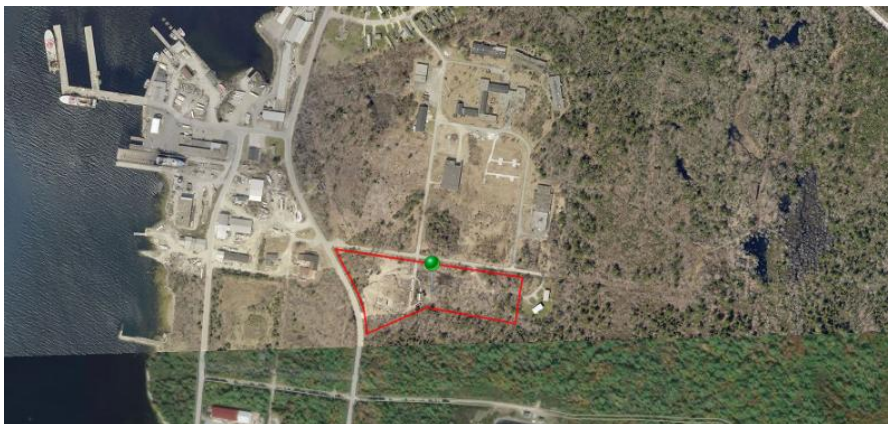


Part 1: Background

Report to PAC – LUB Amendment, rezoning PID 82573577 from RES to GI	
Prepared by:	Chrystal Fuller, Development Officer/Planner
Subject:	Application for Land Use By-law amendment to rezone lands on Sandy Point Road (PID 82573577) from Residential (RES) Zone to General Industrial (GI) Zone
Date:	September 9, 2026
Purpose:	Council consideration of planning report and recommendation
Recommendation	To amend the zoning map to change the zoning of PID 82573577 from Residential (RES) Zone to General Industrial (GI) Zone.
Draft Motion	That the Council give First Reading to rezone PID 82573577 from the Residential (RES) Zone to the General Industrial (GI) Zone and that the application proceeds to public hearing in accordance with the Municipal Government Act.

1.1: Project Summary

Property Owner(s)	Tania Smith and Kevin Stringer
Civic Address	Sandy Point Road, Sandy Point
PID	82573577
Designation	Suburban
Zone	Residential (RES)
Proposed Zone	General Industrial (GI)
Area	~50,081.97 m ² (6.46 acres)
Existing Land Use	Vacant/cleared lands
Adjacent Land Uses	General Industrial, Marine Industrial, and Residential uses
Subject Properties (shown in red outline)	

1.2: Location and Site Description

The PID 82573577 ("Subject Property") is located on Sandy Point Road in the community of Sandy Point within the Municipality of the District of Shelburne. The parcel has an approximate area of 6.46 acres and has direct frontage of approximately 155.35m on Sandy Point Road.

The Subject Property is in an area characterized by a mix of industrial and suburban land uses. Lands to the north are designated Suburban and zoned Residential, while lands to the south are designated Industrial and zoned General Industrial (*Figures 1 and 2*). Marine Industrial-zoned lands follow the coastline to the west (*Figure 2*).

A municipal sewer line runs through a corner of the Subject Property. Any future servicing, including sanitary connections, will be subject to review and approval by the Municipality's Public Works Department and all other applicable authorities. The applicant has submitted documentation confirming that access-related approvals from the NS Department of Public Works have been obtained as part of the application. Detailed servicing, waste disposal, and site layout matters will be addressed through the development permit and site plan approval process. The size and configuration of the parcel provide adequate space to accommodate industrial development.

