Notice of Adoption

By-law to Amend the Land Use By-law 26-08 and Development Agreement for James/Dominion St., Parrsboro

Second Reading and Adoption of the By-law and Development Agreement took place on September 23rd, 2026 at a Regular Council meeting.

Purpose:

- To rezone a portion of PID 25216755 adjacent to 58 Dominion Street, Parrsboro from Downtown Commercial (CDwn) Zone to Mixed-use (CMix) Zone.
- Create a Development Agreement for Casey Realty (James/Dominion St.) Parrsboro for PIDs 25216755 and 25216680.

Any aggrieved person, the Provincial Director of Planning, or the Council of any adjoining municipality may, within fourteen days of the publishing of this notice, appeal to the Nova Scotia Regulatory and Appeals Board (1-855-442-4448 / board@novascotia.ca) in accordance with the provision of the Municipal Government Act.

For a copy, please click here: By-laws - Municipality of Cumberland For further information, please call 902-667-1142, 1-888-756-6262 (toll free), or email clerk@cumberlandcounty.ns.ca

Peter McCracken
Deputy CAO / Municipal Clerk

municipality of cumberland

Council
Second Reading
Date of Meeting: September 23, 2026

To:	Mayor Gilroy and Members of Council
Submitted By:	Glen Boone, Director of Development and Planning
Date Submitted:	September 11, 2026
Subject:	**Second Reading: By-law to Amend the Land Use By-law 26-08 to rezone a portion of PID 25216755 located beside 58 Dominion St., Parrsboro and to Adopt a Development Agreement for PID 25216755 and PID 25216680.**

Origin: On March 27, 2026 an application for development agreement (DA) and rezoning was submitted to the Municipality. The request for DA and rezoning would enable to infill development of two residential buildings and parking facilities on PID 25216680 located at 8 James St., Parrsboro and the adjacent PID 25216755.

PID	Location	Current Zone	Proposed Zone	Proposed Use
A portion of 25216755	Parrsboro	Downtown Commercial (CDwn) Zone	Mixed-use (CMix) Zone	Two Multi-Unit Dwellings

Legislative Authority:

Policy 5-18 Council Shall consider proposals to rezone lands in the Commercial Designation to any other zone permitted in the designation. Council shall not approve such a rezoning unless council is satisfied.

a) *If the proposed zone is a highway commercial zone, the lands are located at an interchange of Highway 104*
b) *The proposed change is not prohibited by any other policy in this Plan*
c) *The purpose of the proposed zone, as described in the respective policy creating that zone, is consistent with the location and characteristics of that zone; And*
d) *The proposal meets the general criteria for amending the Land Use Bylaw, set out in Policy 6-19*

LUB Section 9.1.4 The following uses shall be permitted in the Mixed-use Zone, subject to the applicable policy of the Municipal Planning Strategy:

a) *More than 16 Dwelling Units on a Lot – MPS Policy 5-13.*
b) *More than 16 Dwelling Units on a Lot – MPS Policy 5-13.*
c) *9.1.5 Large-scale wind turbines – MPS Policy 4-56A. [CHG-904]*
d) *Medium-scale wind turbines – MPS Policy 4-56A. [CHG-904]*

Council
Second Reading
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Recommendation: That Council approve Second Reading of By-law to Amend the LUB 26-08 to rezone a portion of PID 25216755 located along Dominion Street, Parrsboro from Downtown Commercial (CDwn) to Mixed-use (CMix), AND that Council approve the Second Reading of the James/Dominion St. Development Agreement for PIDs 25216755 and 25216680.

Background:
The subject properties are in Parrsboro, located at the corner of Dominion St and James St. The subject properties consist of two properties, PID 25216755, a through lot fronting on both Main St and Dominion St. On the Main St side of the lot is the Post Office, addressed 245 Main st, while the Dominion St portion of the lot is vacant. The second subject property PID 25216680, located at 8 James St and is a corner lot fronting on both Dominion and James. Currently the subject lands, being vacant, are used as an informal parking lot. The two subject properties have a combined lot area of 1970sqm. The proponent is proposing to develop two multi-unit residential buildings on the subject property, which would create a total of 21 dwelling units. Both multi-unit buildings will be located on PID 25216755 and the parking facilities for both residential buildings are located across the two PIDs.

The subject properties are currently zoned Mixed-use (CMix) and Commercial Downtown (CDwn), PID 25216680, located on James St, is zoned Mixed-use and PID 25216755 is zoned Downtown Commercial as it fronts on Main St. By-law to Amend the LUB 26-08 proposes rezoning the Dominion St. portion of the lot (see Attachment A) to Mixed-use zone. To further enable the development of the proposed multi-unit buildings, a Development Agreement is being proposed for the two subject properties, as 21 dwelling units are only permitted through development agreement under the Mixed-use Zone.

Discussion: The proposed use aligns well with the intent of the Mixed-Use Zone. Policy 5-12 of the Municipal Planning Strategy (MPS) states that the zone is intended to permit a wide range of commercial and residential uses and to serve as a transition between commercial and residential areas. The location, being downtown Parrsboro, is walkable and close to various community amenities such as groceries stores, community recreation facilities and community centers. Once the proposed zoning is in effect, the use would be permitted through a Development Agreement, which will be registered on the title for both subject properties PID 25216680 and PID 25216755. A copy of the agreement is included in this report as Attachment D for Council to consider for approval. Should Council approve the adoption of the Development Agreement (DA) the only amendments permitted to the development agreement and consequently the site plan, are the approved non-substantive amendments, as noted in section (11) of the agreement.

The Development Agreement specifically regulates parking requirements, as permitted under section 6.9 of the LUB, which permits off-site and shared parking through site plan approval. The conditions set out under section 13 Site Plan Approval Criteria have been incorporated into the Development Agreement. Currently, under Section 6 of the LUB, parking is not required for residential uses in the Mixed-use Zone, however since the development is permitted through a development agreement, parking requirements may be varied to require more parking in order to satisfy parking needs of the development. Parking for the residential uses and the Post Office are identified on the proposed site plan and are located across both subject parcels.

The re-development of this site will result in a loss of an informal parking area for locals, which many use for picking up food at the adjacent take-out restaurant, as there is not adequate amount of parking available on the take-out restaurant property. With Dominion St being more of a collector road than an arterial road, Dominion Street would be able to accommodate on-street parking for the limited amount of time needed for customers to pick up food from the take-away restaurant. While this potential impact could negatively impact business for take-out restaurant, the establishment of 21 dwelling units adjacent to the property brings the potential opportunity of new clients and business for the restaurant.

Financial Implications: No direct financial implications or costs to the Municipality. The proponent will be responsible for upgrades that may be required to connect to the Municipality Water and Wastewater System. By providing additional residential density in close proximity to the Parrsboro Downtown Commercial Core, the development will help establish more predictable foot traffic, encouraging residents and visitors to support local businesses.

Environmental Implications: The proposed landscaping will help define the street edge and will work to assist or align with stormwater management practices on the site, guiding stormwater runoff to the appropriate catch basin. Municipal services are available at the site; the proponent is responsible for obtaining connection to the municipal system. A Service Agreement between the owner and the Municipality may be required for connection.

Community Engagement: A public hearing on the above matter was held on August 12, 2026, in accordance with the MGA. Notices were placed on the municipal website two weeks prior to the scheduled date and an ad was placed in a locally circulated newspaper for August 1st, 2026. Furthermore a Planning Notice sign was placed on the subject property.

Some comments from the Public were received by the clerk and forwarded to planning staff for review and to be addressed. Some of the concerns raised pertained towards impacts to the adjacent property, the Take-out Restaurant and potential parking locations as the development will result in the loss of the informal parking lot. Another concern raised by the public included the concern that residential use is not the most efficient use for the proposed land. As noted in the financial implications section of this report, there exist many benefits to the agglomeration of commercial and residential land uses.

Further communications have been received by Staff, following Public Hearing, reiterating concerns for the loss of the ad hock parking area used by locals. A copy of this comment has been included in the Public Input report and is attached to this report as Attachment E.

Alternatives:

- Council may defer the issue to a later date,
- Request further information or
- Reject the proposed amendment based on conflict with a policy in the Municipal Planning Strategy.

Attachments:

Attachment A: Zoning Map Amendments
Attachment B: Aerial and site photos
Attachment C: Site Plan
Attachment D: Concept Elevations
Attachment E: Policy Review
Attachment F: Public Input Report
Attachment G: Development Agreement

