

## Section 13 - WELLFIELD PROTECTION OVERLAYS

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### 13.1 Summary of Wellfield Protection Overlay Names and Symbols

Overlay Name	Symbols
Aylesford Wellfield Protection Overlay	<b>AW</b>
Berwick Wellfield Protection Overlay	<b>BW</b>
Canning Wellfield Protection Overlays	<b>CW – A, B, &amp; C</b>
Greenwood Wellfield Protection Overlays	<b>GW – A, B, C, &amp; D</b>
Kentville Wellfield Protection Overlays	<b>KW – A, B, C, &amp; D</b>
New Minas Wellfield Protection Overlays	<b>NW – A, B, C, &amp; D</b>
Port Williams Wellfield Protection Overlays	<b>PW – A, B, &amp; C</b>

### 13.2 Requirements for all Wellfield Overlays

#### 13.2.1 Application of Overlays

All Wellfield Protection Overlays are shown on the Land Use By-law Zoning Maps. In addition to the underlying zone requirements, the requirements of the Wellfield Protection Overlays shall apply to all development, including accessory uses and home-based businesses. In the case of conflict between the zone requirements and the Wellfield Protection Overlay requirements, the more restrictive requirements shall prevail.

#### 13.2.2 Non-Conforming Uses within Wellfields

- (a) Uses that legally existed prior to the adoption of wellfield provisions but are now prohibited by the wellfield regulations shall be considered non-conforming uses and shall be subject to the requirements of section 14.3.8 of this By-law.
- (b) Notwithstanding section 13.2.2 (a) above and section 14.3.8, the expansion or redevelopment of a non-conforming use within any wellfield protection overlay, or a change in use to a less impactful use shall be permitted by development agreement, subject to the requirements of policies 2.6.8 and 2.6.16 of the Municipal Planning Strategy.

#### 13.2.3 Bulk Storage

- (a) Limits on bulk storage volumes or weight shall apply to the total weight or volume of that category of material on one lot. For example, a lot containing a 500 litre container of diesel and a 500 litre container of gasoline is considered to contain 1,000 litres of bulk petroleum fuel and would not be permitted in Kentville Wellfield Protection Overlay B (maximum 909 litres).
- (b) Where a lot straddles the boundary between multiple wellfields or a wellfield and a non-wellfield, the area of land within each wellfield shall be considered an individual lot for the purposes of determining the maximum permitted volume or weight of bulk storage. For example, if a lot is bisected by Port Williams Wellfield Protection Overlays B and C, the lot

could contain 1,000 kilograms of salt on the area within Overlay B and a further 100,000 kilograms of salt on the area within Overlay C.

### **13.3 AYLESFORD WELLFIELD PROTECTION OVERLAY**

#### **13.3.1 Aylesford Wellfield Protection Overlay**

In accordance with policy 2.6.7 of the Municipal Planning Strategy, properties within the Aylesford Wellfield Protection Overlay shall not be permitted to rezone to an Industrial Zone.



## **13.4 BERWICK WELLFIELD PROTECTION OVERLAY**

### **13.4.1 Berwick Wellfield Protection Overlay**

Notwithstanding any other provisions contained in this By-law, the following uses shall be prohibited from locating within the Berwick Wellfield Protection Overlay:

- Automotive Repair subject to the requirements of section 13.4.2
- Automotive Salvage Yards
- Bulk Storage of Petroleum Fuel, excluding Gasoline or Service Stations
- Bulk Storage of Salt
- Bulk Storage, Processing, or Production of Fertilizer
- Commercial Storage of Petroleum Solvents
- Dry Cleaning Facilities
- Gas Bars subject to the requirements of section 13.4.2

### **13.4.2 Uses Considered by Development Agreement**

Notwithstanding any other provisions contained in this By-law, where permitted by the underlying zoning, the following uses shall only be permitted in the Berwick Wellfield Protection Overlay by development agreement, subject to policies 2.6.9 and 2.6.16 of the Municipal Planning Strategy:

- All permitted uses within the Rural Industrial (M3) Zone
- Automotive Repair
- Gas Bars



## 13.5 CANNING WELLFIELD PROTECTION OVERLAYS

### 13.5.1 Canning Wellfield Protection Overlay A

Notwithstanding any other provisions contained in this By-law a development permit shall not be issued within the Canning Wellfield Protection Overlay A except for one or more of the following uses:

- One Unit Dwelling
- Public Water Utilities

### 13.5.2 Canning Wellfield Protection Overlays B & C

Notwithstanding any other provisions contained in this By-law, the following restrictions shall apply to development of lands located within the Canning Wellfield Protection Overlays B and C.