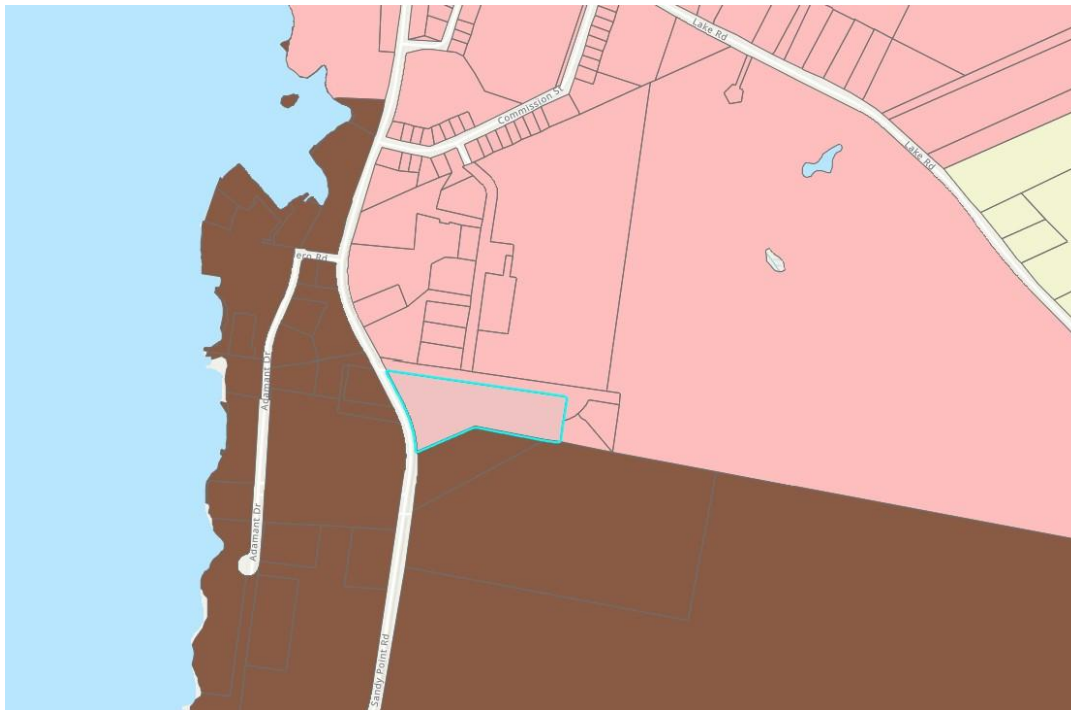


Figure 1 Subject Property Designation - Suburban Designation (Pink) Industrial (Dark Brown)