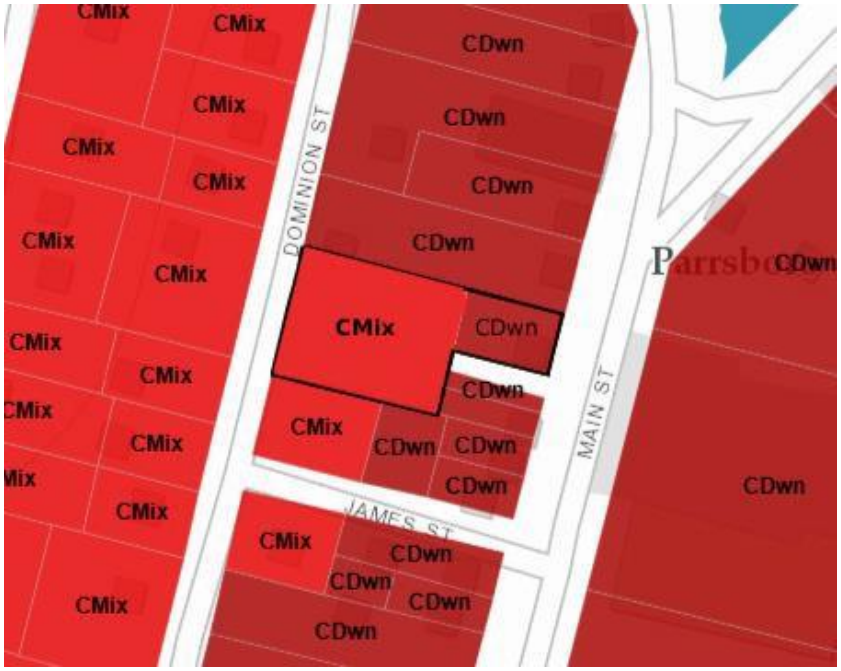
municipality of cumberland

Council
Second Reading
Date of Meeting: September 23, 2026

Attachment A: Zoning Map Amendments



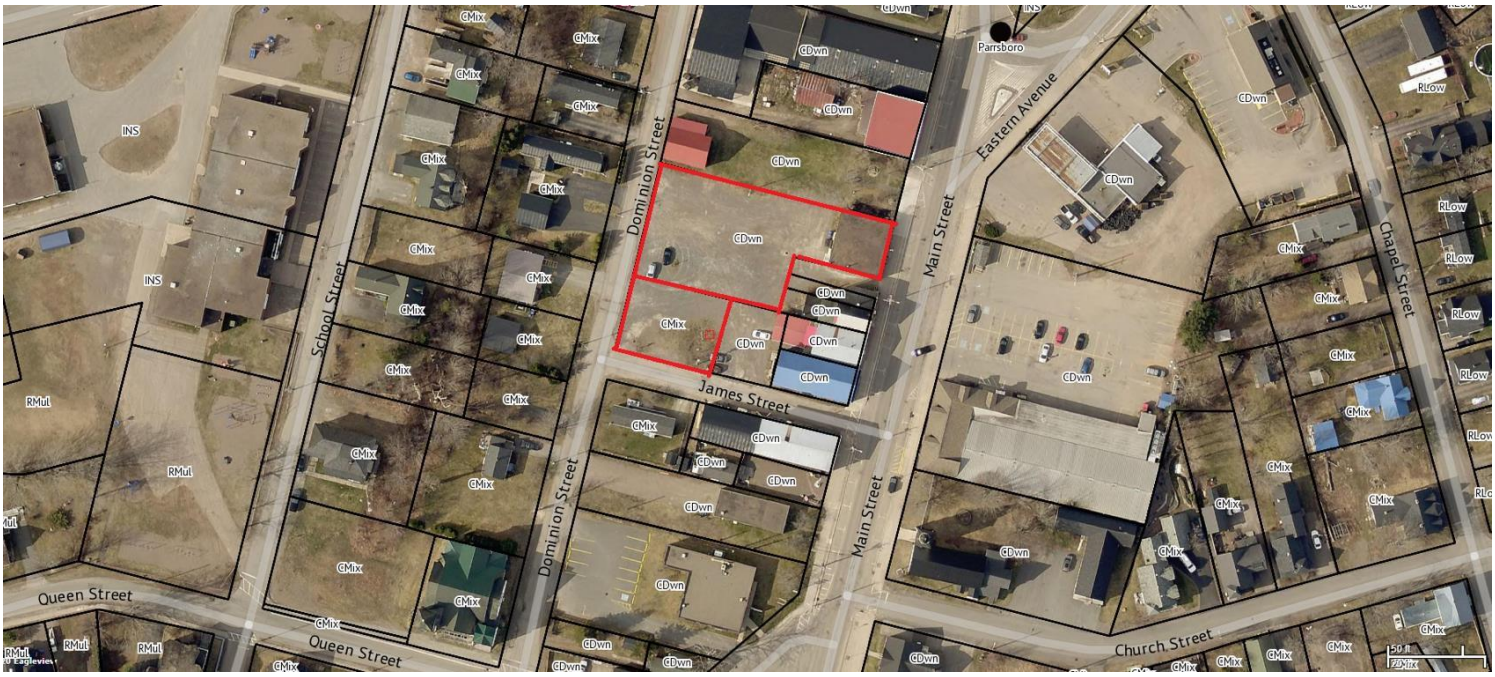
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Attachment B: Aerial and Site Photos





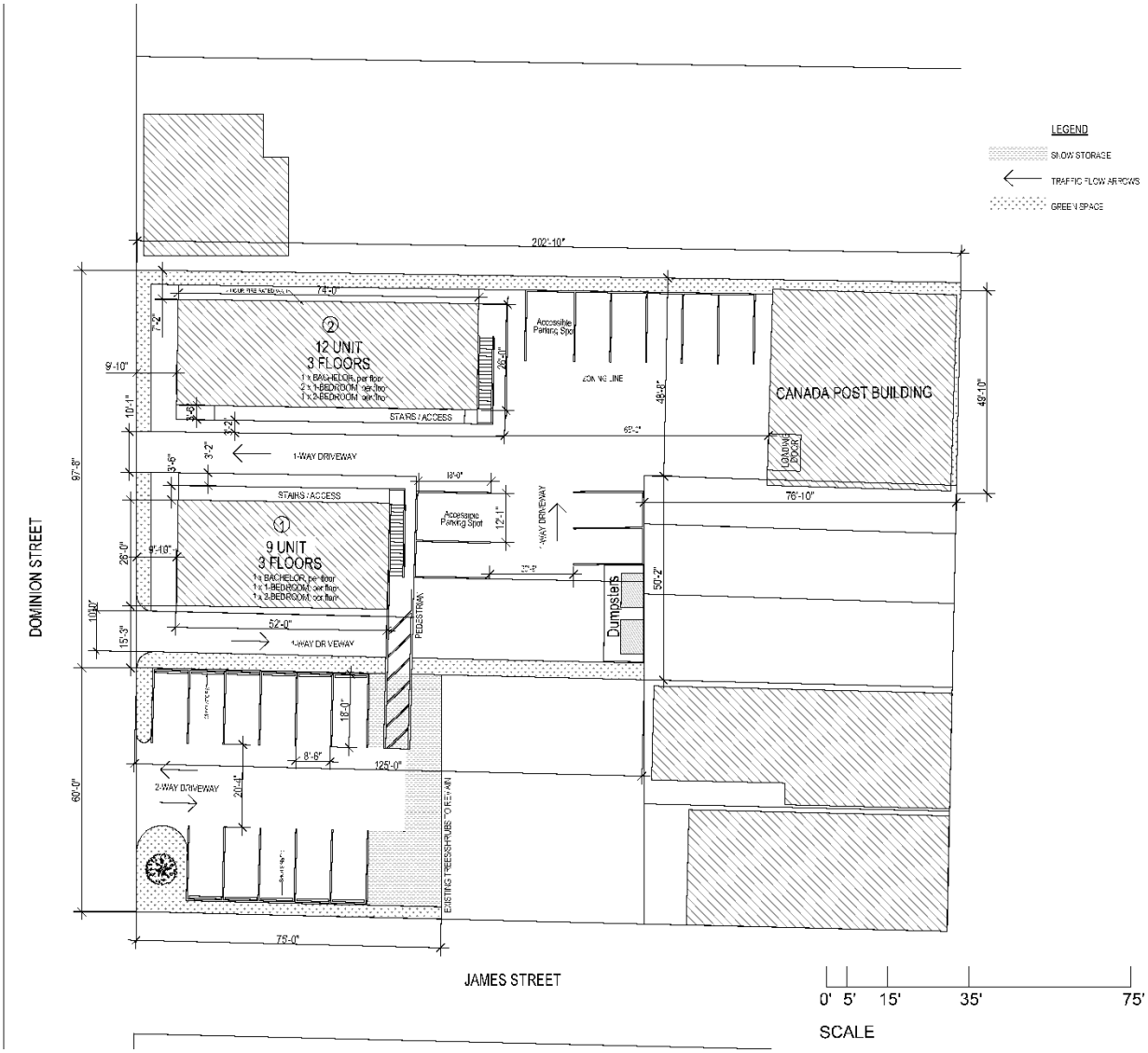






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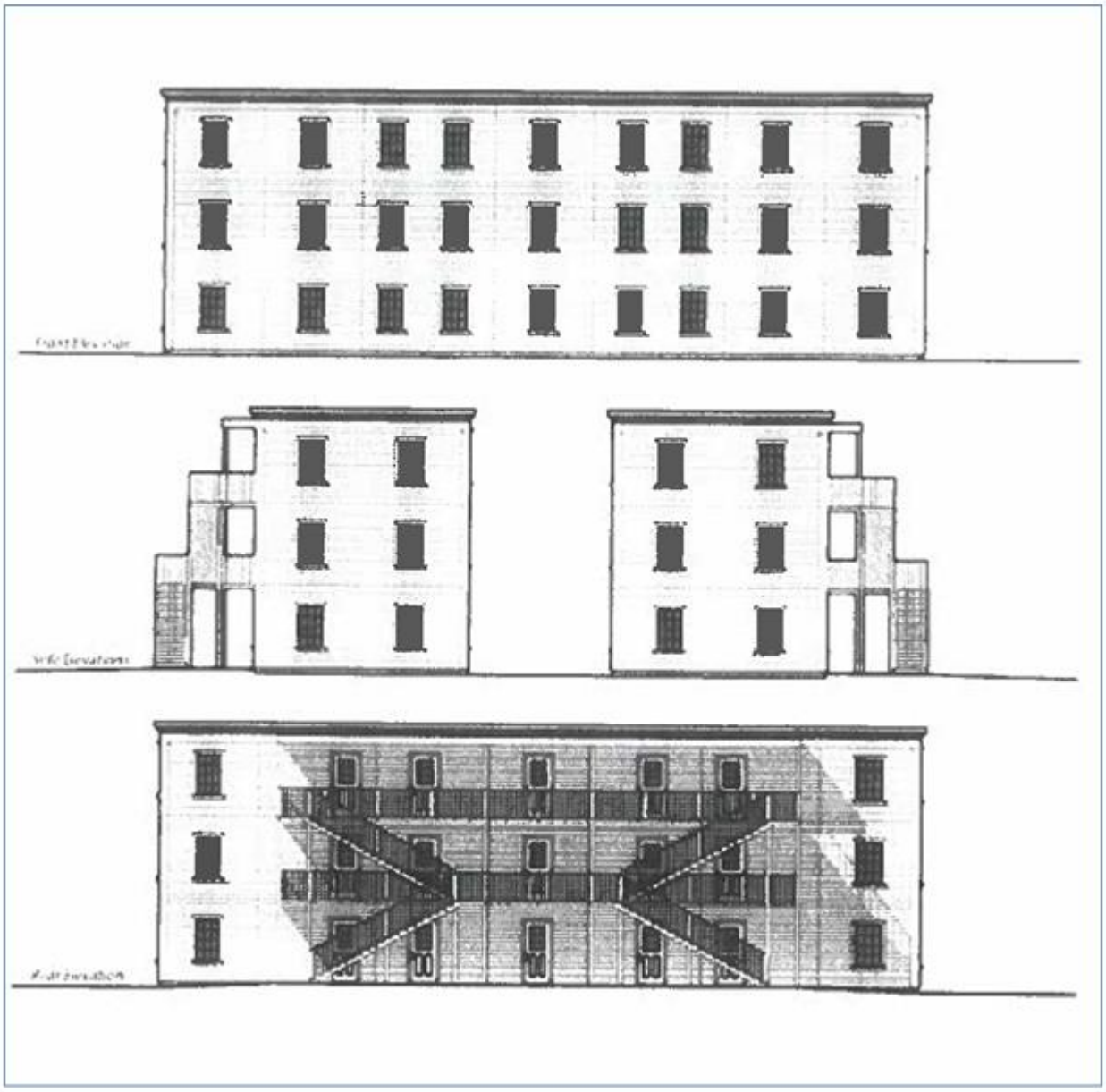
Attachment C: Site Plan



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Attachment D:



municipality of cumberland

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Attachment E: Policy Review

The following is an analysis of the MPS policies which enable the rezoning of the subject property and the Development Agreement.

MPS Policy 5-18 Council shall consider proposals to rezone lands in the Commercial Designation to any other zone permitted in that designation. Council shall not approve the rezoning unless council is satisfied.	
Requirement	**Comment**
(a) if the proposed zone is the Highway Commercial Zone, the lands are located at an interchange of Highway 104.	N/A
(b) The proposed change is not prohibited by any other policy in this plan.	Not prohibited
(c) the purpose of the proposed zone is consistent with the location and the characteristics of the lands;	Proposed zone consistent with location and characteristics of the lands.
(d) The Proposal meet the general criteria for amending the Land Use Bylaw, set out in Policy -19	Criteria met, see analysis below

MPS Policy 5-13: Council shall only consider developments with more than 16 dwelling units on a lot by development agreement in the Mixed-use Zone, subject to the development agreement policies of Section 6.3.
Comment:
The proposed use is permitted in the Mixed-Use Zone through a Development agreement. Such agreement is subject to Council approval and is being considered concurrently to the proposed zoning change.

MPS Policy 5-12 Council shall, in the Land Use By-law, establish the Mixed-use Zone, intended to permit commercial uses in areas that could functionally support them, but do not always have the market demand to consistently fill commercial space. The zone is also intended as a transition between commercial and residential areas. Permitted uses shall include a wide range of residential uses, and a wide range of commercial uses to a scale consistent with the mixed-use nature of these areas. Zone standards shall be flexible to accommodate the diversity of uses that could occur in this zone.
As a zone intended to act as a transition between commercial and residential areas, rezoning the subject lands to Mixed-use would align with this intent, as adjacent to the property is both residential zones and commercial zones. The agglomeration of residential uses and downtown commercial areas has many benefits, from a potentially predictable and new consumer base for local businesses to efficient infrastructure and service provisions.

