

**Subject:** MPS and LUB Amendment Application: Redesignation and Rezoning of Lower Green Street

**From:** Community Development

**Date:** August 21, 2024 – *public participation meeting*  
September 24, 2024 – *first reading*  
October 8, 2024 – *public hearing and second reading*



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### **Recommendation**

That Council approve the second and final reading of the amended Municipal Planning Strategy and Land Use Bylaw to redesignate PID 60052495, PID 60052503 (rear and front portion), PID 60052511, PID 60052529, PID 60734167, PID 60052552, PID 60487857, PID 60052560, PID 60052578, PID 60052586, PID 60052594 to Residential (RES) and rezone them Lower Density Residential (RL).

### **Alternatives**

- Refuse the application of the proposed amendments to the Municipal Planning Strategy (MPS) and Land Use By-law (LUB).
- Not include 2-4 Tannery Road (PID 60052578) and 3 Green Street (PID 60052560) in the proposed grouping for redesignation and rezoning to Lower Density Residential (RL).
- Defer a decision.

### **Background**

On October 24, 2023, Council received a request that residential properties on Green Street be rezoned from Residential (R) to General Commercial (CG) under the 2021 Land Use By-law and be reverted to their previous status of residential zoning.

On February 27, 2024 Staff brought forward this proposal to Council for guidance and approval to proceed with the required MPS and LUB amendments. Approval to proceed was granted, resulting in a public participation meeting held by the Planning Advisory Committee (PAC) March 25, 2024. PAC recommended that Council adopt the amendments but to also include two additional lots, located at 4 Tannery Road (PID 60052578) and 3 Green Street (PID 60052560).

This recommendation was reaffirmed at the most recent PAC meeting held August 21, 2024 where the amendments were brought forward a second time to ensure compliance under the newly developed Planning Public Participation Policy.

### **Discussion**

The property owners with confirmed interest in the requested MPS/LUB amendment are:

- PID 60052503, PID 60052495 - 27 Green Street
- PID 60052511 - 23 Green Street
- PID 60052529 and PID 60734167 - 21 Green Street
- PID 60052552 and PID 60487857- 11 Green Street
- PID 60052586 - 6 Tannery Road
- PID 60052594 - 8 Tannery Road

Three property owners within the noted area wish to maintain their General Commercial (CG) Use zoning:

- PID 60052487 – 45 Victoria Road
- PID 60052560 – 3 Green Street; and
- PID 60052578 – 2-4 Tannery Road

The applicant has expressed concern that the current General Commercial Zoning will cause the loss of the historic residential flavour of their neighbourhood, noting that this area has always been residential and includes heritage homes built between 1887 and 1923. They argue that commercial enterprise on Green Street could lower property values, negatively impact the neighbourhood's aesthetics and disrupt residents enjoying their homes, especially seniors (see Attachment A).

## **Staff Analysis**

### General Considerations in the Current Planning Context

Council approved a Comprehensive Community Plan (CCP) in 2020 that designates Victoria Road coming into Town following Falkland Street to Lincoln Street as “Main Street Mixed Use” (Community Structure Tomorrow Map Page 20). This was to encourage this corridor’s development into a mixed-use commercial-residential zone. In 2021, lands along Victoria Road near Green Street and Falkland Street were rezoned from Residential (R) to General Commercial (CG) Use under a new Municipal Planning Strategy (MPS) and Land Use Bylaw (LUB). Tannery and Green Street were also included in the CG Use Zone because otherwise, they would have been a very small strip of residential properties surrounded by commercial, industrial, and institutional zoning. General Commercial Use (GC) zoning of these properties may contribute to developing the mixed-use commercial-residential corridor.

Policy 4.1 (e) of the MPS provides context to the development of the General Commercial (CG) Use Zone as outlined below:

*Policy 4-1:* Council shall, through the Land Use By-law, establish Use Zones, shown on the Use Zoning Map of the Land Use By-law, to establish the uses permitted in different areas of Lunenburg. The Use Zones shall generally conform to the following scheme:

- (e) The General Commercial Use (CG) Zone is intended to accommodate the traditional mixing of uses found in Old Town Lunenburg, including a wide range of commercial uses, institutional uses, and residential uses; however, auto-oriented commercial uses, such as gas stations and auto repair, shall not be permitted.

Staff note that granting individual rezoning requests can create a patchwork of zoning designations because it encourages a piecemeal approach to development, driven by individual property owners' interests rather than a holistic strategy considering the broader community impact. This fragmented approach can result in a lack of cohesive land use planning, with adjacent parcels governed by different regulations, making it difficult to implement consistent and coherent policies. Zoning fragmentation can hinder the efficient provision of public services, requiring resources to be allocated based on a shifting landscape of zoning designations. To mitigate these challenges, a careful balance must be struck between accommodating property owner requests and maintaining a cohesive urban planning framework.

#### Application-focused Considerations

Rezoning a historic residential street from General Commercial Use (CG) to Residential (R) could potentially impact:

- Preservation of Historic Character: Residential zoning may help preserve the historic character of the neighbourhood by preventing commercial development that could alter the architectural and aesthetic qualities or 'feel' of the area. However, it would not guarantee any architectural preservation of the streetscape, only its continued residential use.
- Community Cohesion: Residential zones often have a sense of community and neighbourhood cohesion, as they typically have fewer residents and lower traffic levels.
- Reduced Noise and Traffic: Converting to residential zoning may result in reduced noise and traffic levels, contributing to a more peaceful and tranquil living environment.
- Economic Impact: Rezoning to Residential may limit potential economic opportunities for the community, such as local businesses and commercial developments that could contribute to the local economy.
- Loss of Mixed-Use Benefits: Mixed residential-commercial zoning allows for a diverse range of land uses, fostering a more dynamic and vibrant community. It can also

decrease the walkability of communities by limiting convenient access to commercial services. Rezoning to Residential would result in the loss of these mixed-use benefits on these specific lots.