Land Use	Wellfield Protection	
	Canning Overlay B	Canning Overlay C
Abattoirs	Not Permitted	Not Permitted
Aggregate Related Industries	Not Permitted	Not Permitted
Agricultural Equipment, Parts, Sales and Service	Not Permitted	Not Permitted
Agricultural Related Industries	Not Permitted	Not Permitted
Animal Boarding Facilities	Not Permitted	Permitted
Automotive repair	Not Permitted	Not Permitted
Bulk Storage of Chlorinated Organic Compounds	> 91 litres Not Permitted	> 909 litres Not Permitted
Bulk Storage of Fertilizers	Not Permitted	Not Permitted
Bulk Storage of Pesticides and Herbicides	> 45 litres Not Permitted	> 909 litres Not Permitted
Bulk Storage of Petroleum Fuels, Excluding Propane	Not Permitted	> 45,460 litres Not Permitted
Bulk Storage of Petroleum Solvents	> 45 litres Not Permitted	> 909 litres Not Permitted
Bulk Storage of Propane	Permitted	Permitted
Bulk Storage of Salt	> 1,000 kg Not Permitted	> 100,000 kg Not Permitted
Composting Facilities	Not Permitted	Not Permitted
Crematoria	Not Permitted	Not Permitted
Dry Cleaning Facilities	Not Permitted	Not Permitted
Fish and Seafood Processing	Not Permitted	Not Permitted
Fish Farms	Not Permitted	Not Permitted
Forest Industry Uses	Not Permitted	Not Permitted
Gas Bars	Not Permitted	Not Permitted
Greenhouses	Not Permitted	Not Permitted
Heavy Equipment Facilities	Not Permitted	Not Permitted
Livestock Operations	Not Permitted	Not Permitted
Manufacturing	Not Permitted	Not Permitted

Land Use	Wellfield Protection	
	Canning Overlay B	Canning Overlay C
Manure Storage Facilities	Not Permitted	Not Permitted
Salvage or Scrap Operations	Not Permitted	Not Permitted
Sanitary Service	Not Permitted	Not Permitted
Self Storage	Permitted	Permitted
Transportation Services	Not Permitted	Not Permitted
Waste Transfer Stations	Not Permitted	Not Permitted



## 13.6 GREENWOOD WELLFIELD PROTECTION OVERLAYS

### 13.6.1 Greenwood Wellfield Protection Overlay A

Notwithstanding any other provisions contained in this By-law, a development permit shall not be issued within the Greenwood Wellfield Protection Overlay A except for one or more of the following uses:

Public Water Utilities

### 13.6.2 Greenwood Wellfield Protection Overlays B, C, and D

Notwithstanding any other provisions contained in this By-law, the following restrictions shall apply to development of lands located within the Greenwood Wellfield Protection Overlays B, C, and D.

Land Use	Wellfield Protection		
	Greenwood Overlay B	Greenwood Overlay C	Greenwood Overlay D
Abattoir	Not Permitted	Not Permitted	Development Agreement
Aggregate Related Industries	Not Permitted	Not Permitted	Not Permitted
Agricultural Related Industries	Not Permitted	Not Permitted	Permitted
Automotive repair	Development Agreement	Development Agreement	Development Agreement
Bulk Storage of Chlorinated Organic Compounds or Solvents	> 909 litres Not Permitted	> 909 litres Not Permitted	> 909 litres Not Permitted
Bulk Storage of Fertilizer	> 908 kg Not Permitted	Permitted	Permitted
Bulk Storage of Manure	> 908 kg Not Permitted	Permitted	Permitted
Bulk Storage of Pesticides and Herbicides	> 900 litres Not Permitted	> 900 litres Not Permitted	> 900 litres Not Permitted
Bulk Storage of Petroleum Fuel, Excluding Propane	> 45,000 litres Not Permitted	> 45,000 litres Not Permitted	> 45,000 litres Not Permitted
Bulk Storage of Petroleum Solvents	> 45,000 litres Not Permitted	> 45,000 litres Not Permitted	> 45,000 litres Not Permitted
Bulk Storage of Propane	Permitted	Permitted	Permitted
Bulk Storage of Salt	> 908 kg Not Permitted	> 90,800 kg Not Permitted	> 90,800 kg Not Permitted
Carwash Facilities	Development Agreement	Permitted	Permitted
Cemeteries	Not Permitted	Not Permitted	Permitted
Composting Facilities	Not Permitted	Not Permitted	Permitted