MPS 6-19 Council shall not amend the Land Use Bylaw or approve a development agreement unless Council is satisfied with the proposal;		
	Requirement:	**Comment:**
(a)	*Is consistent with the intent of this Municipal Planning Strategy*	Yes, rezoning is consistent.
(b)	*Does not conflict with any Municipal or Provincial Programs, by-laws, or regulations in effect in the Municipality.*	Does not Conflict
(c)	*Is not premature or inappropriate due to:*	
	(i) The ability of the Municipality to absorb the public costs related to the project.	No public costs related to project. Any upgrades required to connect to the Municipal System are at the cost of the developer.
	(ii) Impacts on existing drinking water supplies, both private and public.	Site is to be serviced by central MCC Water. No concerns at this time.

(iii) the adequacy of central water and sewage services or, where such services are not available, the suitability of the site to accommodate on-site water and sewage services	Site is eligible for connection to Municipal Central Water and Sewer, subject to MCC DPW approval. No concerns regarding adequacy of capacity at this time.
(iv) The creation of any excessive traffic hazards or congestion on road, cycling, and pedestrian networks within, adjacent to, or leading to the proposal	Parking requirements and allocated area shared between the two PIDs exceed the requirements of the LUB.
(v) The adequacy of fire protective services and equipment;	Fire and protectives services are adequate.
(vi) The adequacy and proximity of schools and other community facilities.	Within walking distance, residents would have access to adequate community amenities. The location is an appropriate infill opportunity for residential development.
(vii) *The creation of a new or worsening of a known pollution problem in the area, including, but not limited to, soil erosion and siltation of watercourses.*	No anticipation for pollution problems worsening due to the proposed development.
(viii) *The potential to create flooding or serious drainage issues including within the proposal site and in nearby areas*	Stormwater management on the site is the responsibility of the property owner. All stormwater runoffs should be directed to the proper catch basin.
(ix) *Impacts on sensitive environments, as identified on Schedule B*	No sensitive environments identified.
(ixA) *Impacts on wildlife corridors*	None identified.
(x) *Impacts on known habitat for species at risk*	None identified.
(xA) risks presented by geohazards	None identified.
(xi) the suitability of the site in terms of grades, soil and geological conditions, the location of watercourses and wetlands, and proximity to utility right-of-way	Site is suitable, site is not located within a watercourse buffer or coastal elevation.
(xii) negative impacts on the viability of	No anticipated negative impacts

existing businesses in the surrounding community, including, but not limited to, the risk of land use conflicts that could place limits on existing operational procedures.	on surrounding businesses.

Attachment F: Public Input Report

Attached Separately

Attachment G: Development Agreement

Attached Separately

municipality of cumberland

Council
Second Reading
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To:	Mayor Gilroy and Members of Council
Submitted By:	Glen Boone, Director of Development and Planning
Date Submitted:	September 11, 2026
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Origin: On March 27, 2026 an application for development agreement (DA) and rezoning was submitted to the Municipality. The request for DA and rezoning would enable to infill development of two residential buildings and parking facilities on PID 25216680 located at 8 James St., Parrsboro and the adjacent PID 25216755.

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Legislative Authority:

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Recommendation: That Council approve Second Reading of By-law to Amend the LUB 26-08 to rezone a portion of PID 25216755 located along Dominion Street, Parrsboro from Downtown Commercial (CDwn) to Mixed-use (CMix), AND that Council approve the Second Reading of the James/Dominion St. Development Agreement for PIDs 25216755 and 25216680.

Background:
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Discussion: The proposed use aligns well with the intent of the Mixed-Use Zone. Policy 5-12 of the Municipal Planning Strategy (MPS) states that the zone is intended to permit a wide range of commercial and residential uses and to serve as a transition between commercial and residential areas. The location, being downtown Parrsboro, is walkable and close to various community amenities such as groceries stores, community recreation facilities and community centers. Once the proposed zoning is in effect, the use would be permitted through a Development Agreement, which will be registered on the title for both subject properties PID 25216680 and PID 25216755. A copy of the agreement is included in this report as Attachment D for Council to consider for approval. Should Council approve the adoption of the Development Agreement (DA) the only amendments permitted to the development agreement and consequently the site plan, are the approved non-substantive amendments, as noted in section (11) of the agreement.

The Development Agreement specifically regulates parking requirements, as permitted under section 6.9 of the LUB, which permits off-site and shared parking through site plan approval. The conditions set out under section 13 Site Plan Approval Criteria have been incorporated into the Development Agreement. Currently, under Section 6 of the LUB, parking is not required for residential uses in the Mixed-use Zone, however since the development is permitted through a development agreement, parking requirements may be varied to require more parking in order to satisfy parking needs of the development. Parking for the residential uses and the Post Office are identified on the proposed site plan and are located across both subject parcels.

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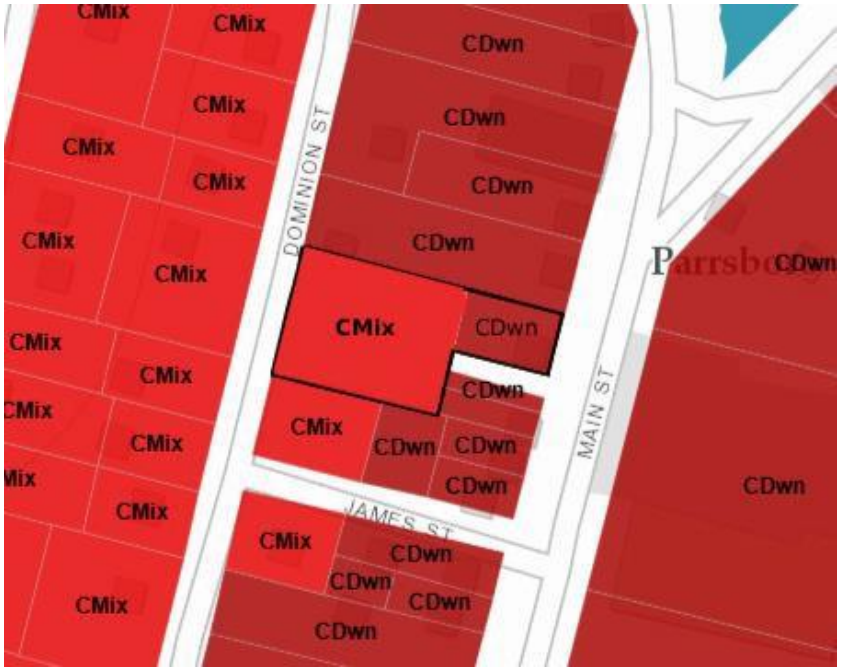
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Attachment A: Zoning Map Amendments



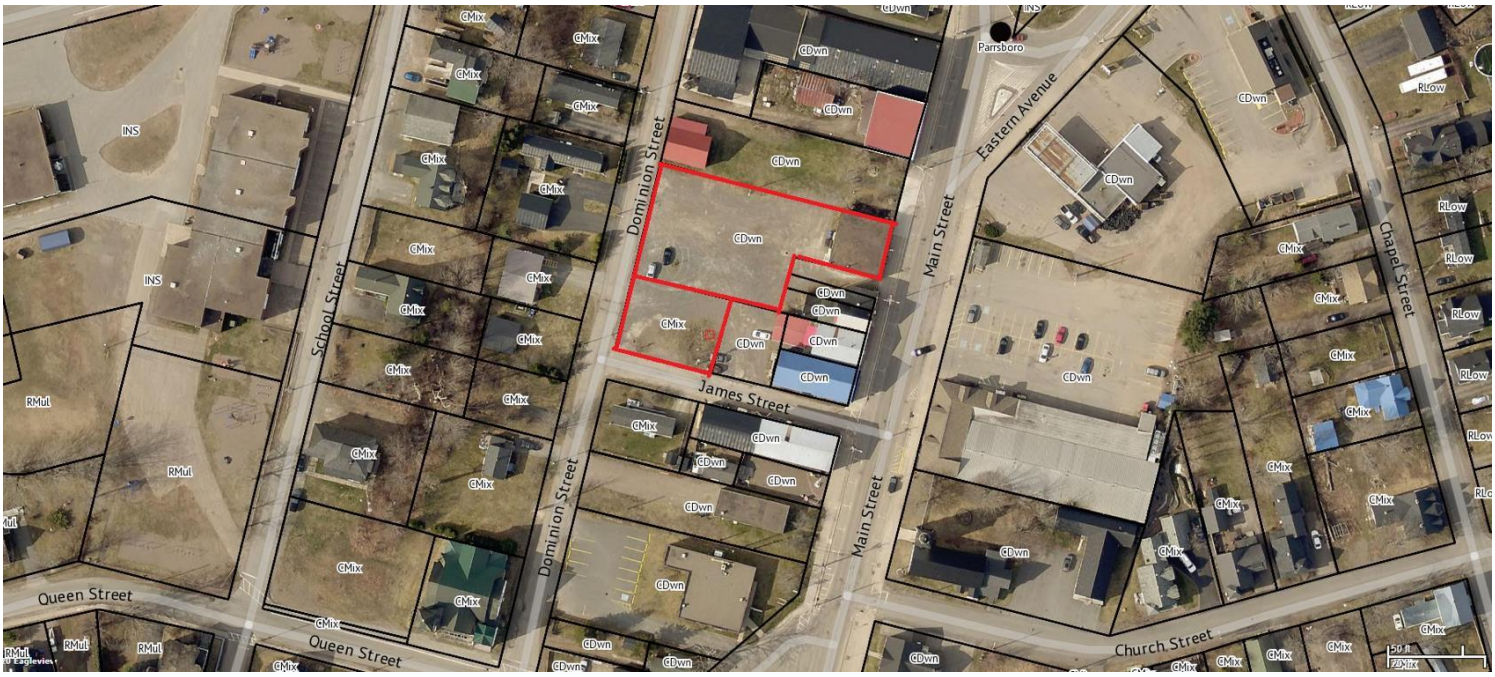
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Attachment B: Aerial and Site Photos





