 years. Staff observed a new job being discussed by a local resident and Mr. Watton while waiting for the Public Information Meeting to start. The subject site is ideally located just outside of the Aylesford Growth Centre, so it is in proximity to a higher density of development and rural businesses to which Watton's Concrete could provide its services too. The site is also well placed to provide services to the western end of the Municipality of the County of Kings (including Berwick, Kingston and Greenwood).

The size of the site also aids in reducing any impact on neighbouring rural residential uses as the existing use is setback more than 400 feet from the rear of neighbouring dwellings. The proposed area for rezoning does not directly abut the southern boundary of 2326 and 2330 Highway 1. In this case, rezoning only what is reasonably required does mean that there is a portion of land which is zoned the Rural Mixed Use (A2) Zone that is effectively 'land locked' by neighbouring property boundaries and the proposed Rural Commercial (C4) Zone. The proposed rezoning configuration does not prevent the land locked portion of

the site in the Rural Mixed Use (A2) Zoned land from being used, if the proposed use is permitted in both zones. However, the land locked area in Rural Mixed Use (A2) Zone does increase the separation of the use and all other permitted uses in the proposed zone (without considering the access) from rural residents. Noting that a number of the rural residents advised that they had not experienced any disturbances as a result of the use.

By retaining access to the use by the existing driveway, the potential for new land use conflicts is reduced as a new access point for a commercial use will not be introduced where there previously has not been one.

With regard to other uses permitted and their impacts (policy 5.3.5.b), the Rural Commercial (C4) Zone permits a larger range of commercial uses (outlined below) along with a range of agricultural/farm adjacent uses (Agricultural Equipment and Parts Sales and Service, Agricultural Related Industries, Agricultural Uses, Agritainment Uses, Farm Market Outlets and Farm or Vineyard Product Sampling). The proposed change in zone would not prohibit the land from being used for agricultural purposes, just change the type of farming and reduce the accommodation options available (Farm tenements, recreational cabins).

Alongside a range of existing permitted uses the Rural Commercial (C4) Zone permits arts and culture centres, automotive repair, automotive sales and rental, building and construction contractors, business offices, community facilities, crematoria, day care facilities, domestic animal grooming, dry-cleaning depots, educational facilities, emergency services, equipment rental, farm stays, fixed roof overnight accommodation, food and drink production, funeral homes, gas bars, goods and services shops, heavy equipment facilities, household item repair, indoor recreation uses, laundromats, medical and dental clinics, outdoor commercial display, personal service shops, professional trades, restaurants, retail stores, self-storage facilities, storefront recycling facilities, veterinary clinics, visitor information centres and residential units in commercial buildings. The shape of the area proposed to be rezoned for the most part removes the uses from view and limits the interaction between the use and neighbouring rural residences. Access over the existing driveway retains commercial access in its current location and while there are uses in the proposed zone that could have the potential to increase the amount of traffic travelling along the existing driveway (e.g. medical and dental clinics, restaurants, veterinary clinics, etc.), there are existing permitted uses that could have similar levels of vehicular traffic (e.g. agritainment uses, places of worship, agricultural related industry) depending on the scale of operations.

A number of the uses permitted within the Rural Commercial (C4) Zone are Provincially regulated with regard to dangerous goods management, automotive fuel and fuel oil, and petroleum. Beyond that, all new permitted uses would be required to meet the requirements of the Nova Scotia Department of Environment and Climate Change regarding well water consumption and septic systems.

Staff consider this zone placement acceptable as it maintains an adequate buffer from existing rural residential uses and will permit a use that provides a services to residents in the surrounding areas that is not suitable, in scale, to be located in a Growth Centre.

Criteria (c) of Policy 5.3.5 is discussed in section 7.3 of this report and reviewed in detail in Appendix B.

7.2 Municipal Planning Strategy – Supporting Goals, Objectives and Policies

According to the Municipal Planning Strategy (MPS), there are a number of established businesses in rural areas that provide services to those communities, serving both the local population and visitors. The Rural Commercial (C4) Zone was established to acknowledge the existing rural commercial uses and enable commercial uses that serve the needs of rural residents. However, due to unpredictable demand, additional lands are not pre-zoned as Rural Commercial (C4), instead, new Rural Commercial (C4) Zones are typically created through rezoning. The following are the policies within the MPS specific to rural areas and the Rural Commercial (C4) Zone.

Council shall:

Policy 2.2.1 *identify areas located outside of Growth Centres as rural areas on Schedule A – Municipal Structure. These areas are intended to contain primarily agricultural, and resource uses and their related industries, rural commercial uses, rural industrial uses, recreational uses, renewable energy uses and limited residential development.”*

Further to this policy 2.2.7 also states:

Council shall:

Policy 2.2.7 *zone as Rural Commercial (C4) areas with existing rural commercial businesses and areas intended to contain commercial businesses serving the rural community and visitors;*

Rural areas comprise over 80% of the lands in Kings County. Although development is restricted within these areas, they still include agricultural, resource, rural industrial and commercial uses, and rural residents with needs that require concrete. The Rural Commercial (C4) Zone is the only zone specifically established to permit commercial uses within the Agricultural and Resource Designations. It is Staff's opinion, that the subject site is an ideal location for a use which will support rural and urban development in the area, without removing productive agricultural land from use.

As a commercial use, it aligns with the Municipal Planning Strategy's (MPS) economic development goals. Within section 2.5, Economic Development, the goal states, *“To sustain the Municipality's diverse economic base, and encourage entrepreneurship and innovation”*. Permitting a building and construction contractors use within the Rural Commercial (C4) Zone would be consistent with this goal to diversify the economic base and promote entrepreneurship.

The amendment will also be consistent with transportation objectives mentioned within Section 2.2 Rural Areas which states, *“To use the existing rural road network efficiently and provide opportunities for recreational trails”* and Section 2.3 Transportation which states, *“To efficiently use transportation infrastructure by encouraging greater development densities along transit routes and major transportation routes”*. Permitting a building and construction contractors use within rural areas would help make efficient use of the existing transportation network and place commercial traffic on an existing main thoroughfare.

Beyond the goals and objectives, the MPS includes a number of policies for consideration in relation to rezoning to the Rural Commercial (C4) Zone, including Policy 2.2.11, which states that:

Council shall:

Policy 2.2.11 *consider proposals to rezone land within the Agricultural or Resources Designation from any other zone, except lands within the Agricultural (A1) Zone, to the Rural Commercial (C4) Zone. In evaluation such proposals, Council shall be satisfied that the proposal:*

- a. Limits the rezoning to the size reasonably required to accommodate the proposal, including any proposed phasing*
- b. Meets any specific criteria in the designation applicable to the lot. For the Agricultural Designation the criteria are in section 3.4...; and*
- c. Meets 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;*

The policy mentioned in Policy 2.2.11.b is Policy 3.4.23, which states that Council Shall:

Policy 3.2.23 *consider rezoning from the Rural Mixed Use (A2) Zone to the ... Rural Commercial (C4) Zone... In considering such amendments, Council shall be satisfied that:*

- a. The application only applies to:*
 - a. Land that has not been in recent agricultural production as determined through a review of diverse information sources including, but not limited to:*
 - i. Schedule F – 2012 Land Cover Map;*
 - ii. Aerial photography;*
 - iii. Assessment information;*
 - iv. Local knowledge; and/or*
 - v. Any other relevant sources that become available*
 - b. The proposal would not rezone more land than required for the specific proposal cited in the application;*
 - c. Will not create undue conflict with nearby agricultural uses or rural residential uses; and*
 - d. Meets the general Land Use By-Law amendment criteria set out in section 5.3 Development Agreements and Amending the Land Use By-Law.*

As discussed above in section 5 and 7.1 the unusual shape of the area proposed to be rezoned encompasses the area being used by the existing building and construction contractors use, the proposed lot frontage and the existing method of access to the area. Rezoning the existing method of vehicle access reduces the potential for land use conflicts by keeping the commercial traffic where it currently is and where neighbours are not currently being impacted by the use, rather than introducing a new point of commercial access amongst existing rural residential uses. Staff are comfortable that only the area reasonably required for the use and to provide access to the use is proposed to be rezoned.

The subject site is not identified as being in agricultural production on the Schedule F – 2012 Land Cover Map and aerial imagery from April, 2011 confirms the land was not in agricultural production at that time. Property Valuation Corporation Services has the property identified for residential assessments. The subject site was not being used for agricultural purposes prior to the building and construction contractors use commencing, so the use did not remove any productive agricultural land from use.

The subject use is separated from nearby agricultural uses by significant areas of vegetation, the Annapolis River, rural residential uses and Highway 1. There are not expected to be any impacts on nearby agricultural uses. As discussed above, any impacts on neighbouring rural residential uses are mitigated by the separation distance, vegetation buffer and keeping access to the use in its current location where it is not currently having any adverse impact.

Criteria (c) of Policy 2.2.11 is discussed in section 7.3 of this report and reviewed in detail in Appendix B.