Land Use	Wellfield Protection		
	Greenwood Overlay B	Greenwood Overlay C	Greenwood Overlay D
Dry Cleaning Facilities	Not Permitted	Not Permitted	Not Permitted
Fish Farms	Not Permitted	Not Permitted	Development Agreement
Gas Bars	Not Permitted	Not Permitted	Not Permitted
Greenhouses	Development Agreement	Permitted	Permitted
Heavy Equipment Facilities	Not Permitted	Not Permitted	Not Permitted
Household Item Repair Services	Development Agreement	Permitted	Permitted
Livestock Operations developed after November 1, 2011	Not Permitted	Not Permitted	Development Agreement
Livestock Operations existing on November 1, 2011	Permitted	Permitted	Permitted
Manufacturing	Development Agreement	Permitted	Permitted
Salvage or Scrap Operations	Not Permitted	Not Permitted	Not Permitted
Sanitary Service	Not Permitted	Not Permitted	Development Agreement
Soil Mixing	Not Permitted	Permitted	Permitted
Transportation Services	Development Agreement	Permitted	Permitted
Waste Transfer Stations	Not Permitted	Permitted	Permitted

### 13.6.3 Uses Considered by Development Agreement

- (a) The uses listed in section 13.6.2 that are permitted by development agreement within Zone B of the Greenwood Wellfield Protection Overlay shall be permitted in accordance with policies 2.6.10 and 2.6.16 of the Municipal Planning Strategy:
- (a) The uses listed in section 13.6.2 that are permitted by development agreement within Zone C of the Greenwood Wellfield Protection Overlay shall be permitted in accordance with policies 2.6.11 and 2.6.16 of the Municipal Planning Strategy:
- (c) The uses listed in section 13.6.2 that are permitted by development agreement within Zone D of the Greenwood Wellfield Protection Overlay shall be permitted in accordance with policies 2.6.12 and 2.6.16 of the Municipal Planning Strategy:

## 13.7 KENTVILLE WELLFIELD PROTECTION OVERLAYS

### 13.7.1 Kentville Wellfield Protection Overlay A

Notwithstanding any other provisions contained in this By-law, a development permit shall not be issued within the Kentville Wellfield Protection Overlay A except for one or more of the following uses:

- Existing Residential Uses
- Parks
- Public Water Utilities

### 13.7.2 Kentville Wellfield Protection Overlays B, C, and D

Notwithstanding any other provisions contained in this By-law, the following restrictions shall apply to development of lands located within the Kentville Wellfield Protection Overlays B, C, and D.

Land Use	Wellfield Protection		
	Kentville Overlay B	Kentville Overlay C	Kentville Overlay D
Abattoirs	Not Permitted	Not Permitted	Not Permitted
Aggregate Related Industries	Not Permitted	Not Permitted	Not Permitted
Agricultural Equipment and Parts, Sales, and Service	Not Permitted	Not Permitted	Not Permitted
Agricultural Uses	Not Permitted	Permitted	Permitted
Automotive Painting/Auto body	Not Permitted	Not Permitted	Not Permitted
Automotive repair	Permitted	Permitted	Permitted
Bulk Storage of Chlorinated Solvents	> 23 litres Not Permitted	> 91 litres Not Permitted	> 455 litres Not Permitted
Bulk Storage of Fertilizers	> 100 kg Not Permitted	> 2,000 kg Not Permitted	Permitted
Bulk Storage of Pesticides and Herbicides	Not Permitted	Not Permitted	> 455 litres Not Permitted
Bulk Storage of Petroleum Solvents	> 23 litres Not Permitted	> 91 litres Not Permitted	> 909 litres Not Permitted
Bulk Storage of Petroleum, Excluding Propane	> 909 litres Not Permitted	> 10,000 litres Not Permitted	> 45,460 litres Not Permitted
Bulk Storage of Propane	Permitted	Permitted	Permitted
Bulk Storage of Salt	Not Permitted	> 10,000 kg Not Permitted	> 100,000 kg Not Permitted
Campgrounds	Not Permitted	Permitted	Permitted
Car Wash Facilities	Not Permitted	Permitted	Permitted
Cemeteries	Not Permitted	Permitted	Permitted
Dry Cleaning Facilities	Not Permitted	Not Permitted	Not Permitted
Forestry Uses	Not Permitted	Not Permitted	Not Permitted
Gas Bars	Not Permitted	Not Permitted	Not Permitted