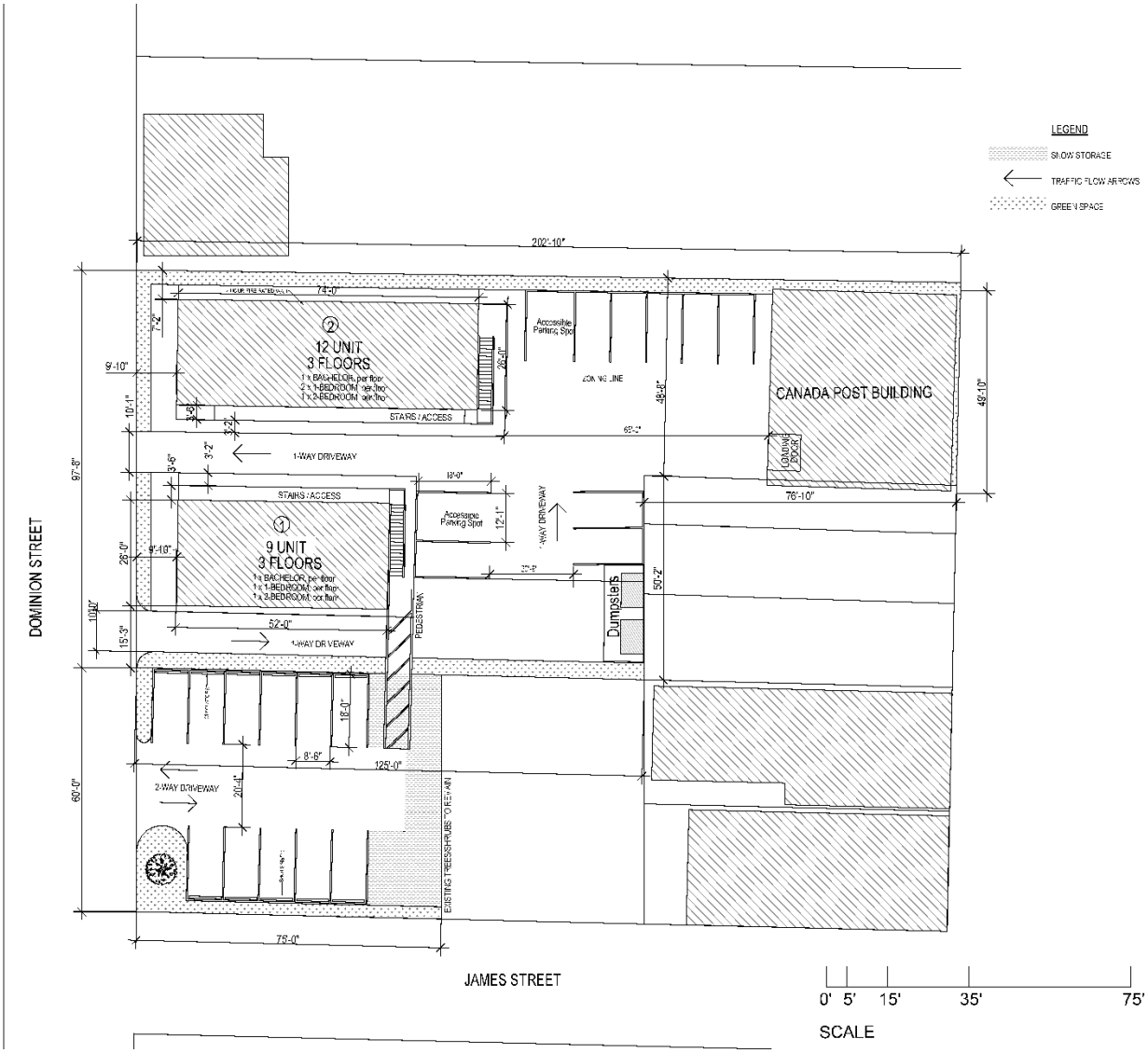






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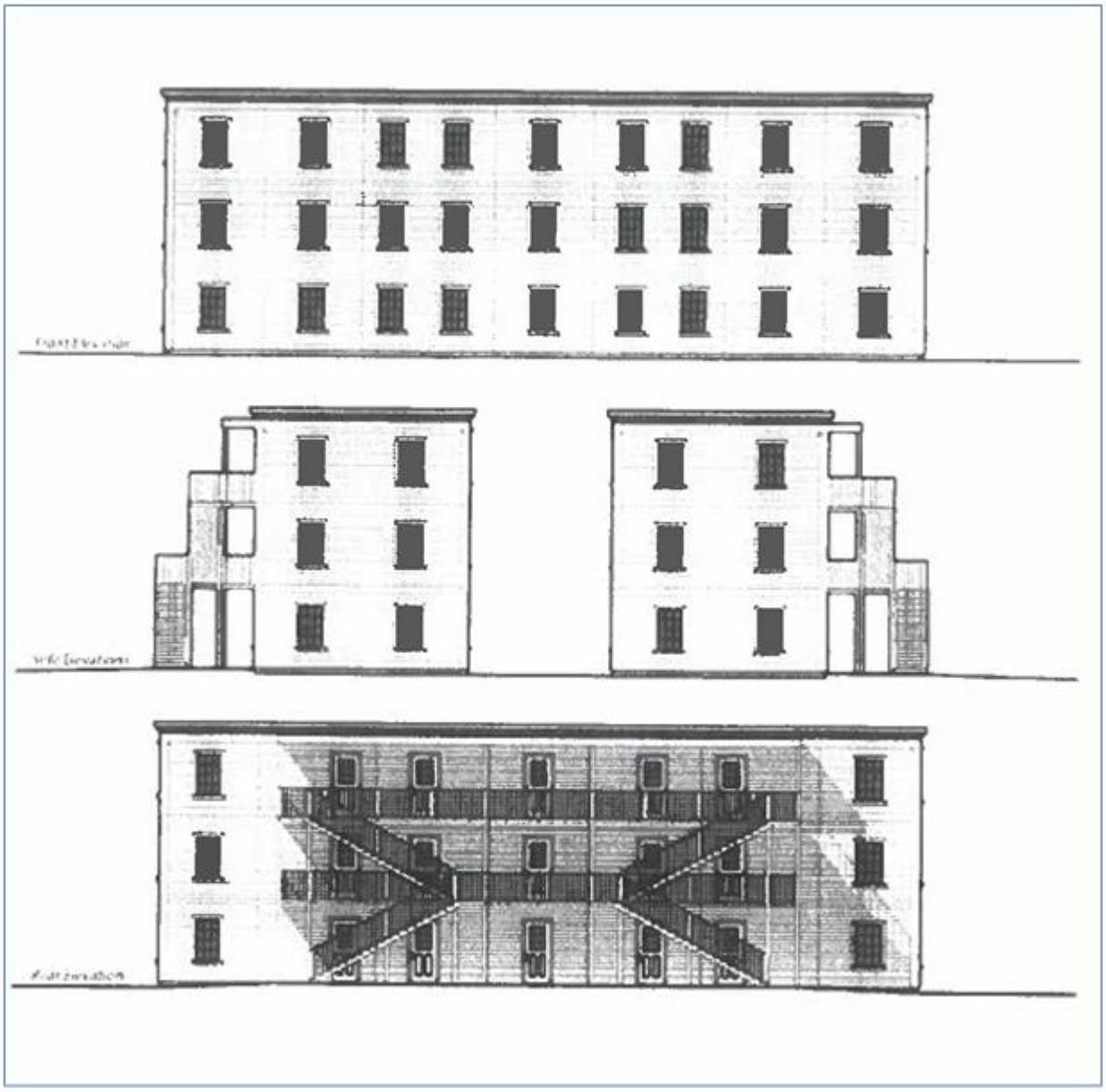
Attachment C: Site Plan



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MPS Policy 5-18 Council shall consider proposals to rezone lands in the Commercial Designation to any other zone permitted in that designation. Council shall not approve the rezoning unless council is satisfied.	
Requirement	**Comment**
(a) if the proposed zone is the Highway Commercial Zone, the lands are located at an interchange of Highway 104.	N/A
(b) The proposed change is not prohibited by any other policy in this plan.	Not prohibited
(c) the purpose of the proposed zone is consistent with the location and the characteristics of the lands;	Proposed zone consistent with location and characteristics of the lands.
(d) The Proposal meet the general criteria for amending the Land Use Bylaw, set out in Policy -19	Criteria met, see analysis below

MPS Policy 5-13: Council shall only consider developments with more than 16 dwelling units on a lot by development agreement in the Mixed-use Zone, subject to the development agreement policies of Section 6.3.
Comment:
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MPS Policy 5-12 Council shall, in the Land Use By-law, establish the Mixed-use Zone, intended to permit commercial uses in areas that could functionally support them, but do not always have the market demand to consistently fill commercial space. The zone is also intended as a transition between commercial and residential areas. Permitted uses shall include a wide range of residential uses, and a wide range of commercial uses to a scale consistent with the mixed-use nature of these areas. Zone standards shall be flexible to accommodate the diversity of uses that could occur in this zone.
As a zone intended to act as a transition between commercial and residential areas, rezoning the subject lands to Mixed-use would align with this intent, as adjacent to the property is both residential zones and commercial zones. The agglomeration of residential uses and downtown commercial areas has many benefits, from a potentially predictable and new consumer base for local businesses to efficient infrastructure and service provisions.

MPS 6-19 Council shall not amend the Land Use Bylaw or approve a development agreement unless Council is satisfied with the proposal;		
	Requirement:	**Comment:**
(a)	*Is consistent with the intent of this Municipal Planning Strategy*	Yes, rezoning is consistent.
(b)	*Does not conflict with any Municipal or Provincial Programs, by-laws, or regulations in effect in the Municipality.*	Does not Conflict
(c)	*Is not premature or inappropriate due to:*	
	(i) The ability of the Municipality to absorb the public costs related to the project.	No public costs related to project. Any upgrades required to connect to the Municipal System are at the cost of the developer.
	(ii) Impacts on existing drinking water supplies, both private and public.	Site is to be serviced by central MCC Water. No concerns at this time.

(iii) the adequacy of central water and sewage services or, where such services are not available, the suitability of the site to accommodate on-site water and sewage services	Site is eligible for connection to Municipal Central Water and Sewer, subject to MCC DPW approval. No concerns regarding adequacy of capacity at this time.
(iv) The creation of any excessive traffic hazards or congestion on road, cycling, and pedestrian networks within, adjacent to, or leading to the proposal	Parking requirements and allocated area shared between the two PIDs exceed the requirements of the LUB.
(v) The adequacy of fire protective services and equipment;	Fire and protectives services are adequate.
(vi) The adequacy and proximity of schools and other community facilities.	Within walking distance, residents would have access to adequate community amenities. The location is an appropriate infill opportunity for residential development.
(vii) *The creation of a new or worsening of a known pollution problem in the area, including, but not limited to, soil erosion and siltation of watercourses.*	No anticipation for pollution problems worsening due to the proposed development.
(viii) *The potential to create flooding or serious drainage issues including within the proposal site and in nearby areas*	Stormwater management on the site is the responsibility of the property owner. All stormwater runoffs should be directed to the proper catch basin.
(ix) *Impacts on sensitive environments, as identified on Schedule B*	No sensitive environments identified.
(ixA) *Impacts on wildlife corridors*	None identified.
(x) *Impacts on known habitat for species at risk*	None identified.
(xA) risks presented by geohazards	None identified.
(xi) the suitability of the site in terms of grades, soil and geological conditions, the location of watercourses and wetlands, and proximity to utility right-of-way	Site is suitable, site is not located within a watercourse buffer or coastal elevation.
(xii) negative impacts on the viability of	No anticipated negative impacts

existing businesses in the surrounding community, including, but not limited to, the risk of land use conflicts that could place limits on existing operational procedures.	on surrounding businesses.

Attachment F: Public Input Report

Attached Separately

Attachment G: Development Agreement

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Public Input Report – Rezoning and Development Agreement for James St / Dominion St, Parrsboro

This report provides recount of the input received by staff, relating to the rezoning and Development Agreement being considered by Council, to enable two multi-unit residential buildings on the corner of Dominion St and James St, Parrsboro.

Both written and verbal comments presented concerns towards impacts on the adjacent take-out restaurant business and potentially other nearby businesses. The subject lands are currently being used as an adhock parking lot for the take out restaurant and other nearby commercial businesses. The comments also questioned the proposed development's conformance with the neighbourhood character and the appropriateness of a residential building located within a commercial area.

The concerns raised by the public and noted in this Public Input Report have been addressed in the full Council report.