7.3 General Criteria

MSP Policy 5.3.7 contain the criteria to be used when considering all applications for rezoning and development agreement proposals. These criteria consider the proposal's impact on the road network, services, environment, finances, access to emergency services, impact on neighbouring farming operations and the proposals consistency with the intent of the Municipal Planning Strategy. It is Staff's opinion that the proposal meets the general criteria. There are no costs to the Municipality due to the proposed rezoning and the development raised no concerns regarding emergency services, road network or land use compatibility. These criteria are reviewed in detail in Appendix B.

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. The proposal will promote economic growth in a manner that is sensitive to the surrounding rural residential uses and constraints of the land. As a result, Staff are forwarding a positive recommendation to the Planning Advisory Committee.

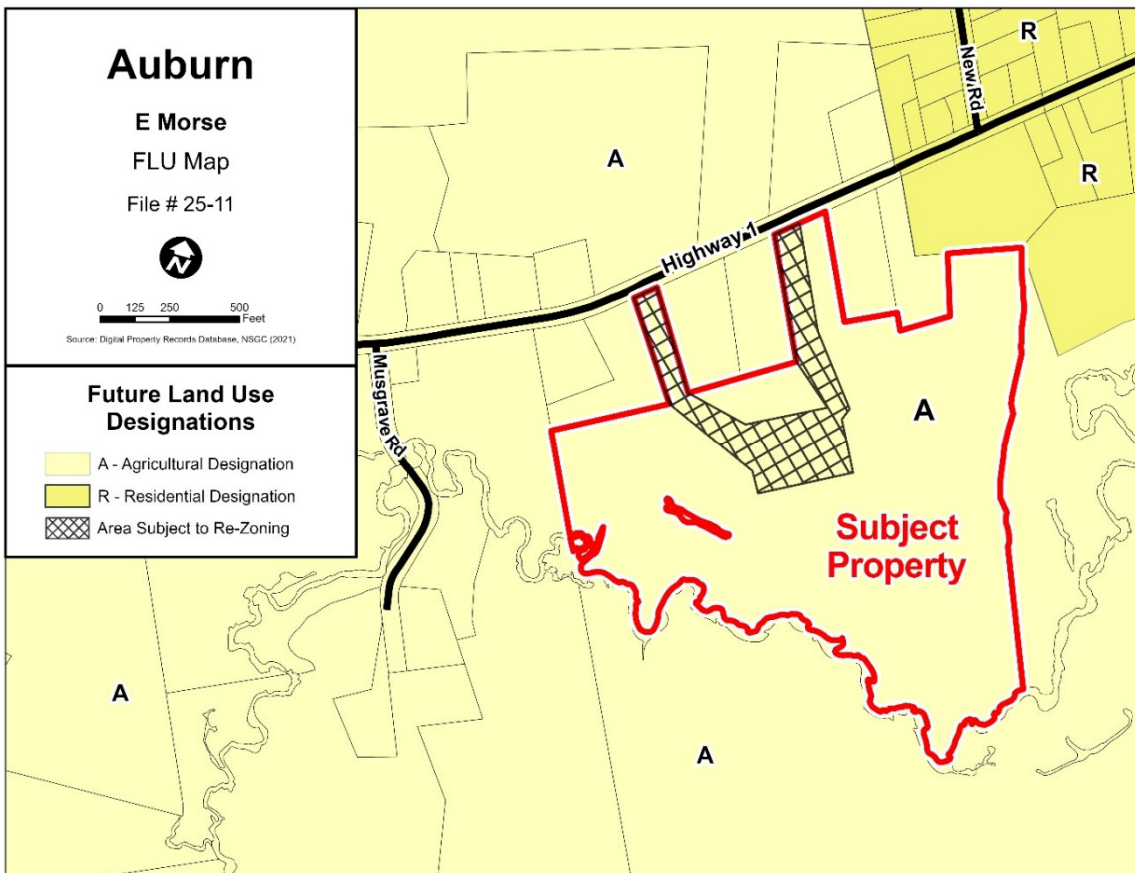
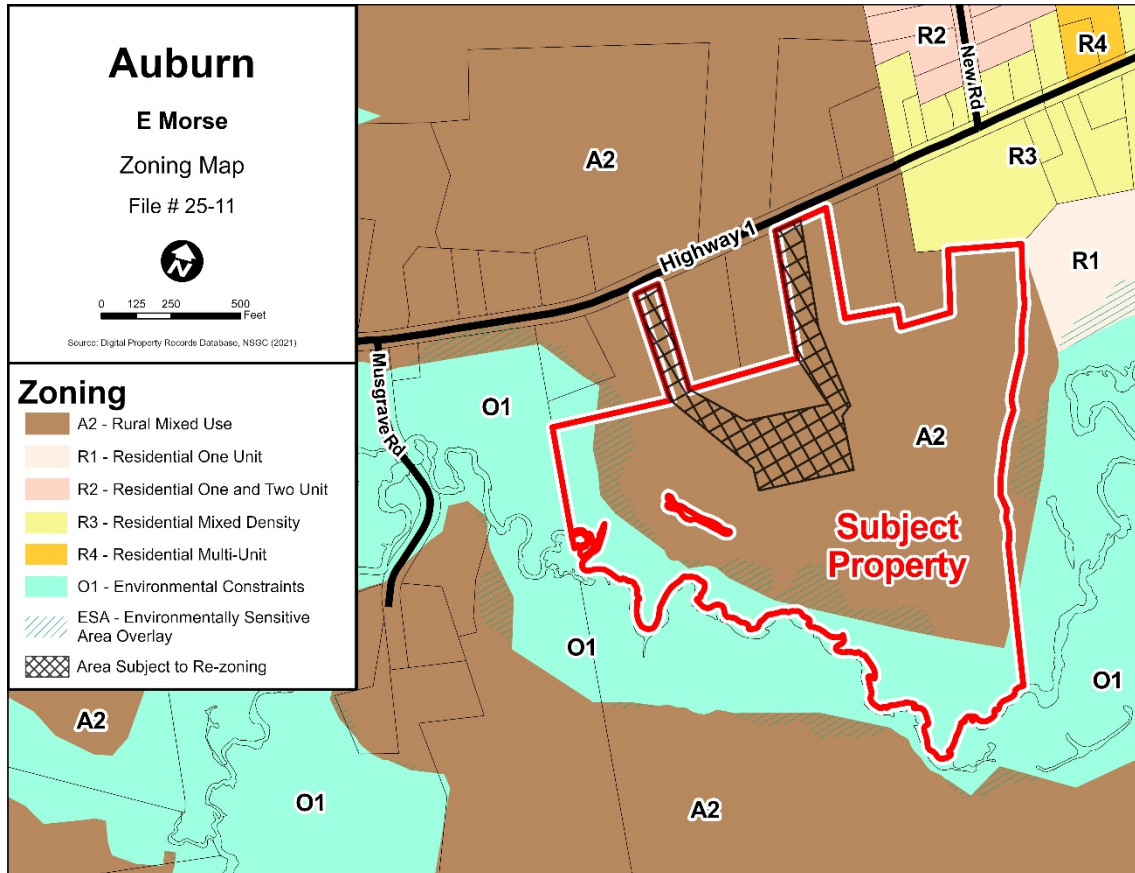
9. APPENDICES

Appendix A – Future Land Use Map

Appendix B – Municipal Planning Strategy (By-Law #105), Section 5.3 – General Criteria to consider all Development Agreements and Land Use By-Law Amendments

Appendix C – Proposed Land Use By-Law Map Amendment

Appendix A – Maps



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 the Strategy.

Council shall be satisfied that a proposal to amend the Land Use By-Law or 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.
<i>ii. land use compatibility with surrounding land uses;</i>	The directly surrounding uses are Residential and Agricultural. The proposed continued access over the existing driveway on the eastern frontage and the setback of the use from the neighbouring rural residential uses reduces the likelihood of impacts and does not introduce new land use conflicts where there weren't previously. Neighbouring agricultural uses are separated from the site by the Annapolis River and Highway 1. There are not expected to be any land use compatibility issues caused by the proposed rezoning.
<i>iii. the adequacy and proximity of school, recreation and other community facilities;</i>	Not applicable
<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 Aylesford Fire Chief has confirmed the adequacy of fire services and equipment for the property.

vi. <i>the adequacy of sewer and water services;</i>	The site is not connected to Municipal water or sewer services. The site is reliant on well water supply and septic systems for waste water. The property owner will be responsible for ensuring these services meet Provincial requirements.
vii. <i>the potential for creating flooding or serious drainage problems either within the area of development or nearby areas;</i>	Property owners are required to ensure that the post-development flow does not exceed the pre-development flow. Given the size of the site there are not expected to be any drainage problems as a result of the use.
viii. <i>negative impacts on identified wellfields or other groundwater supplies for the area;</i>	The property is not within any wellfield protection overlay.
ix. <i>pollution, in the area, including but not limited to, soil erosion and siltation of watercourses; or</i>	The property owner is required to follow provincial guidelines related to soil erosion during future development.
x. <i>negative impacts on lake water quality or nearby wetlands;</i>	The subject property is not located in proximity of any lakes.
xi. <i>negative impacts on neighbouring farm operations;</i>	The proposal is not expected to impact any area farming operations.
xii. <i>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 property is considered suitable in terms of grades, soils, geological conditions, and proximity to natural features and rights-of-way.