Staff note there is no clear empirical indication of how the use of zoning impacts property values. Some studies suggest that low-density residential areas may experience higher property values, which could be beneficial for homeowners in the rezoned areas. On the other hand, a wider range of use options can be seen as an advantage to buyers and increase property values. An assessment of the effect of rezoning on property values is beyond Staff expertise.

Staff recommended that PAC consider in their recommendation to Council amending the MPS and LUB because, historically, the lower Green Street area has been residential with a row of historic homes that enhances the residential streetscape and history of the area. The Lower Density Residential Use Zone may help minimize potential impacts from commercial development for residents, such as increased traffic.

Considerations for inclusion of 45 Victoria Rd., 3 Green St., and 2-4 Tannery Rd. properties in the proposed amendment:

In their recommendation to PAC, staff considered the question of including or omitting the lots at 45 Victoria Road, 2-4 Tannery Road and 3 Green Street from the proposed rezoning to Lower Density Residential (RL) as these homes also have a role to play in preserving the street's residential flavour. These are the lots whose owners indicated a wish to retain the current designation and zoning status.

- 45 Victoria Road is situated at the corner of Victoria Road and Green Street. Other properties along and across Victoria Road will remain in a 'commercial' use zone (the Commercial General (CG) Use Zone (across) and the Commercial Mixed Use (CM) Use Zone (down the road towards Tim Horton's). From this perspective, the retention of this particular property in the General Commercial (CG) zone is considered compatible with the existing zoning within the general area.

On August 21, 2024 PAC reaffirmed that their original recommendation made March 25, 2024 proceed to Council, that is, that this property retain its CG designation and CM use zoning.

- 3 Green Street and 2-4 Tannery Road are located at the intersection of Green Street, Tannery Road, and Falkland Street near West Nova Fuels. From this perspective, Staff consider the retention of these properties in the General Commercial (CG) zone as compatible with the existing zoning within the general area, particularly across Tannery Road and along Falkland Street. However, good planning practice would suggest that Council consider a rezoning to "residential" as the properties are part of the historic

residential streetscape of Green Street, which would avoid what could be considered a non-contiguous 'spot zoning'.

On August 21, 2024 PAC reaffirmed that their original recommendation made March 25, 2024 proceed to Council, that is, to include these properties in the amendment.

### **Proposed Amendments**

Proposed amendments to the MPS are outlined in Attachment E and proposed amendments to the LUB are outlined in Attachment F.

The proposal requires an amendment to the MPS to redesignate lands under the Future Land Use Map, as well as an amendment to the LUB to rezone the lands pursuant to the Use Zone Map. Two of the properties are split pursuant to the Future Land Use Designation and one of the properties is split pursuant to the Use Zone Map. It is recommended that these splits be removed so that each lot is in one (1) designation and one (1) Use Zone. The proposed amendments will accomplish this.

Policy 4-2 (Attachment B) of the MPS outlines which Land Use Zones are enabled under which Land Use Designations. The recommended redesignation and rezoning are consistent with Policy 4-2.

Policy 6-22 (Attachment C) enables Council to amend the MPS, including the Future Land Use Map when a proposed LUB map amendment conflicts with the MPS and there are valid reasons for the LUB amendment. Most of the lands along Lower Green Street (with the exception of 45 Victoria Road/ and adjacent PID 60052495) are currently located in the Downtown Commercial (DOWN) designation, and as such, a proposed rezoning to residential would be contrary to Policy 4-2 as the Downtown Commercial Land Use Designation does not permit residential Use Zones. Therefore, it is necessary to amend the Future Land Use Map (MPS) to enable the rezoning to residential to occur.

Policy 6-10 and Policy 6-11 of the MPS enables Council to consider an amendment to the Use Zoning Map, Schedule C, of the Land Use By-law (LUB) if the proposed amendment is consistent with this MPS and meets the general evaluation criteria for amending the LUB, as set out in Policy 6-19. Policy 6-10, 6-11 and 6-19 are reviewed in Attachment D.

Any amendment to the LUB should be evaluated pursuant to the Statements of Provincial Interest. The proposed amendments are considered not to be contrary to any Provincial Interest Statements as shown in Attachment G. Attachment G also reviews the amendments with regards to the Lunenburg County Accessibility Plan.

As mentioned, the Comprehensive Community Plan (CCP) identified Victoria Road coming into Town following Falkland Street to Lincoln Street as "Main Street Mixed-Use" area on the Community Structure Tomorrow Map (Page 20 of the CCP). The intent was to encourage the

development of this corridor as a mixed-use commercial-residential zone. The proposed redesignation and rezoning of the subject lands will not change this intent. The Victoria Road, Falkland Street and Lincoln Street approaches will retain this “Main Street Mixed-Use” flavour and no amendment to the CCP is deemed necessary at this time.

### **Strategic Plan Relevance**

- *Community Structure*: Direction regarding how the town will be structured and how land will be used.
- *Heritage*: Direction to protect and enhance existing heritage assets and to support a wider cultural narrative.

### **Relevant Legislation**

The Municipal Government Act (MGA) outlines the required process for amendments to the Land Use By-law.

### **Financial**

There are no direct financial impacts to the Town.

### **Attachments**

- A. Applicant’s Submission
- B. MPS Policy 4-2
- C. MPS Policy 6-22
- D. Evaluation against MPS Policy 6-10, 6-11 and 6-19
- E. Amendments to the MPS – Future Land Use Map
- F. Amendments to the LUB – Use Zone Map
- G. Review of Provincial Interest Statements and Lunenburg Accessibility Plan

ATTACHMENT A

6 November 2023

Mr. Arthur MacDonald  
Director of Community Development  
Town of Lunenburg  
119 Cumberland Street  
P.O. Box 129  
Lunenburg, Nova Scotia B0J 2C0

Dear Mr. MacDonald:

Thank you for your email of 30 October inviting my parents and their neighbours to request rezoning of the lower part of Green Street and for waiving the fee for such application.