From: David Brown, Sandra Schwinghamer
To: Glen Boone; Kira Norgren; don.fletcher35@gmail.com; David Buell
Subject: Comments re: Public Hearing Scheduled Wednesday Aug12 @4:00 pm.
Date: August 11, 2026 11:35:45 AM

You don't often get email from dsfundygem@gmail.com. Learn why this is important

Thanks for reaching out regarding the upcoming meeting in Council Chambers on the apartment project adjacent to our Take-Out restaurant. Your reply followed an informative conversation with David Buell who clarified the scope and direction of this project. My presentation to Council follows:

When considering any new development, Council serves the community well when impacts on current residents are considered. The project site has been used for many years by existing residents as a convenient, safe and well maintained parking area. We recommend some general parking be allocated. The proposed building plans do indicate assigned parking for the post office. ***Our suggestion is to use some of the length of the 12 unit building adjacent to our site.*** This space is presently not only used by our customers and deliveries, but also by persons visiting local residents, *in particular*, those visiting the existing apartment complex. It is necessary that the developer recognize the continuing need for some public parking.

Modular assembly and off site construction will significantly reduce impact on our immediate area and has lessened many of our original concerns. However, modular construction is often utilitarian. Parrsboro is renowned for beautiful, historic buildings.

Our location, erected in 1908, not only functions as an essential take-out restaurant; it's also a well known downtown landmark. Over the years, the vintage barn has served many functions in the life of our community. Having a three story modular apartment building in such close proximity will obviously detract from the ambience of the property. Our site includes a small memorial park on Main Street, much green space and several picnic tables enjoyed by tourists and residents alike. ***Failing the allocation of public parking, we request a suitable styled fence be erected between our two buildings.***

We support the project and the increase of available housing in our area. We appreciate the new mode of construction and the reduced impact during the construction phase. ***We are also aware construction can be chaotic; we will all be impacted and challenged. It is our hope that our business can be sustained throughout.***

We do hope our specific requests will be considered and implemented.

Thank-you for your anticipated cooperation in this matter.

David Brown
Sandra Schwinghamer

Aug 12/2026

Public Meeting
Council Chamber
August 12/26

When considering any new development, Council serves the community well when impacts on current residents are considered. This particular project location has been used for many years by existing residents as a convenient, safe and well maintained parking area. ***We recommend some general parking be considered and allocated by the developer.*** The proposed building plans do indicate assigned space for the post office and future residents. This site is not only used by our customers and for related deliveries; it is primarily used by those visiting local resdients in the neighbourhood; in particular, by visitors at the existing apartment complex which fronts on our main street. We believe it necessay that the developer recognize the continuing need for limited public parking.

Modular assembly and off-site construction will significantly reduce impact on the immediate area and has lessened many of our original concerns. *However, modular type construction is often utilitarian.* Parrsboro is renowned for its' beautiful, historic buildings.

Our vintage location, erected in 1908, not only operates as a take-out restaurant, it's also a well- known downtown landmark serving many functions over the decades in the life of our community. Having a three story apartment building in such close proximity, will obviously, detract from the ambience of the property. Our site includes a small memorial park on Main Street, much green space and several tables enjoyed by tourists and residents alike. ***Failing the allocation of limited public parking, we request a suitably styled fence be erected between our two buildings allowing residentail access.***

We support the project and the increase in available housing in the Parrsboro area. We appreciate the new mode of construction and the resulting reduced impact during the construction phase. ***We are also aware construction can be chaotic; we will all be impacted and challenged. It is our hope that our business can be sustained throughout.***

We do hope our specific requests will be considered and implemented. Thank-you for your anticipated cooperation.

From: Glen Boone
To: Kira Norgren
Subject: FW: Attention Mayor Gilroy and Members of Council
Date: September 11, 2026 2:41:25 PM
Attachments: image001.png

As discussed and I have responded on Monday as we also discussed and I copied you on that correspondence.

Glen W. Boone
Director Development and Planning
Development and Planning Department
902-664-9544
www.cumberlandcounty.ns.ca

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From: David Brown, Sandra Schwinghamer <dsfundygem@gmail.com>
Sent: September 5, 2026 12:26 PM
To: Rod Gilroy <rgillroy@cumberlandcounty.ns.ca>; David Buell <dbuell@cumberlandcounty.ns.ca>; Glen Boone <gboone@cumberlandcounty.ns.ca>; Marchel Strong <mstrong@cumberlandcounty.ns.ca>
Subject: Attention Mayor Gilroy and Members of Council

This is to advise that following our presentation to Council in August concerning the proposed apartment complex on Dominion Street in Parrsboro, we have received no further information and *emails remain unanswered.*

The ongoing lack of communication makes it difficult to adjust our business plans accordingly.

If it is possible, we would like to know when work on the site will commence and completion dates.
Surely, it is not too much to be kept up to date. We are directly impacted. Various adjustments must be made to

our operation and appropriate lead time is required.

It is also important to note that **we were in no way contacted or consulted by anyone** before it was concluded by Council that..."existing businesses would not be negatively impacted" by this project.

It is challenging enough in a small town where our competitors legitimately include existing restaurants. We are also unreasonably forced to compete with food vendors rolling into town parking food trucks in desirable locations on public land. These competitors pay no local taxes, hire no local people and have no vested interest in this community whatsoever.

Seeking communication from our elected representatives, or their surrogates, on a project that will negatively impact our business, does not seem like too much to expect.

Anticipating your cooperation in this matter.

David Brown
High Tide Take Out Restaurant
58 Dominion St, Parrsboro, NS

Notice of Public Hearings - By-law to Amend Land Use By-Law 26-08, 26-09

Details Edit

Published: 27 July 2026

Notice of public hearings on Wednesday, Aug. 12, 2026, at 4 pm at the Upper Nappan Service Centre.

By-law to Amend the Land Use By-law 26-08:

· To rezone a portion of PID 25216755 adjacent to 58 Dominion Street, Parrsboro from Downtown Commercial (CDwn) Zone to Mixed-use (CMix) Zone.

· Create a Development Agreement for Casey Realty (James/Dominion St.) Parrsboro for PIDs 25216755 and 25216680.

By-law to Amend the Land Use By-law 26-09:

· To rezone PID 25522483, located South of Drennan Brook, along HWY 368, West Wentworth from Agricultural (AG) Zone to the Commercial Recreation (CRec) Zone.

Hearing documents can be viewed at plancumberland.ca/hearings or by contacting our office at 902-667-1142. Public Hearings are open to the public. You may participate by submitting comments by email to: clerk@cumberlandcounty.ns.ca or by mail to: Planning Dept, Upper Nappan Service Centre, 1395 Blair Lake Rd, Upper Nappan, NS B4H 3Y4.

Peter McCracken
Deputy CAO / Municipal Clerk

municipality of cumberland

Special Council
Public Hearing
Date of Meeting: August 12, 2026

To:	Mayor Gilroy and Members of Council
Submitted By:	Glen Boone, director of Development and Planning
Date Submitted:	August 05, 2026
Subject:	**Public Hearing: By-law to Amend the Land Use By-law 26-08 to rezone a portion of PID 25216755 located beside 58 Dominion St., Parrsboro and to Adopt a Development Agreement for PID 25216755 and PID 25216680.**

Origin: On March 27, 2026 an application for development agreement (DA) and rezoning was submitted to the Municipality. The request for DA and rezoning would enable to infill development of two residential buildings and parking facilities on PID 25216680 located at 8 James St., Parrsboro and the adjacent PID 25216755.

PID	Location	Current Zone	Proposed Zone	Proposed Use
A portion of 25216755	Parrsboro	Downtown Commercial (CDwn) Zone	Mixed-use (CMix) Zone	Two Multi-Unit Dwellings

Legislative Authority:
Policy 5-18 Council Shall consider proposals to rezone lands in the Commercial Designation to any other zone permitted in the designation. Council shall not approve such a rezoning unless council is satisfied.

a) If the proposed zone is a highway commercial zone, the lands are located at an interchange of Highway 104
b) The proposed change is not prohibited by any other policy in this Plan
c) The purpose of the proposed zone, as described in the respective policy creating that zone, is consistent with the location and characteristics of that zone; And
d) The proposal meets the general criteria for amending the Land Use Bylaw, set out in Policy 6-19

LUB Section 9.1.4 The following uses shall be permitted in the Mixed-use Zone, subject to the applicable policy of the Municipal Planning Strategy:

a) More than 16 Dwelling Units on a Lot – MPS Policy 5-13.
b) 9.1.5 Large-scale wind turbines – MPS Policy 4-56A. [CHG-904]
c) Medium-scale wind turbines – MPS Policy 4-56A. [CHG-904]

Recommendation: No motions to consider at the Public Hearing Stage.

Special Council
Public Hearing
Date of Meeting: August 12, 2026

Background:
The subject properties are in Parrsboro, located at the corner of Dominion st and James st. The subject properties consist of two properties, PID 25216755, a through lot fronting on both Main St and Dominion St. On the Main St side of the lot is the Post Office, addressed 245 Main st, while the Dominion St portion of the lot is vacant. The second subject property PID 25216680, located at 8 James St and is a corner lot fronting on both Dominion and James. The two subject properties have a combined lot area of 1970sqm. The proponent is proposing to develop two multi-unit residential buildings on the subject property, which would create a total of 21 dwelling units. Both multi-unit buildings will be located on PID 25216755 and the parking facilities for both residential buildings are located across the two PIDs.

The subject properties are currently zoned Mixed-use (CMix) and Commercial Downtown (CDwn), PID 25216680, located on James St, is zoned Mixed-use and PID 25216755 is zoned Downtown Commercial as it fronts on Main St. By-law to Amend the LUB 26-08 proposes rezoning the Dominion St. portion of the lot (see Attachment A) to Mixed-use zone. To further enable the development of the proposed multi-unit buildings, a Development Agreement is being proposed for the two subject properties, as 21 dwelling units are only permitted through development agreement under the Mixed-use Zone.

Discussion:
This zone aligns well with the proposed use, as the Mixed-use zone is intended to act as a transitional zone between residential zones and commercial zones and is intended to allow both commercial and residential uses. The location, being downtown Parrsboro, is walkable as it is close to various community amenities such as groceries stores, community recreation facilities and community centers. Once the proposed zoning is in effect, the development will require a Development Agreement to be signed and registered on title for both subject properties, PID 25216680 and PID 25216755. A copy of the agreement is included in this report as Attachment D for Council to consider approving. Should Council approve the adoption of the Development Agreement (DA) the only amendments permitted to the development agreement and therefore the site plan, is non-substantive amendments, as noted in section (11) of the agreement.

The Development Agreement specifically regulates parking requirements, as permitted under section 6.9 of the LUB, which permits off-site and shared parking through site plan approval. The conditions set out under section 13 Site Plan Approval Criteria have been incorporated into the Development Agreement.

Financial Implications:
No direct financial implications or costs to the Municipality. The proponent will be responsible for upgrades that may be required to connect to the Municipality Water and Wastewater System. The lots have been vacant for quite some time and the development of same will create new tax revenue.

Environmental Implications:
The proposed landscaping will help define the street edge and will work to assist or align with stormwater management practices on the site, guiding stormwater runoff to appropriate catch basin. Municipal services are available at the site; the proponent is responsible for obtaining connections to the municipal system. A Service Agreement between the owner and the Municipality may be required for connection.