Land Use	Wellfield Protection		
	Kentville Overlay B	Kentville Overlay C	Kentville Overlay D
Golf Courses and Driving Ranges	Not Permitted	Permitted	Permitted
Greenhouses	Not Permitted	Not Permitted	Permitted
Heavy Equipment Facilities	Not Permitted	Permitted	Permitted
Manufacturing	Not Permitted	Permitted	Permitted
Storefront Recycling	Not Permitted	Permitted	Permitted
Salvage or Scrap Operations	Not Permitted	Not Permitted	Not Permitted
Sanitary Services	Not Permitted	Not Permitted	Not Permitted
Transportation Services	Not Permitted	Permitted	Permitted
Warehousing	Not Permitted	Permitted	Permitted
Waste Transfer Stations	Not Permitted	Permitted	Permitted
Zoos	Not Permitted	Permitted	Permitted

## 13.8 NEW MINAS WELLFIELD PROTECTION OVERLAYS

### 13.8.1 New Minas Wellfield Protection Overlay A

Notwithstanding any other provisions contained in this By-law, a development permit shall not be issued within the New Minas Wellfield Protection Overlay A except for one or more of the following uses:

Public Water Utilities

### 13.8.2 New Minas Wellfield Protection Overlays B, C, and D

Notwithstanding any other provisions contained in this By-law, the following restrictions shall apply to development of lands located within the New Minas Wellfield Protection Overlays B, C, and D.

Land Use	Wellfield Protection		
	New Minas Overlay B	New Minas Overlay C	New Minas Overlay D
Agricultural Equipment, Parts, Sales, and Service	Not Permitted	Not Permitted	Permitted
Automotive repair	Not Permitted	Not Permitted	Permitted
Automotive sales and Rental	Not Permitted	Permitted	Permitted
Bulk Storage of Fertilizers, pesticides and herbicides	Not Permitted	Not Permitted	Not Permitted
Bulk Storage of Petroleum Fuels, Excluding Propane	Not Permitted	Not Permitted	Not Permitted
Bulk Storage of Salt	Not Permitted	Not Permitted	Not Permitted
Carwash Facilities	Development Agreement	Development Agreement	Permitted
Cemeteries	Not Permitted	Not Permitted	Not Permitted
Dry Cleaning Facilities	Not Permitted	Not Permitted	Permitted
Existing hatchery located at 9565 Commercial St.	Not Permitted	Not Permitted	Not Permitted
Food and Drink Production	Development Agreement	Permitted	Permitted
Forestry Uses	Not Permitted	Not Permitted	Permitted
Gas Bars	Not Permitted	Not Permitted	Permitted
Golf Courses and Driving Ranges	Development Agreement	Development Agreement	Development Agreement
Garden centre accessory to a main commercial use	Not Permitted	Development Agreement	Development Agreement
Greenhouses or garden centres	Not Permitted	Development Agreement	Development Agreement