As I and my neighbours have pointed out to you in email correspondence, this portion of the street had been zoned as Residential for decades. It is not, nor has it ever been, a commercial area. It is an intact residential streetscape of heritage homes built between 1887 and 1923. My brothers and I were the 4<sup>th</sup> generation of our family to live in our home.

These long-term homeowners have always taken great pride in their properties and this is reflected in how well the residential streetscape is maintained. This area of Green Street serves as a backdrop to the park, keeps a sense of neighbourhood feel to the park and its activities, and is also the "first taste" of heritage properties for the many numbers of visitors who arrive in Lunenburg via the Bridgewater and Blockhouse entrances to the Town. A commercial enterprise on that section of the street would destroy the aesthetic integrity of that area.

The change in zoning was done without proper consultation of the long-time residents of the area and they had no knowledge of, or input into the process. In fact, it was a surprise to them and their adult children to learn that their neighbourhood had been rezoned as General Commercial. Furthermore, the decision to rezone this neighbourhood could have very negative repercussions for the inhabitants of the area. A commercial enterprise on that part of the street has the potential to lower property values for the adjacent homes. Additionally, the establishment of a commercial enterprise in that area would almost certainly disrupt the quiet enjoyment of their homes for these citizens, most of whom are in their twilight years.

Please find attached signed applications for municipal planning amendment completed by the homeowners involved.

Yours truly, 

## Town of Lunenburg Planning Application for a Municipal Planning Strategy Amendment

PLEASE NOTE THAT ALL INFORMATION PROVIDED IS PUBLIC INFORMATION

APPLICANT INFORMATION	REGISTERED OWNER OF PROPERTY
Name	Name
Company Name	Company Name
Mailing Address <i>BOJ 200 LUNENBURG N.S.</i>	Mailing Address <i>BOJ 200 LUNENBURG N.S.</i>
Email	Email
Phone	Phone
Cell	Cell

PLEASE NOTE: If you are not the registered owner of the property, include a letter of authorization from the owner with your application.

PROPERTY INFORMATION	APPLICATION CHECKLIST
Civic Address	<input type="checkbox"/> Copy of Deed  <input type="checkbox"/> Survey Plan or Equivalent  <input type="checkbox"/> A Letter Explaining the Proposal  <input type="checkbox"/> Application and Advertising Fees \$ 1,539.30 (\$839.30 + \$700.00)
PID #	
Present Use of Property <i>Residence (private)</i>	
Proposed Use of Property <i>Private Residence</i>	

### EXPLANATION OF PROPOSAL AND SIGNATURE

A short explanation of your proposal (please include a detailed letter with a full explanation)

*WE ARE REQUESTING THAT THE ZONING FOR THIS PROPERTY BE CHANGED BACK TO RESIDENTIAL FROM COMMERCIAL*

By submitting this application I affirm that the facts set forth are true and complete.

Name (printed): \_\_\_\_\_ Signature: \_\_\_\_\_ Date: *NOV. 5 2023*

OFFICE USE ONLY: Type of Application:

Date received:

# Town of Lunenburg Planning Application for a Municipal Planning Strategy Amendment

PLEASE NOTE THAT ALL INFORMATION PROVIDED IS PUBLIC INFORMATION

APPLICANT INFORMATION	REGISTERED OWNER OF PROPERTY
Name	Name
Company Name	Company Name
Mailing Address	Mailing Address
Email	E
Phone	P
Cell	Cell

PLEASE NOTE: If you are not the registered owner of the property, include a letter of authorization from the owner with your application.

PROPERTY INFORMATION	APPLICATION CHECKLIST
Civic Address	<input type="checkbox"/> Copy of Deed <input type="checkbox"/> Survey Plan or Equivalent <input type="checkbox"/> A Letter Explaining the Proposal <input type="checkbox"/> Application and Advertising Fees \$ 1,539.30 (\$839.30 + \$700.00)
PID #	
Present Use of Property <i>private Residence</i>	
Proposed Use of Property <i>private Residence</i>	

### EXPLANATION OF PROPOSAL AND SIGNATURE

A short explanation of your proposal (please include a detailed letter with a full explanation)

*Please see attached letter by*

By submitting this application I affirm that the facts set forth are true and complete.

Name (printed) \_\_\_\_\_ Signature: \_\_\_\_\_ Date: *5 Nov. 2023*

OFFICE USE ONLY: Type of Application:

Date received:

*5 Nov. 2023*

## Town of Lunenburg Planning Application for a Municipal Planning Strategy Amendment

PLEASE NOTE THAT ALL INFORMATION PROVIDED IS PUBLIC INFORMATION

APPLICANT INFORMATION	REGISTERED OWNER OF PROPERTY
Name	Name
Company Name	Company Name
Mailing Address	Mailing Address
Email	Email
Phone	Phone
Cell	Cell

PLEASE NOTE: If you are not the registered owner of the property, include a letter of authorization from the owner with your application.

PROPERTY INFORMATION	APPLICATION CHECKLIST
Civic Address	<input type="checkbox"/> Copy of Deed <input type="checkbox"/> Survey Plan or Equivalent <input type="checkbox"/> A Letter Explaining the Proposal <input type="checkbox"/> Application and Advertising Fees \$ 1,539.30 (\$839.30 + \$700.00)
PID #	
Present Use of Property <i>Residential</i>	
Proposed Use of Property <i>Residential</i>	

### EXPLANATION OF PROPOSAL AND SIGNATURE

A short explanation of your proposal (please include a detailed letter with a full explanation)

*Please see attached letter*

By submitting this application I affirm that the facts set forth are true and complete.