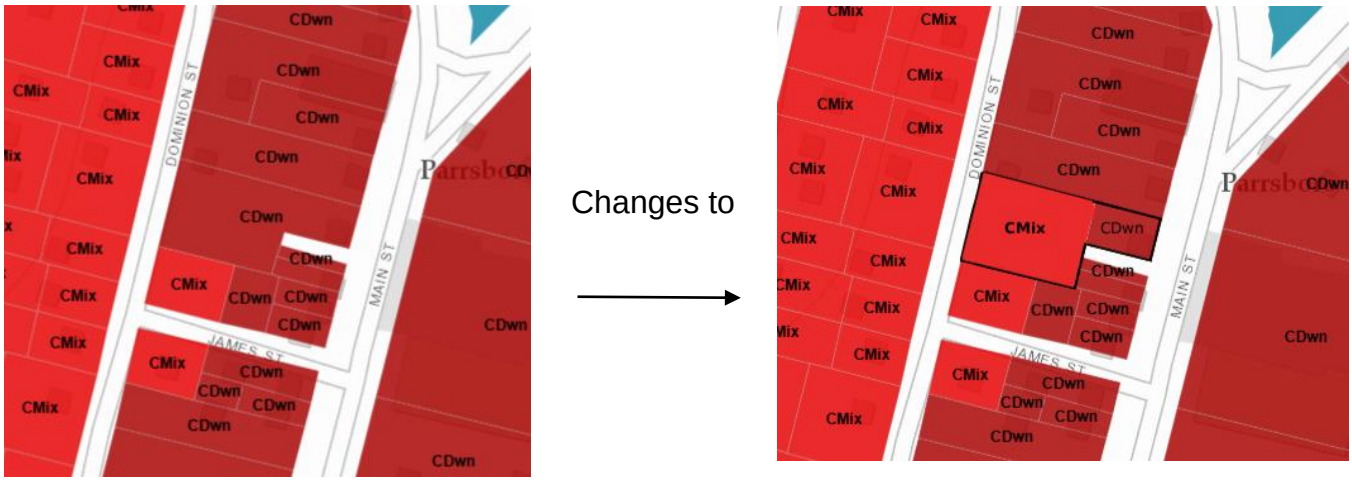
Community Engagement:
This public hearing was duly advertised in accordance with the MGA, notices were placed on the municipal website on July 27, 2026. Furthermore, a notice was placed in the Chronicle Herald for August 1, 2026, and a planning notice sign was placed on the property.

Alternatives:
- Council may defer the issue to a later date,
- Request further information or
- Reject the proposed amendment based on conflict with a policy in the Municipal Planning Strategy.

Attachments:
Attachment A: Zoning Map Amendments
Attachment B: aerial and site photos
Attachment C: Site Plan
Attachment D: Concept Elevation Drawings
Attachment E: Development Agreement
Attachment F: Policy Review

Special Council
Public Hearing
Date of Meeting: August 12, 2026

Attachment A: Zoning Map Amendments



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Special Council
Public Hearing
Date of Meeting: August 12, 2026

Attachment B: Aerial and Site Photos





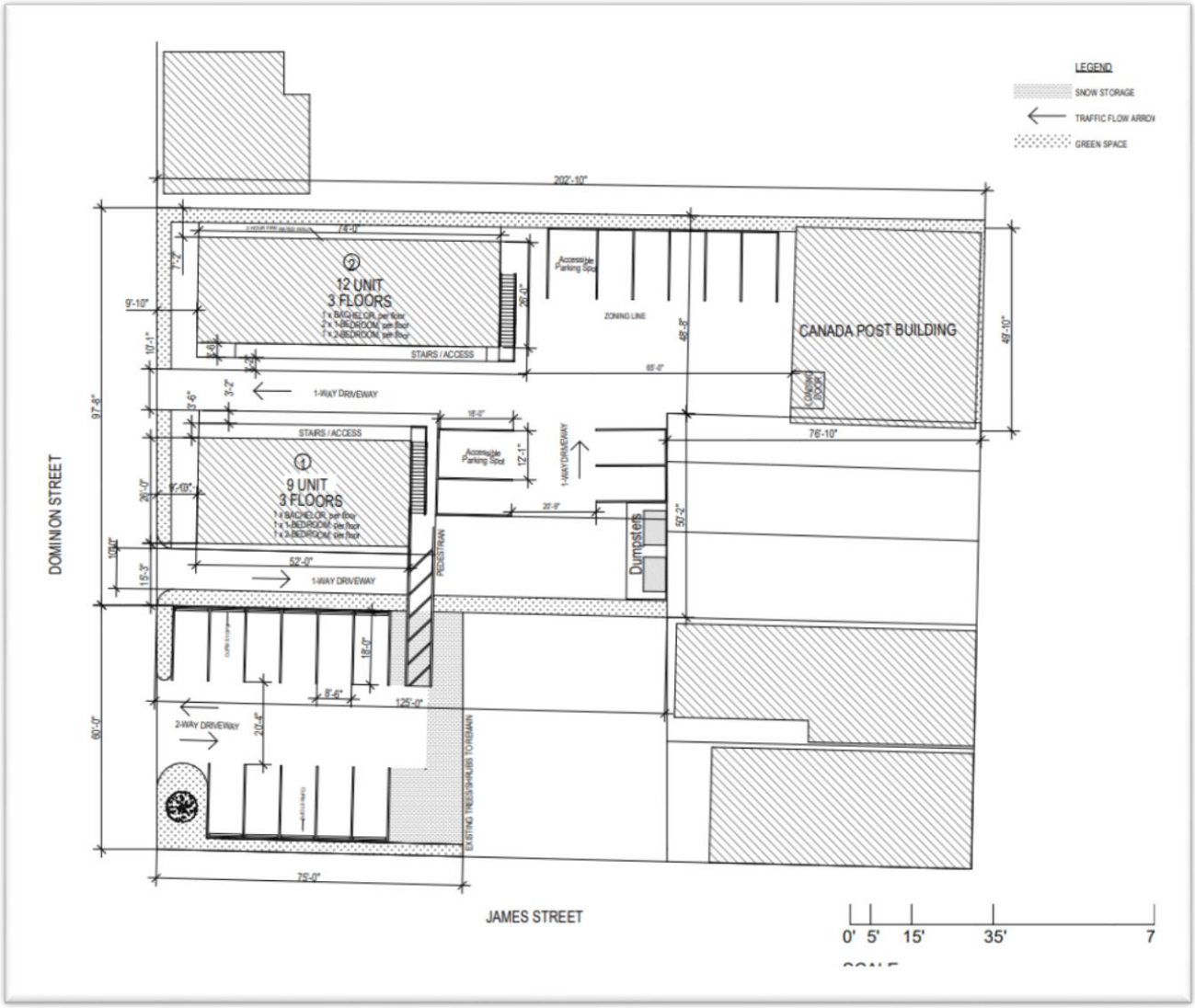






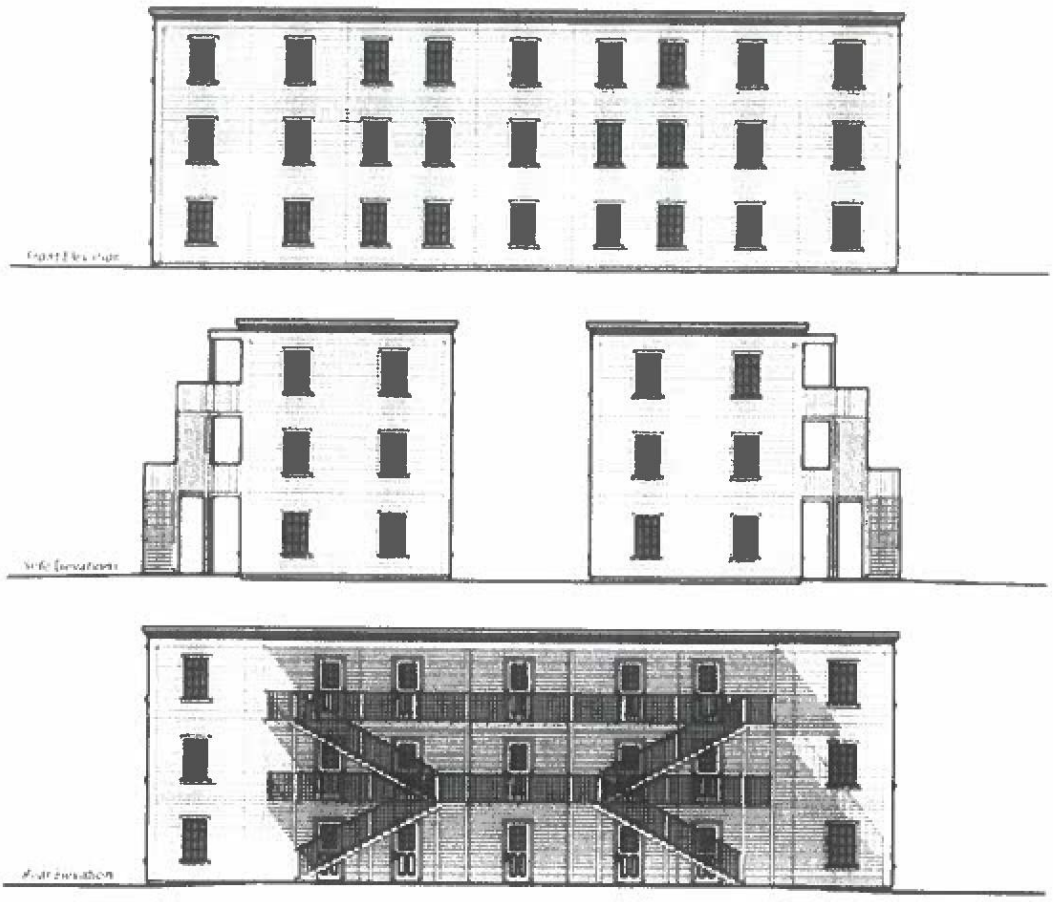
Special Council
Public Hearing
Date of Meeting: August 12, 2026

Attachment C: Site Plan



Special Council
Public Hearing
Date of Meeting: August 12, 2026

Attachment D: Concept Elevation Drawings



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Special Council
Public Hearing
Date of Meeting: August 12, 2026

Attachment E: Development Agreement

Attached Separately

Attachment F: Policy Review

The following is an analysis of the MPS policies which enable the rezoning of the subject property and the Development Agreement.

MPS Policy 5-18 Council shall consider proposals to rezone lands in the Commercial Designation to any other zone permitted in that designation. Council shall not approve the rezoning unless council is satisfied.	
Requirement	**Comment**
(a) if the proposed zone is the Highway Commercial Zone, the lands are located at an interchange of Highway 104.	N/A
(b) The proposed change is not prohibited by any other policy in this plan.	Not prohibited
(c) the purpose of the proposed zone is consistent with the location and the characteristics of the lands;	Proposed zone consistent with location and characteristics of the lands.
(d) The Proposal meet the general criteria for amending the Land Use Bylaw, set out in Policy - 19	Criteria met, see analysis below

MPS Policy 5-13: Council shall only consider developments with more than 16 dwelling units on a lot by development agreement in the Mixed-use Zone, subject to the development agreement policies of Section 6.3.
Comment:
The proposed use is permitted in the Mixed-Use Zone through a Development agreement. Such agreement is subject to Council approval and is being considered concurrently to the proposed zoning change.

municipality of cumberland

Special Council
Public Hearing
Date of Meeting: August 12, 2026

MPS Policy 5-12 Council shall, in the Land Use By-law, establish the Mixed-use Zone, intended to permit commercial uses in areas that could functionally support them, but do not always have the market demand to consistently fill commercial space. The zone is also intended as a transition between commercial and residential areas. Permitted uses shall include a wide range of residential uses, and a wide range of commercial uses to a scale consistent with the mixed-use nature of these areas. Zone standards shall be flexible to accommodate the diversity of uses that could occur in this zone.
As a zone intended to act as a transition between commercial and residential areas, rezoning the subject lands to Mixed-use would align with this intent, as adjacent to the property is both residential zones and commercial zones.