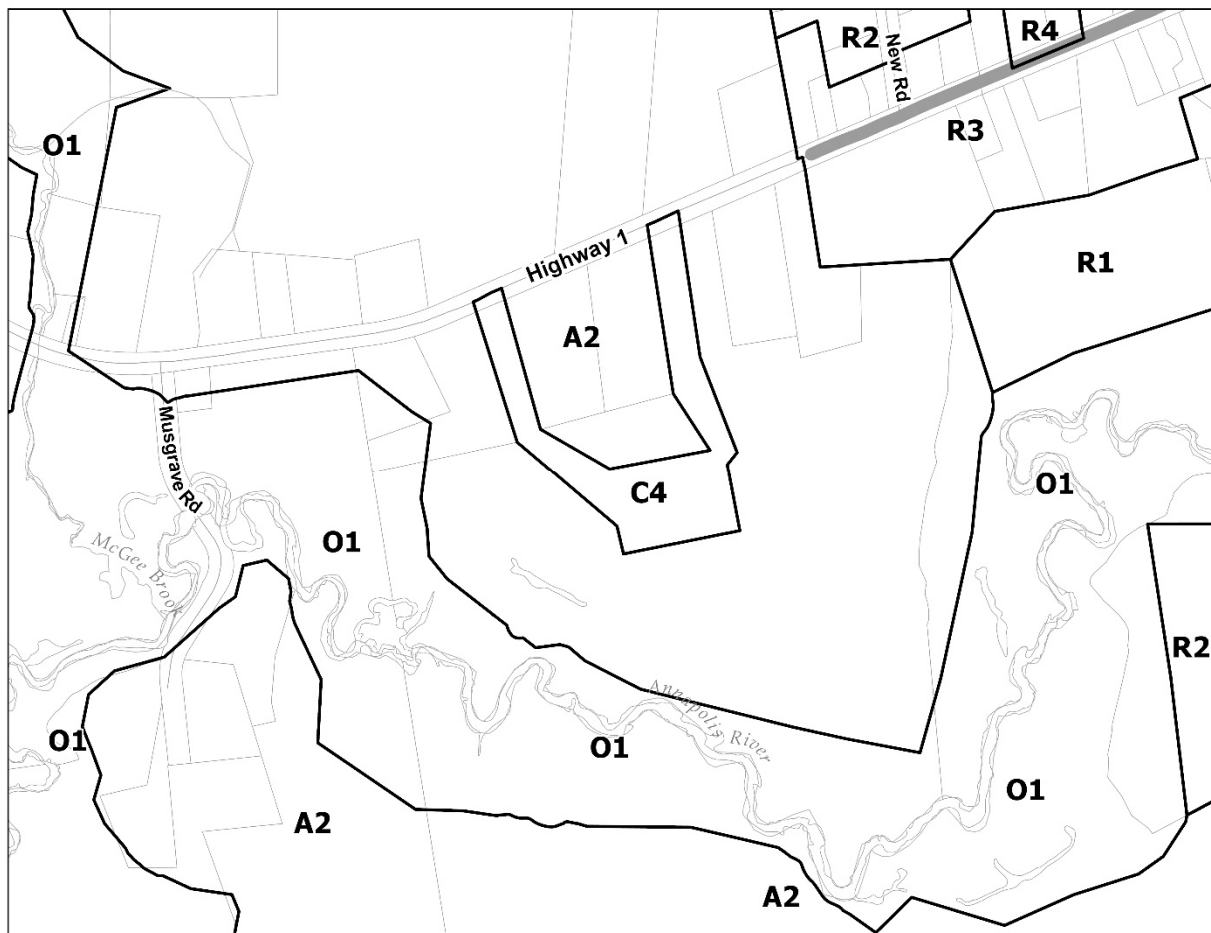
Appendix C – Draft Land Use By-Law Map Amendment (By-Law 106)

THE MUNICIPALITY OF THE COUNTY OF KINGS

**AMENDMENT TO BY-LAW 106
COUNTY OF KINGS LAND USE BY-LAW**

By-Law Map Amendment to rezone 4.79 acres of 2346 Highway 1 (PID 55303846), Auburn from the Rural Mixed Use (A2) Zone to the Rural Commercial (C4) Zone.

1. Amend Map 13 – Rural Zoning, to rezone 4.79 acres of 2346 Highway 1 (PID 55303846), Auburn from the Rural Mixed Use (A2) Zone to the Rural Commercial (C4) Zone as shown on the copy of a portion of Map 13 below.



Municipality of the County of Kings

Report to the Planning Advisory Committee

Application to rezone 1016 Main Street (PID 55122550), Kingston, from the Residential One and Two Unit (R2) Zone to the Residential Multi-unit (R4) Zone for permit multi-unit dwellings.

File: #26-08

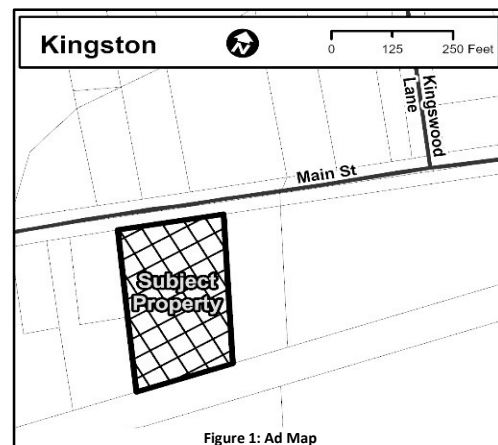
Date: September 8, 2026

Prepared by: Melissa Chunick, Planner

Applicant	Macall Robinson
Landowner	Emily Peckford
Proposal	To rezone the subject property from the Residential One and Two Unit (R2) Zone to the Residential Multi-unit (R4) Zone to permit the construction of multi-unit dwellings.
Location	1016 Main Street (PID 55122550,), Kingston
Lot Area	1.56 acres
Designation	Residential Designation
Zone	Residential One and Two Unit (R2) Zone
Surrounding Uses	Residential
Neighbour Notification	Neighbouring Properties within a 500-foot radius: 20 letters were sent to neighbouring property owners. Municipalities/Villages/Towns within a 5-kilometre radius: Letters sent to the Village of Kingston, Village of Greenwood, and Annapolis County.

1. PROPOSAL

Macall Robinson on behalf of Emily Peckford has applied for a Land Use By-law Map Amendment to rezone 1016 Main Street (PID 55122550), Kingston, from the Residential One and Two Unit (R2) Zone to the Residential Multi-unit (R4) Zone to permit the construction of multi-unit dwellings. The application currently proposes the development of 32-units in four multi-unit dwellings.



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 the property located at 1016 Main Street (PID 55122550), Kingston, from the One and Two Unit (R2) Zone to the Residential Multi-unit (R4) Zone to permit the development multi-unit dwellings as described in Appendix C of the report dated September 8, 2026.

4. BACKGROUND

The subject property was created predating subdivision control by way of deed, and the current owner acquired the property in 2016. The applicant intends to develop 32-units in multiple multi-unit dwellings. The Residential One and Two Unit (R2) Zone permits a variety of residential uses but does not permit the development of a multi-unit dwelling, thereby necessitating the rezoning to enable the proposed use. The proposed Residential Multi-unit (R4) Zone would allow for different built form where multiple units could be contained within fewer structures.

In March of 2026, Staff received an application from Macall Robinson on behalf of Emily Peckford to rezone the subject property from the Residential One and Two Unit (R2) Zone to the Residential Multi-unit (R4) Zone to permit the development of multi-unit dwellings, which are not permitted uses under the current Residential One and Two Unit (R2) Zone.

5. SITE INFORMATION

Staff conducted a site visit on April 24, 2026. The subject property is located on the eastern side of Kingston and falls within the Growth Centre and Village boundary. The subject property has an area of approximately 1.56 acres and is located on the south side of Main Street with approximately 219 feet of road frontage. There is currently a dwelling and shed on the subject property, which would be removed prior to construction. There is also an existing access that runs along the west property line of the site. As the proposal is for the units to be contained in four structures, the applicant intends to provide access to

the property through a new driveway access, which would be located towards the centre of the existing frontage. The topography of the property is generally flat.

The surrounding area is predominantly developed with low density residential uses. Figure 2 shows the zoning of the area. The subject site and the properties that surround Main Street in this area are zoned under the Residential One and Two Unit (R2) Zone. The rear of the subject property has a treed buffer beyond which is the Kingston Rail Trail, which falls under split zoning between Residential One and Two Unit (R2) Zone and the Comprehensive Neighbourhood Development (R5) Zone. The properties to the south are located in the Comprehensive Neighbourhood Development (R5) Zone. Properties in this zone are intended to enable large-scale, comprehensively-planned residential developments through development agreements.