Name (printed) \_\_\_\_\_ Signature: \_\_\_\_\_ Date: *6 Nov 2023*

OFFICE USE ONLY: Type of Application: \_\_\_\_\_ Date received: *6 Nov 2023*

# Town of Lunenburg Planning Application for a Municipal Planning Strategy Amendment

PLEASE NOTE THAT ALL INFORMATION PROVIDED IS PUBLIC INFORMATION

APPLICANT INFORMATION	REGISTERED OWNER OF PROPERTY
Name	Name
Company Name	Company Name
Mailing Address	Mailing Address
Email	Email
Phone	Phone
Cell	Cell

PLEASE NOTE: If you are not the registered owner of the property, include a letter of authorization from the owner with your application.

PROPERTY INFORMATION	APPLICATION CHECKLIST
Civic Address	<input type="checkbox"/> Copy of Deed <input type="checkbox"/> Survey Plan or Equivalent <input type="checkbox"/> A Letter Explaining the Proposal <input type="checkbox"/> Application and Advertising Fees \$ 1,539.30 (\$839.30 + \$700.00)
PID #	
Present Use of Property <i>private garden</i>	
Proposed Use of Property <i>private garden</i>	

### EXPLANATION OF PROPOSAL AND SIGNATURE

A short explanation of your proposal (please include a detailed letter with a full explanation)

*Please see attached letter*

By submitting this application I affirm that the facts set forth are true and complete.

Name (printed)	Signature:	Date: <i>6 Nov 2023</i>
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OFFICE USE ONLY: Type of Application:

Date received:

*6 Nov 2023*

## **Attachment B**

### **Town of Lunenburg Municipal Planning Strategy - Policy 4-2**

**Policy 4-2:** Council shall establish, on the Future Land Use Map, a series of Land Use Designations to guide the evolution of Use Zone placement over time. The Designations and the Use Zones permitted for consideration in each Designation are as follows:

(a) The Residential Land Use Designation permits:

- Lower Density Residential Use (RL) Zone
- Medium Density Residential Use (RM) Zone
- Higher Density Residential Use (RH) Zone
- Rural Use (RUR) Zone
- Institutional Use (INS) Zone
- Parks and Recreation Use (PR) Zone

(b) The Main Street Land Use Designation permits:

- Commercial Mixed Use (CM) Zone
- Institutional Use (INS) Zone
- Parks and Recreation Use (PR) Zone

(c) Downtown Commercial Land Use Designation permits:

- General Commercial Use (CG) Zone
- Institutional Use (INS) Zone
- Parks and Recreation Use (PR) Zone

(d) Waterfront Designation permits:

- Waterfront Use (W) Zone
- Marine Industrial Use (MM) Zone
- Parks and Recreation Use (PR) Zone

(e) Industrial Designation permits:

- Industrial Use (M) Zone
- Institutional Use (INS) Zone
- Parks and Recreation Use (PR) Zone

Parks and Institutional Designation permits:

- Institutional Use (INS) Zone
- Parks and Recreation Use (PR) Zone

## Attachment C

### Town of Lunenburg Municipal Planning Strategy Policy 6-22

#### 6.6.2 Municipal Planning Strategy Amendments

This Municipal Planning Strategy may be amended from time to time; it is not necessary to wait for a formal review. The amendment process involves such things as public participation, notification of the adjacent municipality and the Provincial Director of Planning, newspaper notices of the intention to amend, a public hearing, and review by the Province. The specific process is set out in the *Municipal Government Act*. Council may initiate an amendment arising from an internally-identified need, or from a request from a member of the public. However, Council is under no obligation to approve a Plan amendment unless the current Plan conflicts with the *Municipal Government Act*.

**Policy 6-22:** Council shall consider an amendment to this Municipal Planning Strategy, including as necessary Schedule 'A', the Future Land Use Map, when:

- (a) any policy intent is to be changed;
- a proposed amendment to the maps or text of the Land Use By-law or Subdivision By-law is in conflict with this Plan and there are valid reasons for the amendment;
- incorporation of a detailed secondary area strategy into this Plan is desired; or
- this Municipal Planning Strategy is found to be inconsistent with the *Municipal Government Act* or the Statements of Provincial Interest.

**Note:** The proposed map amendment to the Use Zone map of the LUB would have been in conflict with the MPS without an amendment to the Future Land Use Map of the MPS. Therefore, the proposed amendment to the MPS is in keeping with Policy 6-22(b) of the MPS.

## Attachment D

### Evaluation against Town of Lunenburg Municipal Planning Strategy Policy 6-10, 6-11 and 6-19

#### 6.3.3 Amending the Text and Use Zoning Map of the Land Use By-law

Council recognizes it cannot foresee all possible types of development that might be acceptable in the Town in general, or on a specific piece of land. As such, there will be times when the Land Use By-law needs to be amended to accommodate a new development trend or specific development proposal.

Council also recognizes that it is possible to inadvertently make mapping errors in preparing the maps that accompanying this Plan and the Land Use By-law. Such errors may be in conflict with the policies in this Plan. Where such errors are discovered, Council may consider correcting them through amendments to the Use Zoning Map of the Land Use By-law.

**Policy 6-10:** Council shall consider amendments to the Use Zoning Map of the Land Use By-law when the proposed map amendment is not specifically prohibited within this Plan and at least one of the following three conditions is true:

- (a) the proposed Use Zone is enabled by this Plan for use within the same Future Land Use Map designation;
- (b) a non-conforming use appears to have been created by an inadvertent administrative oversight in the Municipal Planning Strategy and Land Use By-law preparation process, resulting in a property being zoned inconsistent with stated policies in this Plan; or
- (c) notwithstanding the Use Zones permitted within a Future Land Use designation, the land to be rezoned is under 1,000 square metres in area and is abutting a Future Land Use Map designation that permits the proposed Use Zone. For clarity, land that abuts a right-of-way, such as a street, is considered to be abutting the designation on the other side of the right-of-way.

*Evaluation:* Once the amendment to the Future Land Use Map of the MPS becomes effective (and the amendments may run concurrently) the proposed Use Zone will be enabled by this Plan in keeping with Policy 6-10(a). The proposed MPS amendment to the Future Land Use Map is in keeping with Policy 6-22(b).