Land Use	Wellfield Protection		
	New Minas Overlay B	New Minas Overlay C	New Minas Overlay D
Heavy Equipment Facilities	Not Permitted	Not Permitted	Permitted
Lawn Care and Landscaping	Development Agreement	Development Agreement	Permitted
Livestock Operations	Not Permitted	Not Permitted	Not Permitted
Manufacturing*	Development Agreement	Permitted	Permitted
Organic Soil Mixing Operations	Not Permitted	Not Permitted	Not Permitted
Professional Trades involving painting, acrylic/fibreglass and such similar processes	Not Permitted	Not Permitted	Permitted
Salvage or Scrap Operations	Not Permitted	Not Permitted	Not Permitted
Sanitary Services	Not Permitted	Not Permitted	Not Permitted
Transportation Services	Not Permitted	Not Permitted	Permitted
Uses permitted in the Heavy Industrial (M2) Zone excluding uses permitted in the Light Industrial Commercial (M1) Zone	Not Permitted	Not Permitted	Not Permitted
Warehouses and storage/cold storage	Development Agreement	Development Agreement	Development Agreement

*1. Amended to add "Manufacturing" and remove "Multi-unit Residential Development" and "Residential dwellings over 1 residential unit", May 2, 2023, New Minas Secondary Plan*

### 13.8.3 Uses Considered by Development Agreement

- (a) The uses listed in section 13.8.2 as being permitted by development agreement within Zone B of the New Minas Wellfield Protection Overlay shall be permitted in accordance with policies 2.6.13 and 2.6.16 of the Municipal Planning Strategy:
- (b) The uses listed in section 13.8.2 that are permitted within Zone C of the New Minas Wellfield Protection Overlay by development agreement shall be permitted in accordance with policies 2.6.14 and 2.6.16 of the Municipal Planning Strategy:
- (c) The uses listed in section 13.8.2 that are permitted by development agreement within Zone D of the New Minas Wellfield Protection Overlay shall be permitted in accordance with policies 2.6.15 and 2.6.16 of the Municipal Planning Strategy:

## 13.9 PORT WILLIAMS WELLFIELD PROTECTION OVERLAYS

### 13.9.1 Port Williams Wellfield Protection Overlay A

Notwithstanding any other provisions contained in this By-law, a development permit shall not be issued within the Port Williams Wellfield Protection Overlay A except for one or more of the following uses:

- One Unit Dwellings
- Public Water Utilities

### 13.9.2 Port Williams Wellfield Protection Overlays B and C

Notwithstanding any other provisions contained in this By-law, the following restrictions shall apply to development of lands located within the Port Williams Wellfield Protection Overlays B and C.

Land Use	Wellfield Protection	
	Port Williams Overlay B	Port Williams Overlay C
Abattoir	Not Permitted	Not Permitted
Aggregate Related Industries	Not Permitted	Not Permitted
Agricultural Equipment Parts, Sales, and Service	Not Permitted	Permitted
Agricultural Related Industries, Excluding Fruit and Vegetable Processing	Not Permitted	Permitted
Agriculture Related Industry – Fertilizer Mixing and Production	Not Permitted	Not Permitted
Automotive repair	Not Permitted	Permitted
Bulk Storage of Chlorinated Organic Compounds	Not Permitted	Greater than 909 litres Not Permitted
Bulk Storage of Pesticides and Herbicides	Not Permitted	greater than 909 litres Not Permitted
Bulk Storage of Petroleum Fuels, Excluding Propane	Not Permitted	Greater than 45,460 litres Not Permitted
Bulk Storage of Petroleum Solvents	Not Permitted	Greater than 909 litres Not Permitted
Bulk Storage of Propane	Permitted	Permitted
Bulk Storage of Salt	> 1,000 kg Not Permitted	Greater than 100,000 kg Not Permitted
Bulk Storage of Fertilizers and Manure	> 1,000 kg Not Permitted	Permitted
Cemeteries	Not Permitted	Not Permitted
Composting Facilities	Not Permitted	Permitted

Land Use	Wellfield Protection	
	Port Williams Overlay B	Port Williams Overlay C
Crematoria	Not Permitted	Permitted
Dry Cleaning Facilities	Not Permitted	Not Permitted
Fish and Seafood Processing	Not Permitted	Permitted
Fruit and Vegetable Processing	Not Permitted	Permitted
Gas Bars	Not Permitted	Not Permitted
Heavy Equipment Facilities	Not Permitted	Permitted
Manufacturing	Not Permitted	Permitted
Sanitary Service	Not Permitted	Not Permitted
Salvage or Scrap Operations	Not Permitted	Not Permitted
Transportation Services	Not Permitted	Permitted
Warehousing	Not Permitted	Permitted
Waste Transfer Stations	Not Permitted	Not Permitted