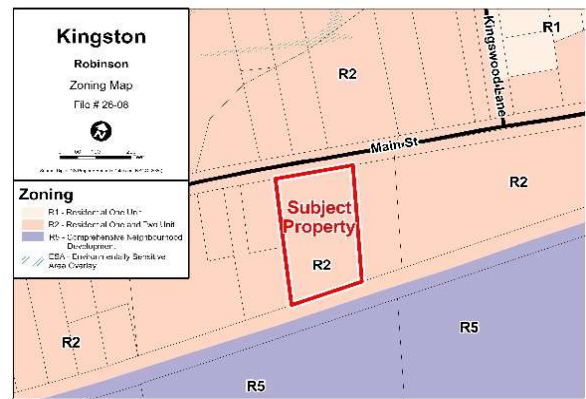


Figure 2: Zoning Map

6. PUBLIC CONSULTATION

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 a Land Use By-law map amendment to rezone a property measuring more than an acre in area. Notification letters were sent out to 20 property owners within a 500-foot radius of the subject property seeking comments and feedback on the proposed Land Use By-law map amendment. The Public Information Meeting was held on Thursday, May 21, 2026, in Municipal Council Chambers. The Planner's presentation was recorded following the meeting and was posted on the Municipal website, where it has been available for viewing since. The meeting was attended by 1 member of the public, in addition to the applicant and the Mayor. While Staff noted all the questions received, only those that are within the scope of the proposed rezoning are summarized below:

- **Uses Permitted:** A question was asked regarding what uses the proposed Residential Multi-unit (R4) Zone permits in addition to the use the applicant has proposed in the case the use was to change in the future. Staff outlined the uses permitted as listed in the Land Use By-law and that any applicable regulations at the time of permitting would have to be met.
- **Potential Density:** Staff were asked what the property can handle with regards to density. Staff advised that the developability is determined through a minimum lot area per unit calculation and while this calculation would yield up to 37-units, Staff advised that the actual number would have to factor in additional requirements related to setbacks, parking requirements, amenity space requirements and other applicable regulations at the time of permitting.

Village Commission Meeting: The application was presented to the Kingston Village Commission on Wednesday, July 8, 2026. The Village Commission provided a positive recommendation to the proposal. Questions and Comments during the meeting included:

- What is proposed with regard to unit count and appearance: Staff advised that 32-units are proposed, but that the application is not held to a site plan and that elevations were not required. In addition, Staff advised the proposed unit count could change based on other requirements of the Land Use By-law.
- The Commission expressed the demand for more housing and provided general support for growth in the area to support the growing community.
- Questions regarding how the proposed use is compatible with the existing neighbourhood: Staff advised that during our review we review the compatibility of the proposed use, the proposed zone, and the uses the proposed zone permits. This review is contained in Section 7 and Appendix B below.

7. POLICY REVIEW

7.1 Enabling Policy

This application concerns the proposed rezoning of land from the current Residential One and Two Unit (R2) Zone to the proposed Residential Multi-unit (R4) 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 Residential Designation. On this basis, Council can consider rezoning the property from the Residential One and Two Unit (R2) Zone to the Residential Multi-unit (R4) Zone since the proposed zone is enabled in the Residential Designation in policy 3.1.3 of the Municipal Planning Strategy, which lists all the zones permitted in the 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.*

Section 3.1 discusses policies related to residential neighbourhoods of the Municipality and sets out the zone placement policy:

Council shall:

Policy 3.1.1 *designate as Residential, areas located within Growth Centres where the maintenance and development of residential neighbourhoods is encouraged. It is intended to contain primarily residential uses and may also include home-based businesses, compatible small-scale commercial, service and office uses as well as open space areas;*

Policy 3.1.2 *establish the following Residential Zones in the Land Use By-law:*

- (d) Residential Multi-unit (R4): lands located in this zone are intended for the development of housing in higher density building types in strategic locations such as near main transportation corridors, and near employment and commercial areas. This zone is intended to include residential units at a higher density in a variety of building types.*

The subject property is currently designated for residential uses. Both the current zone and the proposed zone fall under the Residential Designation. As such, the proposed rezoning will maintain the intent of the Residential Designation in line with the Municipal Planning Strategy, which is to “*identify lands where the development of complete residential neighbourhoods is promoted and prioritized over other land uses*”.

The subject property is located within an existing residential area within the Kingston Growth Centre and along a main transportation route in the Municipality. The property possesses an opportunity for infill development within an established residential community, where existing services can be utilized. While the applicant has proposed 32-units, the proposed zone could accommodate up to a maximum of 37-units, but would be subject to all other applicable requirements, such as parking, amenity space, and setbacks, which ultimately would determine and restrict the total number of residential units permitted. This property would benefit from the flexible development options and building forms permitted through the Residential Multi-unit (R4) Zone. It is of Staff’s opinion that the proposal meets the zone placement policies.

With respect to Municipal Planning Strategy 5.3.5, the proposed rezoning introduces a small number of additional non-residential uses that are permitted on the subject property. The Residential One and Two Unit (R2) Zone permits non-residential uses including Agricultural Uses – Existing, Community Facilities, Indoor Recreational Facilities, and Places of Worship. The proposed Residential Multi-unit (R4) Zone additionally permits Business Offices, Medical and Dental Clinics and Retail Stores. While the proposed zone permits these additional non-residential uses, they must be on the ground floor of a multi-unit dwelling and cannot surpass the maximum size outlined in the zone. In addition, if any of those uses are implemented, they count as a unit towards the maximum number of residential units that are permitted in the multi-unit dwelling.

As for residential uses, the Residential Multi-unit (R4) Zone permits grouped dwellings, multi-unit dwellings, one-unit dwellings, residential facilities, semi-detached dwellings, townhouses, and two-unit dwellings in comparison to the current Residential One and Two Unit (R2) Zone, which only permits grouped dwellings, one unit dwellings, semi-detached dwellings, and two-unit dwellings. The application proposes the development of multi-unit dwellings, which are not permitted in the Residential One and Two Unit (R2) Zone but are permitted in the Residential Multi-unit (R4) Zone.

Policy 5.3.7 outlines the general criteria that must be used when considering all applications for rezoning and development agreement proposals. These criteria consider 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 proposal would not create additional costs for the Municipality and 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.

The proposed rezoning to the Residential Multi-unit (R4) Zone would enable the applicant to develop any of the housing options permitted within the zone, which is consistent with Council's Vision to *"enable and encourage a diversity of housing throughout the region"*. This intention is also discussed within *Section 3.1 Residential Designation*, where the objective for Healthy Communities aims *"to provide a wide range of housing choices, including housing affordability"*. Further to this, the settlement priority within the same section also states, *"to accommodate a wide range of housing options, including opportunities for mixed uses and increased densities in areas where urban services are efficient to deliver"*.

With regard to location, *Section 1.1 Vision* states that one of the priorities for settlement is to “*concentrate new commercial and residential development, including mixing uses, in the Growth Centres with clearly defined boundaries*”. 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 and would enable a planned and efficient use of land compatible with the intention of the MPS. Within the same section, the theme of Agricultural/Rural and Natural Areas also states, “*to protect agricultural land and rural character by directing development to clearly defined Growth Centres*”. The proposed rezoning would enable more developments to be concentrated within the Growth Centre of Kingston and would be compatible with the above intention.

Any future development on the property can be efficiently serviced by the existing sewer infrastructure, and this would be consistent with Council’s goal to maximize infrastructure efficiencies. In the theme of Settlement for *Section 2.3 Infrastructure*, it contains an objective that aims “*to make effective use of existing infrastructure located within Growth Centres*”. The proposal is located in an existing residential area, and the Village of Kingston’s Public Works Department confirmed the property is suitable for sewer service. The MPS discusses that Council recognizes the use of existing services as cost-effective.

Kingston Secondary Plan

The Municipal Planning Strategy includes Secondary Plans to address the specific needs of individual communities. The Kingston Secondary Plan assists Council in making decisions regarding housing, business, institutions, and recreation specific to Kingston. The Secondary Plan includes goals and objectives related to stormwater management. One of the objective states, “*to ensure development does not increase flood risk on the development property and on adjacent, upstream, or downstream lands*”. The applicant will be required to submit a stormwater management plan at the time of permitting. The plan will be required to show that the post-development flow does not exceed the pre-development flow. In addition, the Secondary Plan also includes objectives related to sewer, one of which states, “*to control development by ensuring new development connects to central sewer services*”. As mentioned above, Public Works for the Village of Kingston confirmed the property is suitable for sewer service.

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 related to rezoning land in the Residential Designation to permit the development of multi-unit dwellings. As a result, Staff are forwarding a positive recommendation to the Planning Advisory Committee.