**Policy 6-11:** Council shall not amend the Use Zoning Map of the Land Use By-law unless Council is satisfied that:

- (a) the proposal is consistent with the description of the Use Zone in Policy 4-1 and any specific policies, if any, directing where it is appropriate to place the proposed Use Zone; and
- (b) the proposed Use Zone and the uses it permits meet the general criteria for amending the Land Use By-law, set out in Policy 6-19.

*Evaluation:* Once the Future Land Use Map of the MPS is amended the proposed Use Zones would be considered consistent with the description of the Use Zone in Policy 4-2. In addition, the proposed rezoning meet the general criteria for amending the Land Use By-law, set out in Policy 6-19 as reviewed below:

### 6.5.1 Amending the Land Use By-law & Entering into Development Agreements

Amendments to the Land Use By-law and the entering into of development agreements are processes that require careful thought. As such, Council has established a set of general criteria to consider when evaluating all Land Use By-law amendments and development agreement proposals.

**Policy 6-19:** Council shall not amend the Land Use By-law or enter into a development agreement unless Council is satisfied the proposal:

- (a) is consistent with the intent of this Municipal Planning Strategy;  
Please note that an amendment to the MPS is required. The proposal will be considered consistent with the intent of the MPS once the Future Land Use Map has been amended. Once amended the proposed rezoning will be considered to be consistent with the intent of the MPS, in particular Policy 4-2.
- (b) does not knowingly conflict with any Town or Provincial programs, by-laws, or regulations in effect in the municipality;  
The proposal does not knowingly conflict with any Town or Provincial programs, by-laws, or regulations in effect in the municipality.
- (c) is not premature or inappropriate due to:
  - i. the ability of the Town to absorb public costs related to the proposal;  
The proposal is not considered premature or inappropriate due to the ability of the Town to absorb public costs related to the proposal. No public costs are anticipated with the proposed amendments.
  - ii. impacts on existing drinking water supplies, both private and public;  
The proposal is not premature or inappropriate due to impacts on existing drinking water supplies, both private and public. No new development proposals are anticipated 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;

The proposal is not premature or inappropriate due to the adequacy of central water and sewage services. There is a 375mm water line and a 200mm sewer line available along this section of Green Street. No new development proposals are anticipated at this time.

- iv. the creation of excessive traffic hazards or congestion on road, cycling, and pedestrian networks within, adjacent to, or leading to the proposal;

The proposal is not premature or inappropriate due to the creation of excessive traffic hazards or congestion on road, cycling, and pedestrian networks within, adjacent to, or leading to the proposal. The proposed redesignation and rezoning are considered a less intensive use of land and will have less of an impact than development proposals permitted as-of-right under the current General Commercial (CG) Use Zone.

- v. the adequacy of fire protection services and equipment;

There is a 375mm water line available along this section of Green Street. The proposal is not premature or inappropriate due to the adequacy of fire protection services and equipment.

- vi. the adequacy and proximity of schools and other community facilities;

The area is adjacent to the Bluenose Academy and the Town Recreational Complex. The proposal is not premature or inappropriate due to the adequacy and proximity of schools and other community facilities.

- vii. impacts on UNESCO World Heritage Site statements of outstanding value;

The development is in New Town, a significant distance away from Old Town Lunenburg WHS. In this regard the amendments will not have, or impose, any impact on the WHS or its Statements of Outstanding Universal Values (OUV's).

- viii. 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;

The proposed redesignation and rezoning will not cause any new, or worsening of any known, pollution problems.

- ix. site-specific climate change risks;

The proposed redesignation and rezoning will not cause or increase any known site-specific climate change risks. The dwellings are existing, and no development is being contemplated at this time.

- x. the potential to create flooding or serious drainage issues, including within the proposal site and in nearby areas;

The proposed redesignation and rezoning will not cause any known flooding or drainage issues. The site is located outside of the Flood Risk Area shown on the Flood Risk Area Map, Schedule E, of the Land Use By-law. The dwellings are existing, and no development is being contemplated at this time.

xi. impacts on known habitat for species at risk;

The proposed redesignation and rezoning will not have any impact on known habitat.

xii. impacts on the navigability and environment of Lunenburg Harbour;

The proposed redesignation and rezoning will not have any impact on navigation or have any impact on Lunenburg's Harbour. The dwellings are existing, and no development is being contemplated at this time.

xiii. the suitability of the site in terms of grades, soil and geological conditions, the location of watercourses and wetlands, and proximity to rights-of-way; and

The proposal is not premature or inappropriate due to the suitability of the site in terms of grades, soil and geological conditions, the location of watercourses and wetlands, and proximity to rights-of-way. The dwellings are existing, and no development is being contemplated at this time.

xiv. land use conflicts that could place limits on existing operational procedures at existing businesses.

The proposal is not premature or inappropriate due to land use conflicts that could place limits on existing operational procedures at existing businesses. The proposed redesignation and rezoning are considered a type of "downzoning" from "commercial" to "residential". As a result, the proposal should have less land use conflicts. In addition, the dwellings are existing, and no development is being contemplated at this time.