	MPS 6-19 Council shall not amend the Land Use Bylaw or approve a development agreement unless Council is satisfied with the proposal;	
	Requirement:	**Comment:**
(a)	*Is consistent with the intent of this Municipal Planning Strategy*	Yes, rezoning is consistent.
(b)	*Does not conflict with any Municipal or Provincial Programs, by-laws, or regulations in effect in the Municipality.*	Does not Conflict
(c)	*Is not premature or inappropriate due to:*	Land has been vacant for some time.
	(i) The ability of the Municipality to absorb the public costs related to the project.	No public costs related to project.
	(ii) Impacts on existing drinking water supplies, both private and public.	Site is to be serviced by central MCC Water. No concerns at this time.
	(iii) the adequacy of central water and sewage services or, where such services are not available,	Site is eligible for connections to municipal central water

	the suitability of the site to accommodate on-site water and sewage services	and sewer, subject to MCC DPW approval. No concerns regarding adequacy of capacity currently.
	(iv) The creation of any excessive traffic hazards or congestion on road, cycling, and pedestrian networks within, adjacent to, or leading to the proposal	Parking requirements and allocated area shared between the two PIDs exceed the requirements of the LUB.
	(v) The adequacy of fire protective services and equipment;	Fire and protectives services are adequate.
	(vi) The adequacy and proximity of schools and other community facilities.	Within walking distance, residents would have access to adequate community amenities. The location is an appropriate infill opportunity for residential development.
(vii)	*The creation of a new or worsening of a known pollution problem in the area, including, but not limited to, soil erosion and siltation of watercourses.*	No anticipation for pollution problems worsening due to the proposed development.
(viii)	*The potntial to create flooding or serious drainage issues including within the proposal site and in nearby areas*	Stormwater management on the site is the responsibility of the property owner. All stormwater runoffs should be directed to the proper catch basin.

(ix)	*Impacts on sensitive environments, as identified on Schedule B*	No sensitive environments identified.
(ixA)	*Impacts on wildlife corridors*	None identified.
(x)	*Impacts on known habitat for species at risk*	None identified
(xA)	*risks presented by geohazards*	None identified
(xi)	*the suitability of the site in terms of grades, soil and geological conditions, the location of watercourses and wetlands, and proximity to utility right-of-way*	Site is suitable, site is not located within a watercourse buffer or coastal elevation.
(xii)	*negative impacts on the viability of existing businesses in the surrounding community, including, but not limited to, the risk of land use conflicts that could place limits on existing operational procedures.*	No anticipated negative impacts on surrounding businesses. More residential units will likely support local business growth.

municipality of cumberland

Council
First Reading
Date of Meeting: June 24, 2026

To:	Mayor Gilroy and Members of Council
Submitted By:	Glen Boone, Director of Development and Planning
Date Submitted:	June 16, 2026
Subject:	**First Reading: By-law to Amend the Land Use By-law 26-08 to rezone a portion of PID 25216755 located along Dominion St., Parrsboro and to Adopt a Development Agreement for PID 25216755 and PID 25216680.**

Origin: On March 27, 2026 an application for development agreement (DA) and rezoning was submitted to the Municipality. The request for DA and rezoning would enable to infill development of two residential buildings and parking facilities on PID 25216680 located at 8 James St., Parrsboro and the adjacent PID 25216755.

PID	Location	Current Zone	Proposed Zone	Proposed Use
A portion of 25216755	Parrsboro	Downtown Commercial (CDwn) Zone	Mixed-use (CMix) Zone	Two Multi-Unit Dwellings

Legislative Authority:

Policy 5-18 Council Shall consider proposals to rezone lands in the Commercial Designation to any other zone permitted in the designation. Council shall not approve such a rezoning unless council is satisfied.

a) If the proposed zone is a highway commercial zone, the lands are located at an interchange of Highway 104
b) The proposed change is not prohibited by any other policy in this Plan
c) The purpose of the proposed zone, as described in the respective policy creating that zone, is consistent with the location and characteristics of that zone; And
d) The proposal meets the general criteria for amending the Land Use Bylaw, set out in Policy 6-19

LUB Section 9.1.4 The following uses shall be permitted in the Mixed-use Zone, subject to the applicable policy of the Municipal Planning Strategy:

a) More than 16 Dwelling Units on a Lot – MPS Policy 5-13.
b) More than 16 Dwelling Units on a Lot – MPS Policy 5-13.
c) 9.1.5 Large-scale wind turbines – MPS Policy 4-56A. [CHG-904]
d) Medium-scale wind turbines – MPS Policy 4-56A. [CHG-904]

municipality of cumberland

Council
First Reading
Date of Meeting: June 24, 2026

Recommendation: That Council approve First Reading of the By-law to Amend the LUB 26-08 to rezone a portion of PID 25216755 located along Dominion Street, Parrsboro from Downtown Commercial (CDwn) Zone to Mixed-use (CMix) Zone, AND FURTHER, that Council approve First Reading of the Casey Realty (James/Dominion St.) Parrsboro Development Agreement for PIDs 25216755 and 25216680.

Background:
The subject properties are in Parrsboro, located at the corner of dominion st and James st. The subject properties consist of two properties, PID 25216755, a through lot fronting on both Main St and Dominion St. On the Main St side of the lot is the Post Office, addressed 245 Main st, while the Dominion St portion of the lot is vacant. The second property of the subject properties is PID 25216680, located at 8 James St and is a corner lot fronting on both Dominion and James. The two subject properties are a combined 1970sqm. The proponent is proposing to develop two multi-unit residential buildings on the subject property, which would create a total of 21 dwelling units. Both multi-unit buildings will be located on PID 25216755 and the parking facilities for both residential buildings are located across the two PIDs.

The subject properties are currently zoned Mixed-use (CMix) and Commercial Downtown (CDwn), PID 25216680, located on James St, is zoned Mixed-use and PID 25216755 is zoned Downtown Commercial as it fronts on Main St. By-law to Amend the LUB 26-08 proposes rezoning the Dominion St. portion of the lot (see Attachment A) to Mixed-use zone. To further enable the development of the proposed multi-unit buildings, a Development Agreement is being proposed for the two subject properties, as 21 dwelling units are only permitted through development agreement under the Mixed-use Zone.

Discussion: This zone aligns well with the proposed use, as the Mixed-use zone is intended to act as a transitional zone between residential zones and commercial zones and is intended to allow both commercial and residential uses. The location, being downtown Parrsboro, is walkable as it is close to various community amenities such as groceries stores, community recreation facilities and community centers.
Once the proposed zoning is in effect, the development will require a Development Agreement to be signed and registered on title for both subject properties, PID 25216680 and PID 25216755. A copy of the agreement is included in this report as Attachment D for Council to consider approving. Should Council approve the adoption of the Development Agreement (DA) the only amendments permitted to the development agreement and therefore the site plan, is non-substantive amendments, as noted in section (11) of the agreement.

The Development Agreement specifically regulates parking requirements, as permitted under section 6.9 of the LUB, which permits off-site and shared parking through site plan approval. The conditions set out under section 13 Site Plan Approval Criteria have been incorporated into the Development Agreement.

Financial Implications: No direct financial implications or costs to the Municipality. The proponent will be responsible for upgrades that may be required to connect to the Municipality Water and Wastewater System.

Environmental Implications: Landscaping proposed will help define the street edge and will work to assist or align with stormwater management practices on the site, guiding stormwater runoff to appropriate catch basin. Municipal services are available at the site; the proponent is responsible for obtaining connection to the municipal system. A Service Agreement between the owner and the Municipality may be required for connection.

Community Engagement: Should Council approve first reading, a public hearing would be held on the above matter, at a future Council meeting. In accordance with MGA Section 206, notices will be placed on the municipal website two weeks prior to the scheduled date. Furthermore, a notice will be placed in a locally circulated newspaper at least one week prior to the public hearing and a planning notice sign will be placed on the property.

Alternatives:

- Council may defer the issue to a later date,
- Request further information or
- Reject the proposed amendment based on conflict with a policy in the Municipal Planning Strategy.

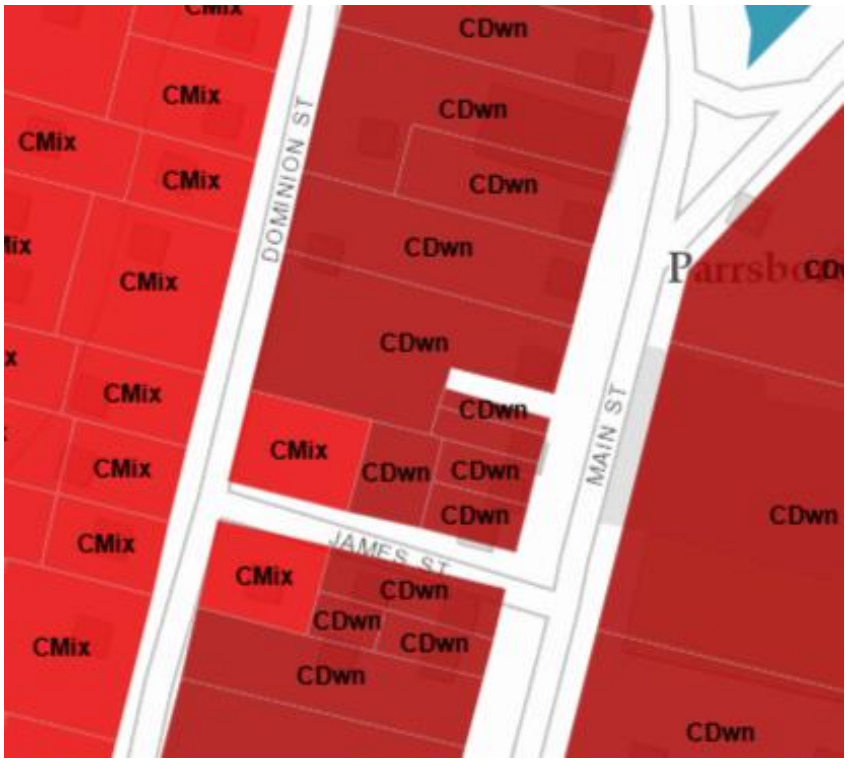
Attachments:

Attachment A: Zoning Map Amendments
Attachment B: aerial and site photos
Attachment C: Site Plan
Attachment D: Development Agreement
Attachment F: Policy Review