9. APPENDICES

Appendix A – Maps

Appendix B – Municipal Planning Strategy (By-Law #105), Section 5.3 – General Criteria 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

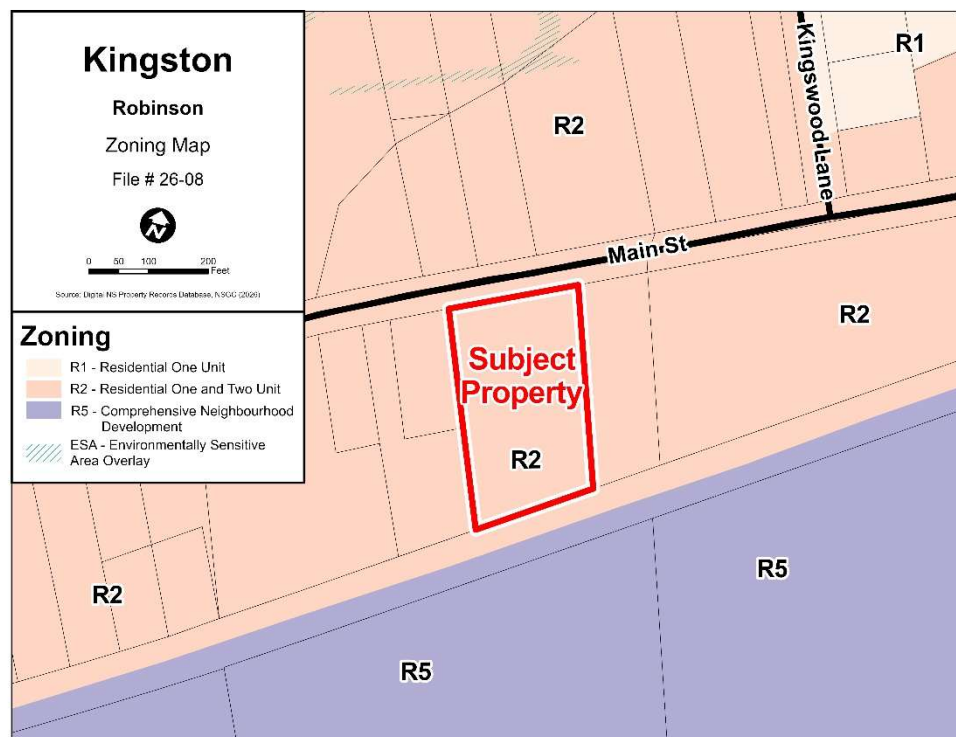


Figure 2: Zoning Map

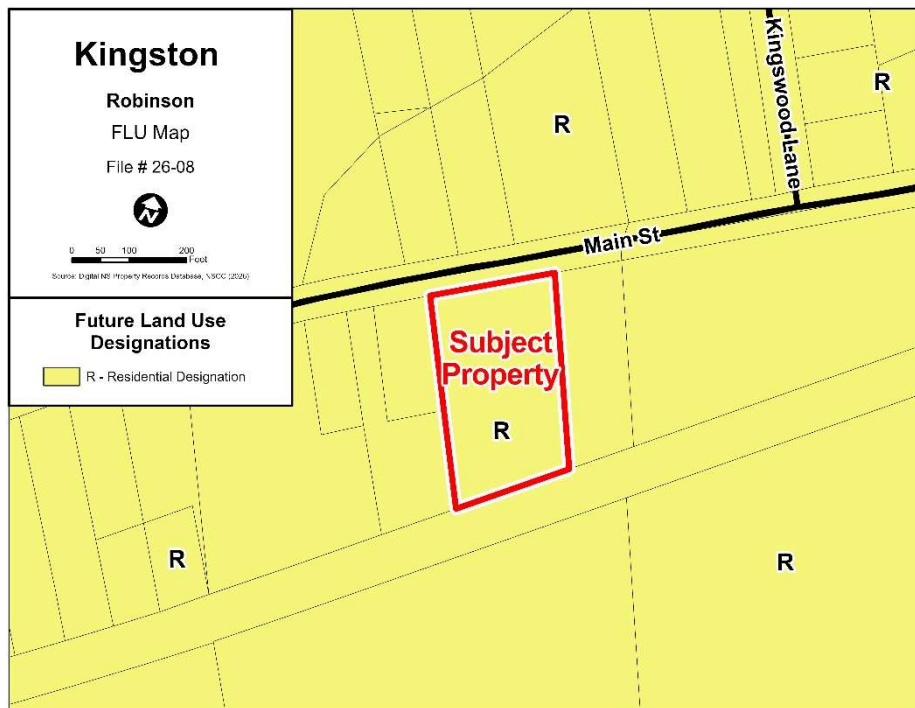


Figure 3: Future Land Use Designations Map

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 surrounding uses are residential. The proposed residential units (in the form of multi-unit dwellings) will not conflict with the existing residential dwellings on neighbouring properties as the number of units proposed is not an increase in permitted units from the current zone.
<i>iii. the adequacy and proximity of school, recreation and other community facilities;</i>	The subject property is in proximity (within a 4-minute drive) to the Kingston and District School, Pine Ridge Middle School and West Kings District High School. The site is in proximity to the Kingston Lions Club, which provides community facilities and activities throughout the year. The Kingston Rails Trail is located to the south with access in proximity to the property. The Kingston and District School provides areas for recreation.
<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 have advised they do not have any comments or concerns regarding the proposal.

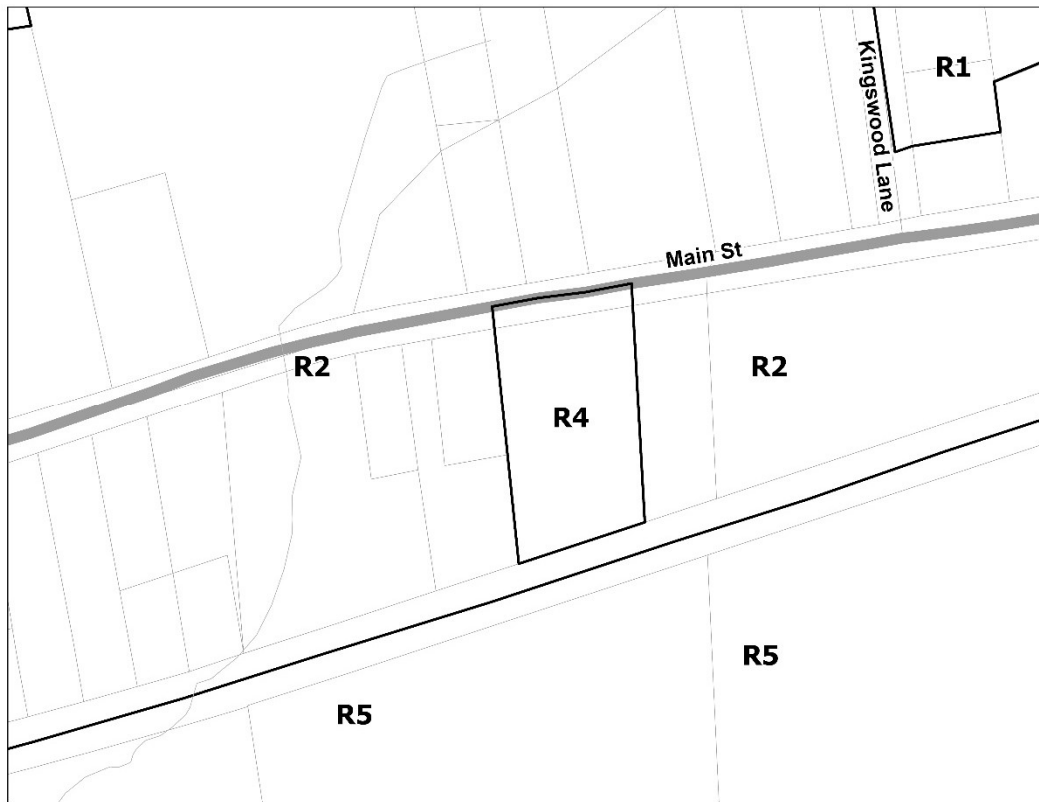
v. <i>the adequacy of fire protection services and equipment;</i>	The Kingston Fire Chief advised that fire protection services and equipment are adequate to serve this proposal.
vi. <i>the adequacy of sewer and water services;</i>	The Village of Kingston Public Works Department stated they do not have any concerns relating to sewer for this proposal.
vii. <i>the potential for creating flooding or serious drainage problems either within the area of development or nearby areas;</i>	Uses permitted through the proposed rezoning are not expected to generate flooding or drainage issues. The applicant will be required to submit a storm water management plan at the time of permitting.
viii. <i>negative impacts on identified wellfields or other groundwater supplies for the area;</i>	Not applicable as this property is not located within a wellfield protection overlay.
ix. <i>pollution, in the area, including but not limited to, soil erosion and siltation of watercourses; or</i>	The property owner is required to follow provincial guidelines related to soil erosion during development.
x. <i>negative impacts on lake water quality or nearby wetlands;</i>	Not applicable as the proposal is not in proximity to any lakes or wetland areas.
xi. <i>negative impacts on neighbouring farm operations;</i>	The proposal is not expected to impact any farming operations in the area.
xii. <i>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 property is suitable in terms of grades, soils, geological conditions, and proximity to natural features and rights-of-way.