## Attachment E

### Amendments to Municipal Planning Strategy – Future Land Use Map, Schedule “A”

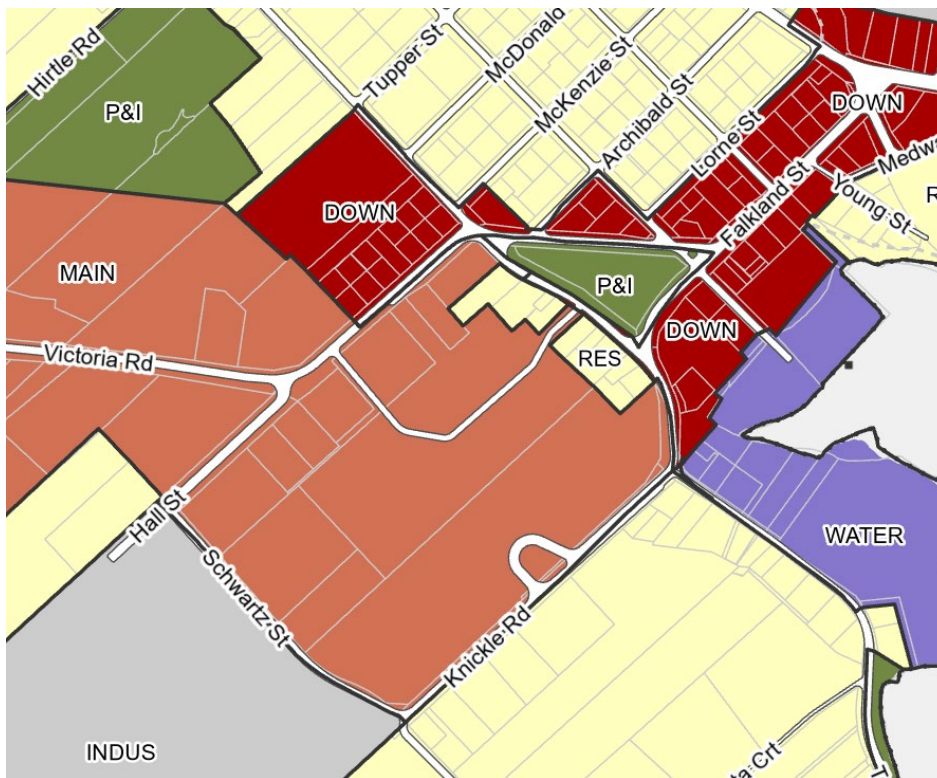
- 1) An amendment to the Municipal Planning Strategy, in particular the Future Land Use Map, Schedule “A”, thereby redesignating the lands as per table and maps shown below:

<b>Property:</b>	<b>Application:</b>
PID 60052495 – 27 Green Street (Vacant lot)	Redesignate from Main Street (MAIN) to Residential (RES).
PID 60052503 – 27 Green Street (Rear portion of the lot)	Redesignate from Main Street (MAIN) to Residential (RES).
PID 60052503 – 27 Green Street (Front portion of the lot)	Redesignate from Downtown Commercial (DOWN) to Residential (RES).
PID 60052511 – 23 Green Street	Redesignate from Downtown Commercial (DOWN) to Residential (RES).
PID 60052529 – 21 Green Street	Redesignate from Downtown Commercial (DOWN) to Residential (RES).
PID 60734167 – 21 Green Street (Vacant lot)	Redesignate from Downtown Commercial (DOWN) to Residential (RES).
PID 60052552 - 11 Green Street	Redesignate from Downtown Commercial (DOWN) to Residential (RES).
PID 60487857 – 11 Green Street (vacant lot)	Redesignate from Downtown Commercial (DOWN) to Residential (RES).
PID 60052560 – 3 Green Street	Redesignate from Downtown Commercial (DOWN) to Residential (RES).
PID 60052578 – 2-4 Tannery Road	Redesignate from Downtown Commercial (DOWN) to Residential (RES).
PID 60052586 – 6 Tannery Road	Redesignate from Downtown Commercial (DOWN) to Residential (RES).
PID 60052594 – 8 Tannery Road	Redesignate from Downtown Commercial (DOWN) to Residential (RES).