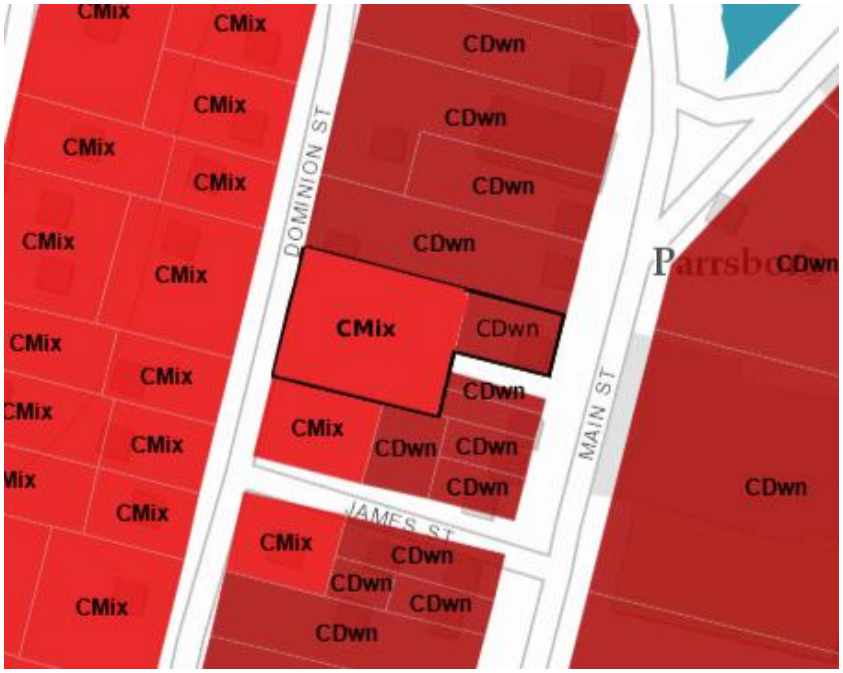
municipality of cumberland

Council
First Reading
Date of Meeting: June 24, 2026

Attachment A: Zoning Map Amendments



Changes to



municipality of cumberland

Council
First Reading
Date of Meeting: June 24, 2026

Attachment B: Aerial and Site Photos







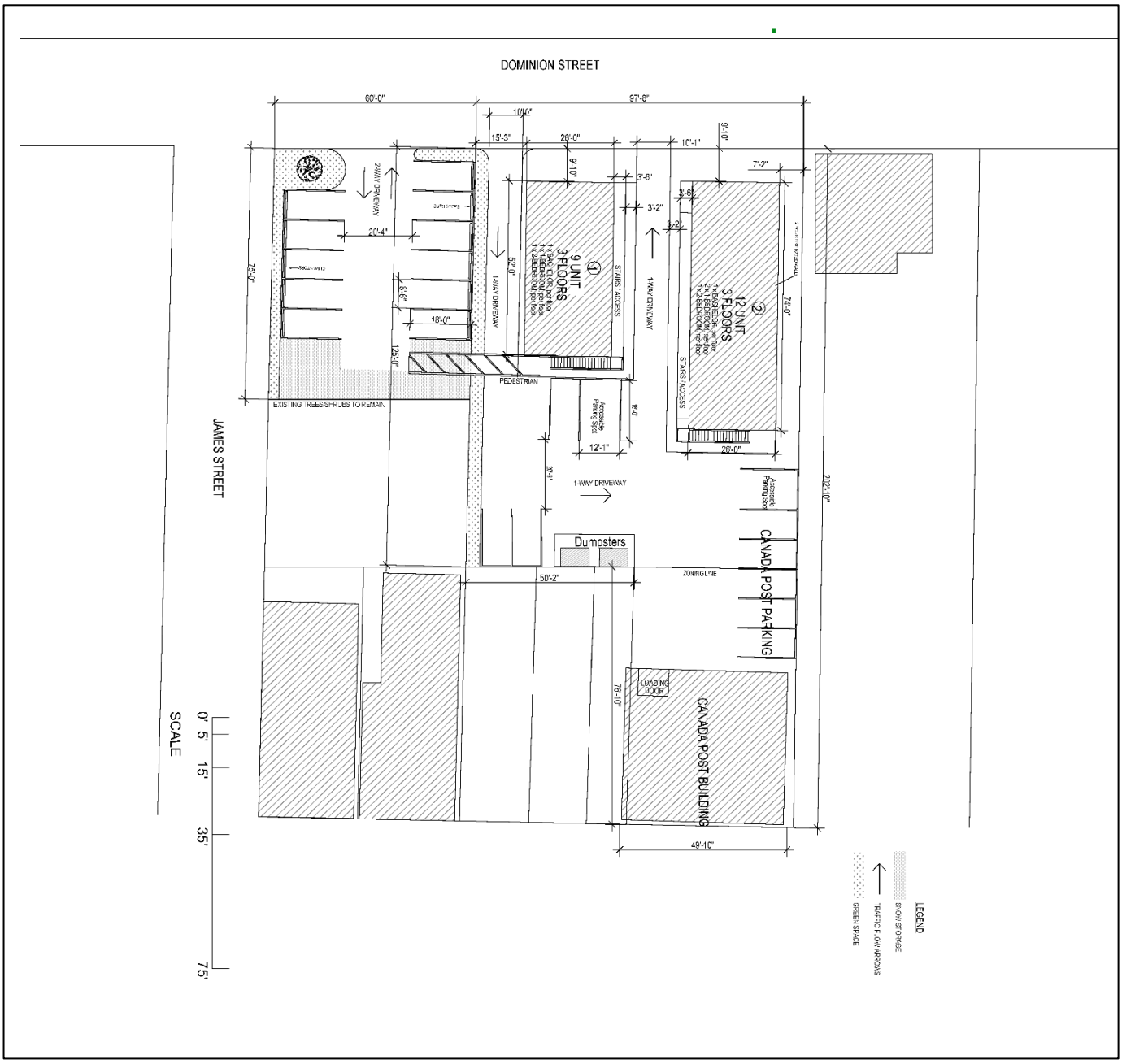




municipality of cumberland

Council
First Reading
Date of Meeting: June 24, 2026

Attachment C: Site Plan



municipality of cumberland

Council
First Reading
Date of Meeting: June 24, 2026

Attachment D: Development Agreement

Attached Separately

Attachment F: Policy Review

The following is an analysis of the MPS policies which enable the rezoning of the subject property and the Development Agreement.

MPS Policy 5-18 Council shall consider proposals to rezone lands in the Commercial Designation to any other zone permitted in that designation. Council shall not approve the rezoning unless council is satisfied.	
Requirement	**Comment**
(a) if the proposed zone is the Highway Commercial Zone, the lands are located at an interchange of Highway 104.	N/A
(b) The proposed change is not prohibited by any other policy in this plan.	Not prohibited
(c) the purpose of the proposed zone is consistent with the location and the characteristics of the lands;	Proposed zone consistent with location and characteristics of the lands.
(d) The Proposal meet the general criteria for amending the Land Use Bylaw, set out in Policy -19	Criteria met, see analysis below

MPS Policy 5-13: Council shall only consider developments with more than 16 dwelling units on a lot by development agreement in the Mixed-use Zone, subject to the development agreement policies of Section 6.3.
Comment:
The proposed use is permitted in the Mixed-Use Zone through a Development agreement. Such agreement is subject to Council approval and is being considered concurrently to the proposed zoning change.

MPS Policy 5-12 Council shall, in the Land Use By-law, establish the Mixed- use Zone, intended to permit commercial uses in areas that could functionally

support them, but do not always have the market demand to consistently fill commercial space. The zone is also intended as a transition between commercial and residential areas. Permitted uses shall include a wide range of residential uses, and a wide range of commercial uses to a scale consistent with the mixed-use nature of these areas. Zone standards shall be flexible to accommodate the diversity of uses that could occur in this zone.
As a zone intended to act as a transition between commercial and residential areas, rezoning the subject lands to Mixed-use would align with this intent, as adjacent to the property is both residential zones and commercial zones.

MPS 6-19 Council shall not amend the Land Use Bylaw or approve a development agreement unless Council is satisfied with the proposal;

	Requirement:	**Comment:**
(a)	*Is consistent with the intent of this Municipal Planning Strategy*	Yes, rezoning is consistent.
(b)	*Does not conflict with any Municipal or Provincial Programs, by-laws, or regulations in effect in the Municipality.*	Does not Conflict
(c)	*Is not premature or inappropriate due to:*	
	(i) The ability of the Municipality to absorb the public costs related to the project.	No public costs related to project.
	(ii) Impacts on existing drinking water supplies, both private and public.	Site is to be serviced by central MCC Water. No concerns at this time.
	(iii) the adequacy of central water and sewage services or, where such services are not available, the suitability of the site to accommodate on-site water and sewage services	Site is eligible for connection to Municipal Central Water and Sewer, subject to MCC DPW approval. No concerns regarding

		adequacy of capacity at this time.
	(iv) The creation of any excessive traffic hazards or congestion on road, cycling, and pedestrian networks within, adjacent to, or leading to the proposal	Parking requirements and allocated area shared between the two PIDs exceed the requirements of the LUB.
	(v) The adequacy of fire protective services and equipment;	Fire and protectives services are adequate.
	(vi) The adequacy and proximity of schools and other community facilities.	Within walking distance, residents would have access to adequate community amenities. The location is an appropriate infill opportunity for residential development.
(vii)	*The creation of a new or worsening of a known pollution problem in the area, including, but not limited to, soil erosion and siltation of watercourses.*	No anticipation for pollution problems worsening due to the proposed development.
(viii)	*The potential to create flooding or serious drainage issues including within the proposal site and in nearby areas*	Stormwater management on the site is the responsibility of the property owner. All stormwater runoffs should be directed to the proper catch basin.
(ix)	*Impacts on sensitive environments, as identified on Schedule B*	No sensitive environments identified.
(ixA)	*Impacts on wildlife corridors*	None identified.
(x)	*Impacts on known habitat for species at risk*	None identified.

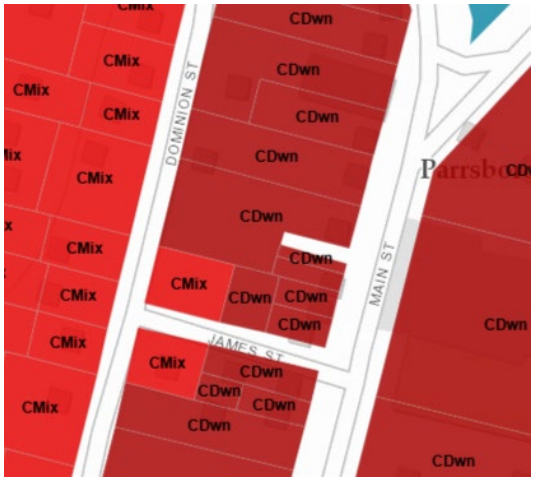
(xA)	*risks presented by geohazards*	None identified.
(xi)	*the suitability of the site in terms of grades, soil and geological conditions, the location of watercourses and wetlands, and proximity to utility right-of-way*	Site is suitable, site is not located within a watercourse buffer or coastal elevation.
(xii)	*negative impacts on the viability of existing businesses in the surrounding community, including, but not limited to, the risk of land use conflicts that could place limits on existing operational procedures.*	No anticipated negative impacts on surrounding businesses.

Municipality of Cumberland By-law 26-08

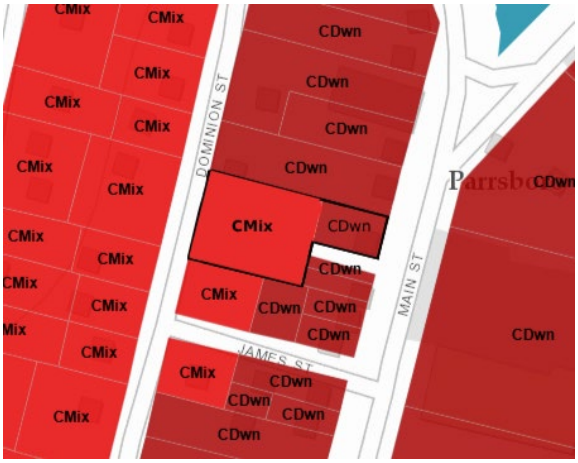
By-law to Amend the Land Use By-law

1. This By-law is titled “By-law to Amend the Land Use By-law 26-08”.

2. Schedule A of the Land Use By-law is hereby amended to reflect the change in zoning for a portion of PID 25216755, located along Dominion St Parrsboro from Downtown Commercial (CDwn) to Mixed-use (CMix) Zone



Changes to



3. This By-law comes into force upon publication.

Clerk’s Annotation for Official By-law Book

Date of First Reading: _____

Date of Second Reading: _____

*Date of advertisement of Approval of By-law: _____

Date of mailing to Minister a certified copy of the By-law: _____

I hereby certify that this is a true copy of the By-law to Amend the Land Use By-law 26-08 approved by the Council the Municipality of Cumberland on _____.

Municipal Clerk: Date:

*Effective date of By-Law unless specified in the By-Law