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 PID 55122550, 1016 Main Street, Kingston, from the Residential One and Two Unit (R2) Zone to the Residential Multi-unit (R4) Zone.

1. Amend Map 8 – Kingston Zoning, to rezone PID 55122550, 1016 Main Street, Kingston, from the Residential One and Two Unit (R2) Zone to the Residential Multi-unit (R4) Zone as shown on the copy of a portion of Map 8 below.



Appendix D – Site Photos



Image 1: Looking West along Main Street from the existing driveway of the subject site.



Image 2: Looking east along Main Street from the existing driveway of the subject site.



Image 3: Looking at the site and the existing dwelling on the site.



Image 4: Looking at the site and existing driveway. The development seen on the left is an adjacent property under different ownership.



Image 5: Looking at therear yard as bordered by a fence on the right, treed buffer at the rear and neighbouring development on the left.

Municipality of the County of Kings

Report to the Planning Advisory Committee

Application to rezone a vacant parcel on Lydiard Road (PID 55325609), Centreville, from the Residential One Unit (R1) Zone to the Residential Mixed Density (R3) Zone

File: #26-10

Date: September 8, 2026

Prepared by: Melissa Chunick, Planner

Applicant and Landowner	Ian Doucet
Proposal	To rezone the subject property from the Residential One Unit (R1) Zone to the Residential Mixed Density (R3) Zone to permit the construction of a four-unit dwelling.
Location	Lydiard Road (PID 55325609), Centreville
Lot Area	1.44 acres
Designation	Residential Designation
Zone	Residential One Unit (R1) Zone
Surrounding Uses	Residential
Neighbour Notification	Neighbouring Properties within a 500-foot radius: 57 letters were sent to neighbouring property owners. Municipalities/Villages/Towns within a 5-kilometre radius: Letter was sent to the Town of Kentville

1. PROPOSAL

Ian Doucet has applied for a Land Use By-law Map Amendment to rezone a vacant parcel located on Lydiard Road, Centreville, from the Residential One Unit (R1) Zone to the Residential Mixed Density (R3) Zone to permit the development of a four-unit dwelling.

2. OPTIONS

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

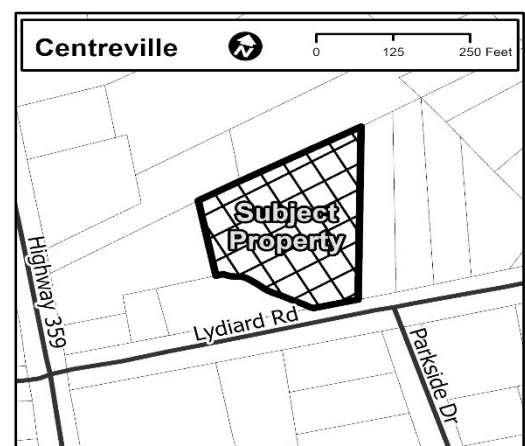


Figure 1: Ad Map

- 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 vacant parcel on Lydiard Road (PID 55325609), Centreville, from the Residential One Unit (R1) Zone to the Residential Mixed Density (R3) Zone to permit the development of a four-unit dwelling as described in Appendix C of the report September 8, 2026.

4. BACKGROUND

The subject property was acquired by the current owner in 2023. The applicant intends to construct a four-unit dwelling within one structure. The current Residential One Unit (R1) Zoning permits a one-unit dwelling, two secondary suites, and an accessory structure on each lot, for a total of four-units. Secondary suites were introduced as a use to the Residential One Unit (R1) Zone in 2025 and accessory dwellings were introduced in 2023. While the current zone permits four-units, it does not permit all units to be in one structure, and each unit type must meet its own regulations and building code requirements, further limiting development.

In April of 2026, Staff received an application from Ian Doucet to rezone the subject property from the Residential One Unit (R1) Zone to the Residential Mixed Density (R3) Zone to permit a four-unit dwelling (multi-unit dwelling) within a single structure, which is not currently permitted under the current Residential One Unit (R1) Zone.

5. SITE INFORMATION

Staff conducted a site visit on May 7, 2026, with the applicant owner. The subject property is located within the Centreville Growth Centre. The irregularly shaped, vacant property is 1.44 acres in area and is located on the north side of Lydiard Road with 75 feet of road frontage.

The topography of the property is generally flat. There is a watercourse that runs through the property in a north-south direction. The land on either side of the watercourse slopes downward toward the watercourse. Due to the watercourse, the applicant proposed to develop the dwelling and driveway access in the eastern portion of the subject property. There is currently no existing driveway access.

An Environmentally Sensitive Area (ESA) Overlay applies to the rear of the property. This overlay is applied in areas not previously zoned as Environmental Constraints (O1) that have steep slopes greater than 20 per cent, around watercourses, and ravines within Growth Centres where development could contribute to erosion, sedimentation and flooding issues. With regard to the subject property, the overlay is applied due to steep slope. Development within the overlay must comply with the Land Use By-law, including additional engineering design requirements for new buildings and additions. Property owners are responsible for all risks associated with development, including the effectiveness of flood protection measures and impacts on neighbouring properties.

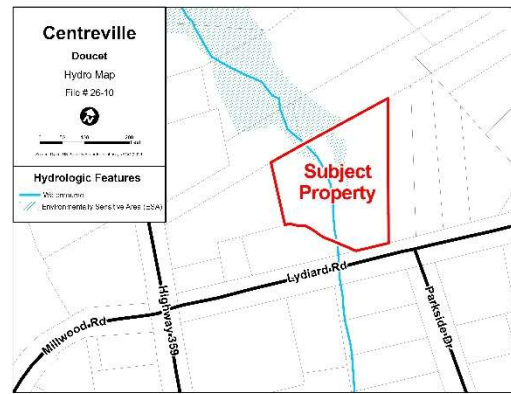


Figure 2: Hydrographic Features Map

Figure 2 shows the zoning surrounding the subject property. The area contains a mix of residential development densities, although most properties are developed with low-density uses. The subject property and most properties on Lydiard Road are zoned Residential One Unit (R1). Lydiard Road is approximately 0.36 kilometres long and extends between Highway 359 to the west and Sherman Belcher Road to the east. Additional zones in the area include the Residential One and Two Unit (R2), Mixed Commercial Residential (C3), Residential Mixed Density (R3) Zone and Residential Multi-unit (R4) Zones.

6. PUBLIC CONSULTATION

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 a Land Use By-law map amendment to rezone a property measuring more than an acre in area. Notification letters were sent out to 57 property owners within a 500-foot radius of the subject property seeking comments and feedback on the proposed Land Use By-law map amendment. The Public Information Meeting was held on Thursday, June 11, 2026, in Municipal Council Chambers. The Planner's presentation was recorded following the meeting and was posted on the Municipal website, where it has been available for viewing since.

The meeting was attended by 11 members of the public, in addition to the applicant and the Mayor. While Staff noted all the questions and concerns received, only those that are within the scope of the proposed rezoning are summarized below. The following summary outlines the main concerns raised by the public before, during, and after the meeting:

- **Density:** Discussion focused on permitted density and the potential impacts of the proposal. Questions included the number of structures and units permitted, how many similar rezonings have occurred in the area, the suitability of the proposed upzoning, and concerns that while the proposal is for four-units, the proposed zone could permit more. Staff explained that the proposed use does not propose a density greater than what is already permitted but allows it in a different built form. In addition, the proposal is in an area that has properties with medium to high density and is appropriate for the density as it can utilize existing services.
- **Drainage:** Neighbouring residents raised concerns about potential drainage impacts, noting past sewage backups and asking who would pay for any infrastructure upgrades. Staff requested an investigation by the Municipality's Engineering and Public Works Department, which identified and cleared a couple blockages in the sewer line. Staff also explained that future infrastructure costs can be estimated through asset management, and the new Municipal Deed Transfer Tax helps build reserves to reduce the need for significant increases.
- **Well Water:** A neighbouring property owner expressed concerns that construction could affect their well's quality and quantity. As a result, Staff consulted the Municipality's Licensed Geologist who reviewed well logs from the Nova Scotia Department of Environment and Climate Change and found that surrounding wells met the minimum required flow rate. Staff also explained that well regulation falls under provincial jurisdiction, and property owners are responsible for constructing and maintaining wells in accordance with provincial regulations.
- **Watercourse:** Questions focused on how development would occur while protecting the watercourse. Staff consulted the Nova Scotia Department of Environment and Climate Change, which advised that alterations to a watercourse require a permit. During the meeting, the applicant stated they do not intend to disturb the watercourse except, if necessary, for the driveway construction, in which case provincial approval would be required. Staff also noted the Municipality requires a 50-foot separation distance from the watercourse, but there are no restrictions for the construction of a driveway.
- **Increase in Traffic:** Residents raised concerns about increased traffic and safety near the intersection of Lydiard Road and Parkside Drive, which is the only access for several nearby streets deeper in the subdivision. Staff advised the application would be referred to the Nova Scotia Department of Public Works for review and comment. The Department advised they do not have any comments or concerns regarding the proposal.
- **Process Post Rezoning:** Staff were asked whether the rezoning approval would automatically allow development. Staff explained that an approved rezoning does not grant a development/building permit and that the applicant would still be required to obtain all applicable municipal and provincial permits.
- **Additional Questions and Concerns:** Additional comments related to privacy, maintenance, and details of the proposed development. Neighbours raised concerns about impacts on privacy and views and asked how trespassing would be prevented. Staff advised that the Municipality does not regulate privacy, views or ownership of rental units. Questions were also asked about the design of the development, including whether it would be built on a slab and what constitutes a residential unit. The applicant advised the building would be constructed on a slab due to

topography, and Staff explained the definition of a residential unit and how it would apply to the proposed four-unit dwelling.