**Existing Future Land Use Map, Schedule "A":**



**Proposed Future Land Use Map**



# ATTACHMENT "E" - Amendments to MPS - Future Land Use Map, Schedule "A"

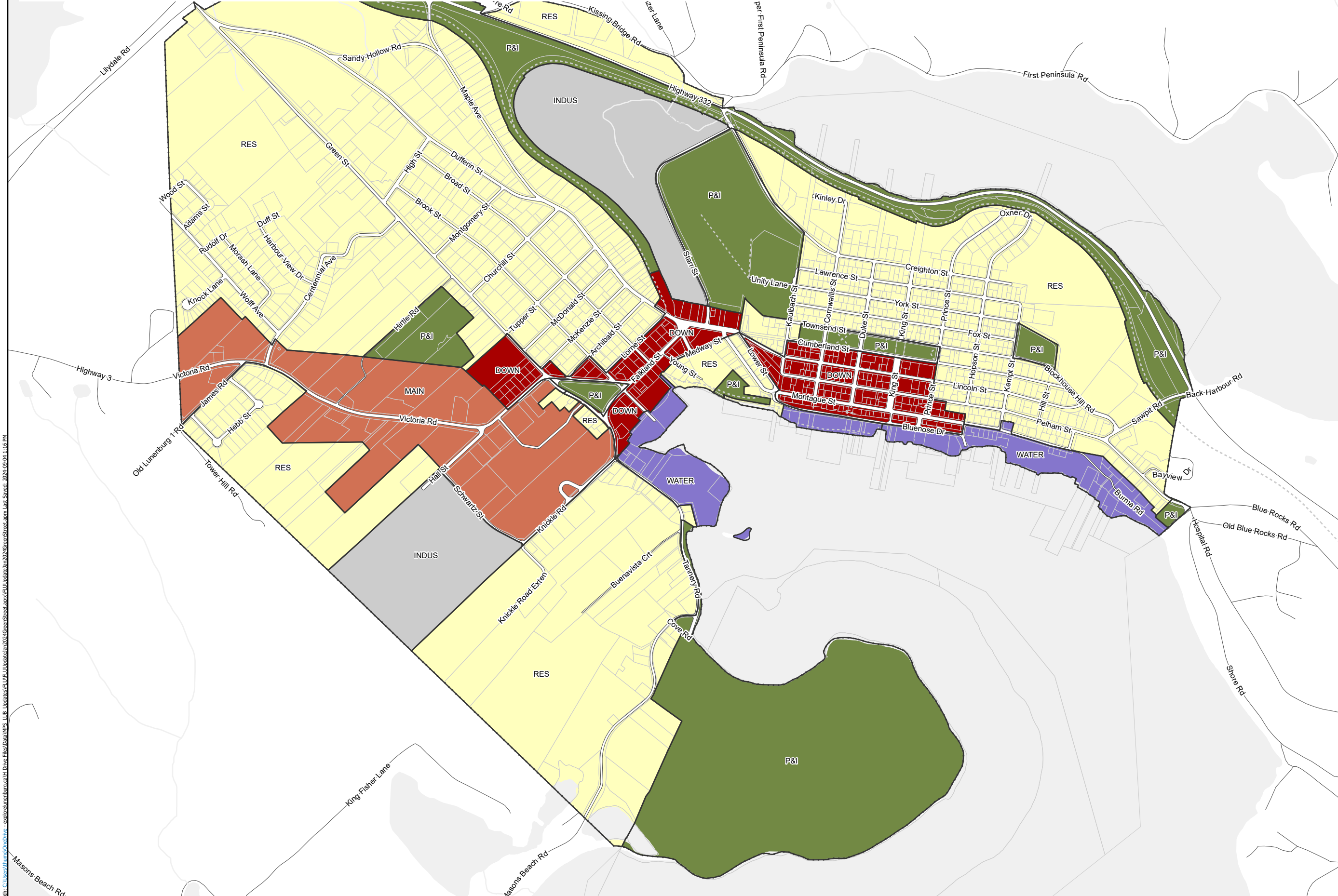


## MAP Future Land Use

SCHEDULE	LAST UPDATED
A	2024-01-15

NORTH	SCALE
	1:10,000

LEGEND		
	RES	Residential
	MAIN	Main Street
	DOWN	Downtown Commercial
	WATER	Waterfront
	INDUS	Industrial
	P&I	Parks and Institutional



Path: C:\Users\lunenburg\OneDrive\Documents\GIS\MapData\MPS - amendments\MPS - Future Land Use Map - Schedule A - 2024-01-15.mxd  
 Date: 2024-01-15 11:16 AM

## Attachment F

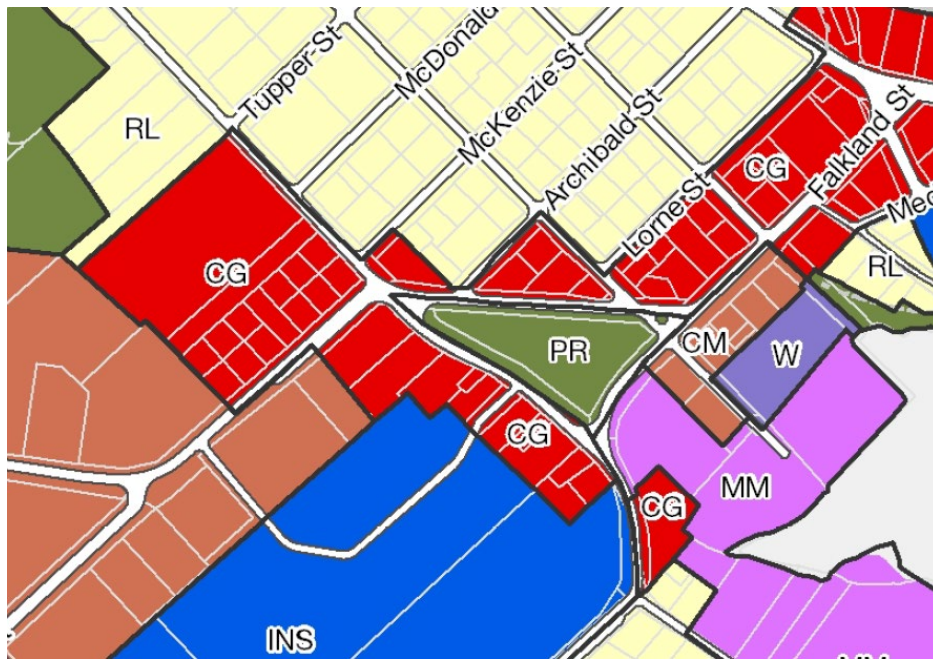
### Amendments to Land Use By-law – Use Zone Map, Schedule “C”

- 1) An amendment to the Land Use By-law, in particular the Use Zoning Map, Schedule “C”, thereby rezoning the lands as per table and maps shown below:

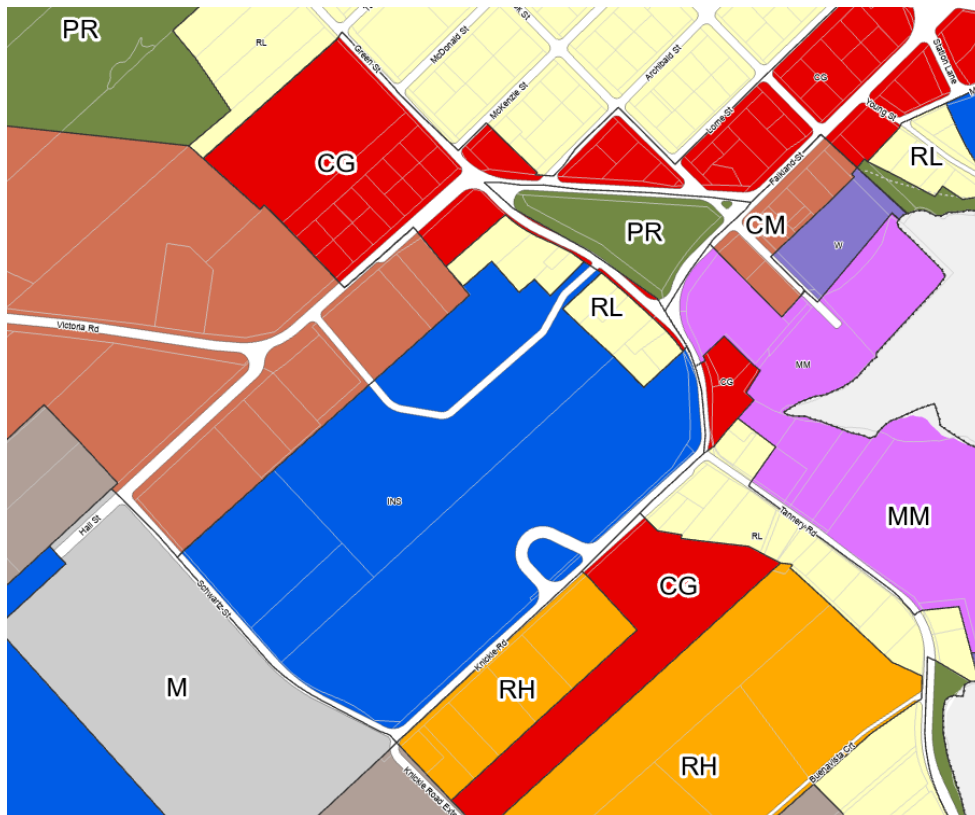
<b>Property:</b>	<b>Application:</b>
PID 60052495 – 27 Green Street (Vacant lot)	Rezone from General Commercial (CG) Use Zone to Lower Density Residential (RL) Use Zone.
PID 60052503 – 27 Green Street (Rear portion of the lot)	Rezone from General Commercial (CG) Use Zone to Lower Density Residential (RL) Use Zone.
PID 60052503 – 27 Green Street (Front portion of the lot)	Rezone from General Commercial (CG) Use Zone to Lower Density Residential (RL) Use Zone.
PID 60052511 – 23 Green Street	Rezone from General Commercial (CG) Use Zone to Lower Density Residential (RL) Use Zone.
PID 60052529 – 21 Green Street	Rezone from General Commercial (CG) Use Zone to Lower Density Residential (RL) Use Zone.
PID 60734167 – 21 Green Street (Vacant lot)	Rezone from General Commercial (CG) Use Zone to Lower Density Residential (RL) Use Zone.
PID 60052552 - 11 Green Street	Rezone from General Commercial (CG) Use Zone to Lower Density Residential (RL) Use Zone.
PID 60487857 – 11 Green Street (vacant lot)	Rezone from General Commercial (CG) Use Zone to Lower Density Residential (RL) Use Zone.
PID 60052560 – 3 Green Street	Rezone from General Commercial (CG) Use Zone to Lower Density Residential (RL) Use Zone.
PID 60052578 – 2-4 Tannery Road	Rezone from General Commercial (CG) Use Zone to Lower Density Residential (RL) Use Zone.
PID 60052586 – 6 Tannery Road	Rezone from General Commercial (CG) Use Zone to Lower Density Residential (RL) Use Zone.

PID 60052594 – 8 Tannery Road	Rezone from General Commercial (CG) Use Zone to Lower Density Residential (RL) Use Zone.
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**Existing Use Zoning Map, Schedule "C":**



**Proposed Use Zoning Map, Schedule "C":**





**Attachment G**

**Review of Provincial Interest Statements and Lunenburg County Accessibility Plan**

<b>Provincial Interest Statements</b>	
<p>Statement 1: Drinking Water</p> <p>Goal: To protect the quality of drinking water within municipal water supply watersheds.</p>	<p>The proposed redesignation and rezoning of the subject lands will not affect Provincial Interest Statement 1. The quality of Dares Lake Watershed will not be affected by the proposed amendments.</p>
<p>Statement 2: Flood Risk Areas</p> <p>GOAL: To protect public safety and property and to reduce the requirement for flood control works and flood damage restoration in floodplains.</p>	<p>The proposed redesignation and rezoning will not have a direct impact on the Flood Risk Areas as identified on the Flood Risk Area Map, Schedule E, of the Land Use By-law and will not affect Provincial Interest Statement 2. The lands are located outside of the Flood Risk Area as identified on the Flood Risk Area Map.</p>
<p>Statement 3: Agricultural Land</p> <p>GOAL: To protect agricultural land for the development of a viable and sustainable agriculture and food industry.</p>	<p>The proposed redesignation and rezoning of the subject lands will not affect Provincial Interest Statement 3.</p>
<p>Statement 4: Infrastructure</p> <p>GOAL: To make efficient use of municipal water supply and municipal wastewater disposal systems.</p>	<p>The proposed redesignation and rezoning will not affect Provincial Interest Statement 4. The redesignation and rezoning to “residential” is considered a less intensified use of land and should have less of an impact on Town infrastructure, with regards to water supply and wastewater disposal.</p>
<p>Statement 5: Housing</p> <p>GOAL: To provide housing opportunities to meet the needs of all Nova Scotians.</p>	<p>The proposed redesignation and rezoning are intended to reflect the existing uses and the “residential” flavour of this historic streetscape. Though one could argue that by removing the existing designation and zoning you are removing the possibility for the market to dictate the potential number of dwellings, as the General Commercial (CG) Use Zone permits unlimited number of dwellings. However, the proposed redesignation and rezoning will not affect any existing planned residential expansions. No development is being contemplated at this</p>

	<p>time. Each lot in the Lower Density Residential (RL) Use Zone may development up to three (3) dwellings per lot (two (2) main dwellings and one (1) accessory dwelling). The intensification of dwelling units in this area may still occur. In light of the above, the proposed redesignation and rezoning is considered to be not contrary to Provincial Statement 5.</p>

Review amendment through an accessible lens	
<p>Review amendment with a focus on equity, diversity, and inclusion.</p>	<p>This amendment is a redesignation and rezoning of the use of land and will not negatively impact issues pertaining to equity, diversity, and inclusion. One could argue that addressing the needs and wishes of the community to revert back to “residential” zoning provides a sense of fairness and inclusion in their ability to be heard and respected by Council and the community.</p>