7. POLICY REVIEW

7.1 Enabling Policy

This application concerns the proposed rezoning of land from the current Residential One Unit (R1) Zone to the proposed Residential Mixed Density (R3) 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 Residential Designation. On this basis, Council can consider rezoning the property from the Residential One Unit (R1) Zone to the Residential Mixed Density (R3) Zone since the proposed zone is enabled in the Residential Designation in policy 3.1.3 of the Municipal Planning Strategy, which lists all the zones permitted in the 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.*

Section 3.1 discusses policies related to residential neighbourhoods of the Municipality and sets out the zone placement policy:

Council shall:

Policy 3.1.1 *designate as Residential, areas located within Growth Centres where the maintenance and development of residential neighbourhoods is encouraged. It is intended to contain primarily residential uses and may also include home-based businesses, compatible small-scale commercial, service and office uses as well as open space areas;*

Policy 3.1.2 *establish the following Residential Zones in the Land Use By-law:*

(b) Residential Mixed Density (R3): lands located in this zone are intended to provide a transition between areas of low and high density or on properties that would benefit from flexible development options including a diversity of building forms. This zone is intended to include residential units in a variety of building types at a density consistent with the Residential One Unit (R1) and Residential One and Two Unit (R2) Zones;

The subject property is currently designated for residential uses. Both the current zone (Residential One Unit R1) and the proposed zone (Residential Mixed Density R3) fall under the Residential Designation. As such, the proposed rezoning will maintain the intent of the Residential Designation in line with the Municipal Planning Strategy.

The subject property is located within an existing residential area within the Centreville Growth Centre between two main transportation routes. This site has the opportunity for infill development within an established residential community utilizing existing services. The proposed rezoning would benefit the site with the added flexibility of built form options. It is of Staff's opinion that the proposal meets the zone placement policies.

With respect to Municipal Planning Strategy Policy 5.3.5 (b), the proposed rezoning does not increase the range of permitted non-residential uses on the land. As for residential uses, the Residential Mixed Density (R3) Zone permits grouped dwellings, multi-unit dwellings, one-unit dwellings, residential facilities, semi-detached dwellings, townhouses, and two-unit dwellings in comparison to the Residential One Unit (R1) Zone. The application proposes the development of a multi-unit dwelling containing all of the four-units, which is not permitted in the current Residential One Unit (R1) Zone, but is permitted in the Residential Mixed Density (R3) Zone.

Policy 5.3.7 outlines the general criteria that must be met when considering all applications for rezoning and development agreement proposals. These criteria consider 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 proposal would not create additional costs

for the Municipality and 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. The proposed rezoning to the Mixed Density Residential (R3) Zone would enable the applicant to develop any of the housing options permitted within the zone, which is consistent with Council's Vision to "enable and encourage a diversity of housing throughout the region". This intention is also discussed within the Section 3.1 *Residential Designation*, where the objective for Healthy Communities aims "to provide a wide range of housing choices, including housing affordability".

With regard to location, *Section 1.1 Vision* states that one of the priorities for settlement is to "concentrate new commercial and residential development including mixing uses, in the Growth Centres with clearly defined boundaries". 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 and further to protect agricultural land and rural character. The proposed rezoning would enable a planned and efficient use of land compatible with the intention of the MPS.

Section 2.3 Infrastructure contains a list of objectives organized by themes and the theme of Settlement says, "to make effective use of existing infrastructure located within Growth Centres". The Municipal Planning Strategy discusses that the use of existing services is recognized as cost effective. The Municipality's Engineering and Public Works Department has confirmed that the proposed future development can be efficiently served by the existing sewer infrastructure.

Centreville Secondary Plan

The Municipal Planning Strategy includes Secondary Plans to address the specific needs of individual communities. The Centreville Secondary Plan assists Council in making land use decisions regarding housing, business, institutions, and recreation specific to Centreville. The Secondary Plan includes goals and objectives related to water supply management. Policy 4.3.11 states to "request a water quality/quantity assessment prior to considering a rezoning to any increased residential density, any commercial rezoning or any industrial rezoning". This application proposes to develop four-units, which is not a higher density than the current zoning already permits. Staff consulted the Municipality's Licensed Geologist who reviewed well log data for the area to determine if the proposed development could pose an impact on wells in the area. As mentioned above, it was determined that the flow rates of the area are suitable to handle the addition of a four-unit dwelling. In addition, the applicant would be required to follow the regulations as outlined by the Nova Scotia Department of Environment and Climate Change.

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 related to rezoning land in the Residential Designation to permit the development of a four-unit dwelling. As a result, Staff are forwarding a positive recommendation to the Planning Advisory Committee.

9. APPENDICES

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

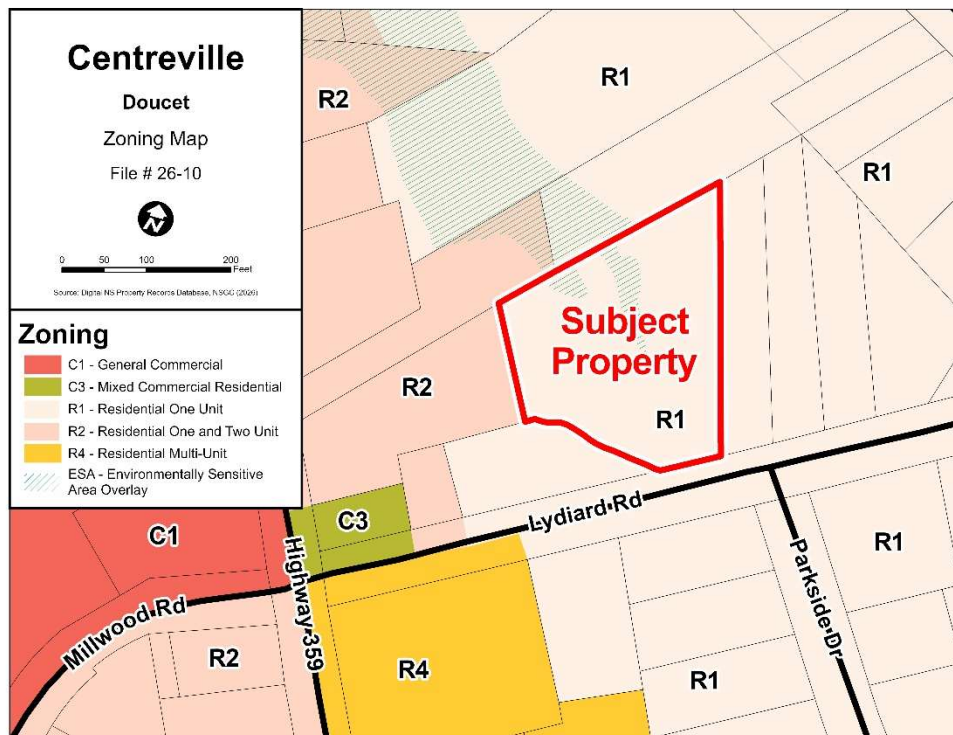


Figure 2: Zoning Map

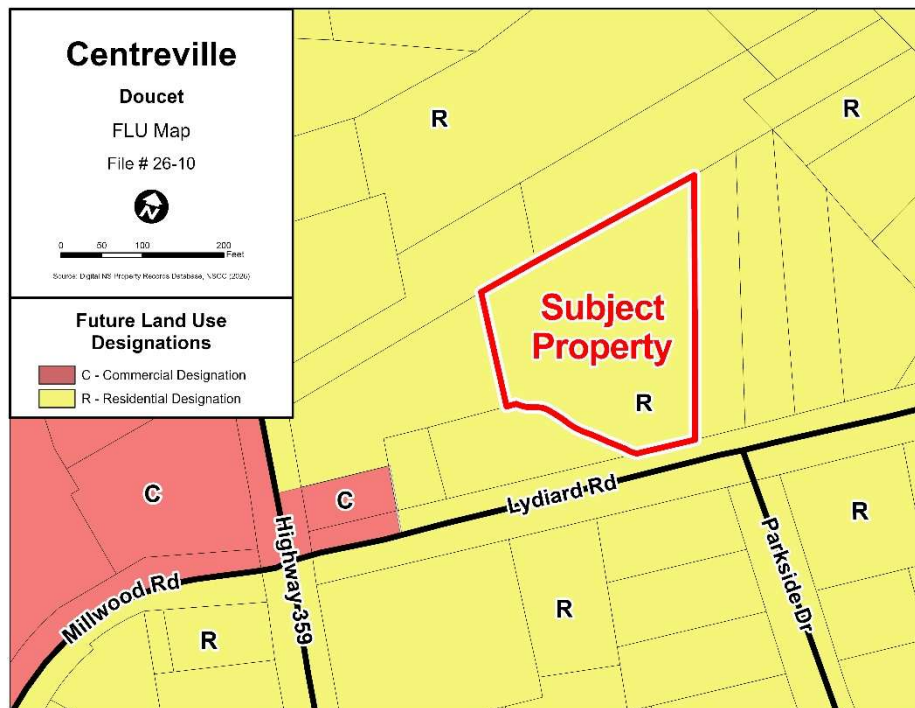


Figure 3: Future Land Use Designations Map

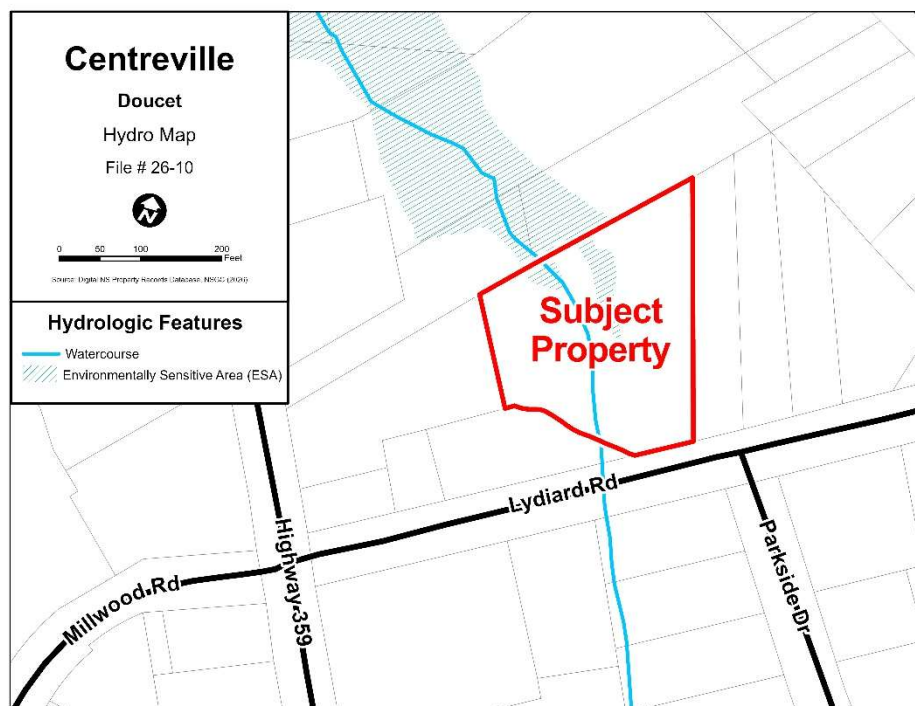


Figure 4: Hydrologic Features Map

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 in an existing residential area. The proposal will be compatible with the surrounding residential land uses.
<i>iii. the adequacy and proximity of school, recreation and other community facilities;</i>	The subject property is located within 10 kilometres of two schools, and the area has community and recreation facilities. As this proposal is for a small number of units, Staff expect that the recreational and educational facilities are adequate to accommodate any new position.
<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 have advised they do not have any comments or concerns regarding the proposal.
<i>v. the adequacy of fire protection services and equipment;</i>	The Kentville Fire Chief advised that municipal fire protection services and equipment are adequate to serve this proposal.
<i>vi. the adequacy of sewer and water services;</i>	The Municipality of the County of Kings Engineering and Public Works Department stated they do not have any concerns relating to sewer for this proposal.

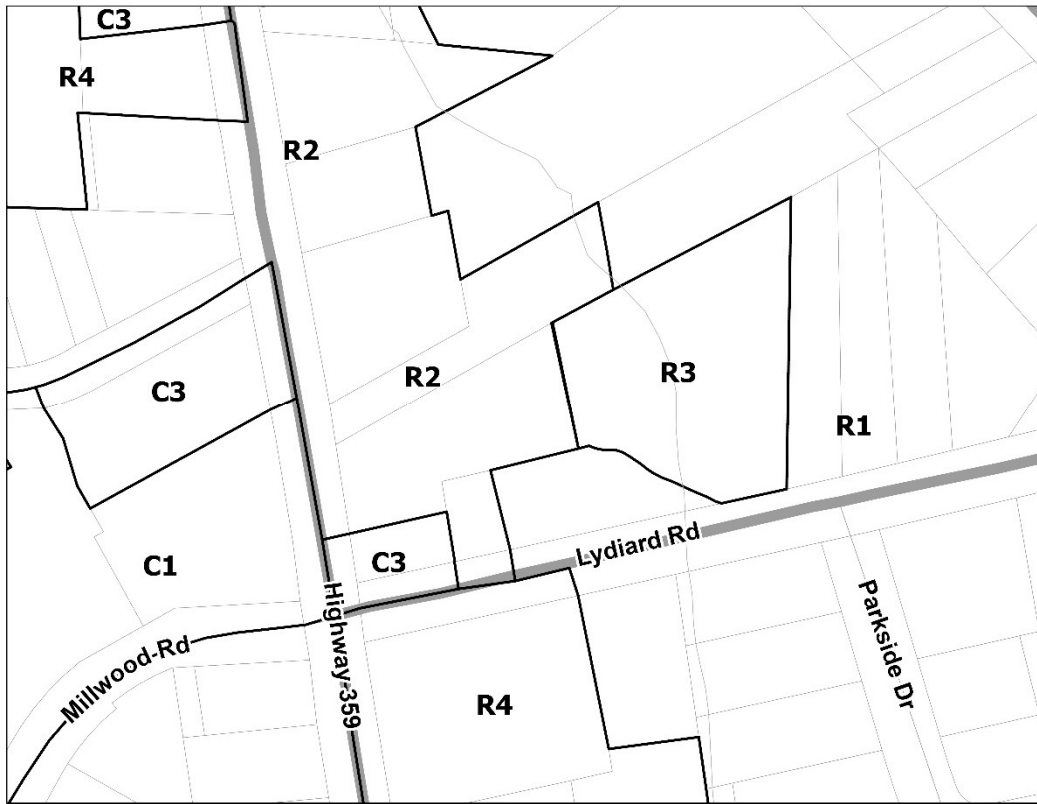
vii. <i>the potential for creating flooding or serious drainage problems either within the area of development or nearby areas;</i>	The applicant will be required to submit a stormwater management plan at the time of permitting. The plan will be required to show that the post-development flow does not exceed the pre-development flow of water.
viii. <i>negative impacts on identified wellfields or other groundwater supplies for the area;</i>	Not applicable as this property is not located within a wellfield protection overlay.
ix. <i>pollution, in the area, including but not limited to, soil erosion and siltation of watercourses; or</i>	The property owner is required to follow provincial guidelines related to soil erosion during construction, which are enforced by Nova Scotia Environment and Climate Change. In addition, property owner must follow the watercourse separation requirements as outline in the Municipal Land Use By-law.
x. <i>negative impacts on lake water quality or nearby wetlands;</i>	There are no wetlands on the property, and the property is not in close proximity to any lakes.
xi. <i>negative impacts on neighbouring farm operations;</i>	The proposal is not expected to impact any neighbouring farming operations in the area.
xii. <i>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 property is suitable in terms of grades, soils, geological conditions, and proximity to natural features and rights-of-way. The property owner will be required to follow all applicable Municipal and Provincial requirements with regard to watercourses and wetlands.

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 PID 55325609 (no civic), Lydiard Road, Centreville, from the Residential One Unit (R1) to the Residential Mixed Density (R3) Zone

1. Amend Map 4 – Centreville Zoning, to rezone PID 55325609 (no civic), Lydiard Road, Centreville, from the Residential One Unit (R1) to the Residential Mixed Density (R3) Zone as shown on the copy of a portion of Map 4 below.



Appendix D – Site Photos



Image 1: Looking at the front of the subject property from across Lydiard Road.



Image 2: Looking west from the subject property towards Sherman Belcher Road.



Image 3: Looking east from the subject property towards Highway 359.



Image 4: Looking at the road frontage of the subject property.