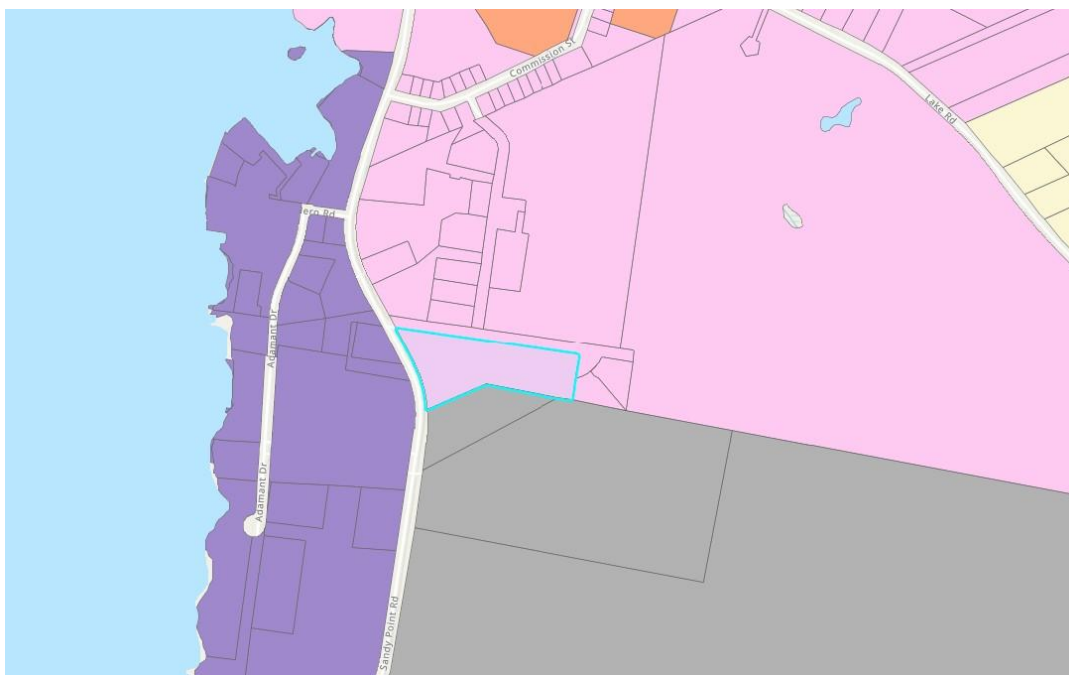


Figure 2 Subject Property Zone - Residential Zone (Pink) Marine Industrial (Purple) General Industrial (Grey)

1.3: Background

The property owners, Kevin Stringer and Tania Smith have applied to amend the Land Use By-law to rezone the Subject Property from the Residential (RES) Zone to the General Industrial (GI) Zone.

The Subject Property is designated Suburban under the Municipal Planning Strategy and is currently zoned Residential (RES). Industrial uses, including equipment repair, welding, and fabrication, are not permitted under the existing zoning.

The applicant intends to establish industrial uses on the property, including heavy equipment repair, welding, and related industrial activities. No development permit or site plan approval is being requested at this stage.

Part 2: Discussion

2.1: Policy Review

The Municipal Planning Strategy identifies the Suburban Designation as an area intended primarily to accommodate residential and suburban-scale commercial development in locations with appropriate access and servicing. The designation generally supports low to moderate intensity development that is compatible with surrounding land uses and community character.

While the Suburban Designation does not explicitly identify General Industrial zoning as a typical implementing zone, Municipal Planning Strategy Policy 7.3.6 provides direction for considering amendments to the Land Use By-law to permit a use that is otherwise not permitted. The policy requires that the intent of the designation be maintained and that the proposed use be compatible with the abutting zone(s).

Policy 7.3.6 (Rezoning Without Amending Designation – Adjacency Policy) enables Council to consider rezonings within an existing designation without amending the Municipal Planning Strategy. Policy 7.3.6 states:

"Council may consider an amendment to the Land Use By-law to permit a use that is not otherwise permitted by the applicable zone, without amending the land use designation, provided the proposed use is compatible with adjacent land uses and the intent of the designation is maintained."

In addition, amendments to the Land Use By-law are evaluated under Policy 7.3.3 (Amending the Land Use By-law), which establishes general criteria for considering zoning amendments, including compatibility, site suitability, access, servicing, and potential impacts on adjacent properties. Not all aspects of these criteria are required to be resolved at the rezoning stage, as detailed matters related to site design and servicing are typically addressed through the development permit process.

Taken together, Policies 7.3.3 and 7.3.6 provide the policy framework for evaluating the proposed rezoning from Residential (RES) to General Industrial (GI) within the Suburban Designation, where the surrounding land use context, site characteristics, and compatibility considerations support such an amendment.

2.2: Planning Analysis

The proposed rezoning of PID 82573577 from the Residential (RES) Zone to the General Industrial (GI) Zone has been evaluated based on site conditions, surrounding land uses, and the suitability of the proposed zoning to accommodate industrial activity in this location.

The General Industrial (GI) Zone is intended to accommodate a broad range of industrial uses, including equipment repair, welding, fabrication, storage, and related activities. These uses require larger parcels, appropriate separation from sensitive land uses, and access to transportation infrastructure capable of supporting industrial traffic. The Subject Property, at approximately 6.46 acres, is of sufficient size and configuration

to support such uses while allowing for internal circulation, outdoor storage, buffering, and servicing infrastructure, where required.

The proposed industrial uses align with the functional intent of the GI Zone and represent a more appropriate zoning fit than the existing Residential (RES) Zone, which does not permit industrial activity and is not well suited to the operational needs of heavy equipment repair and fabrication uses. A comparison of the uses permitted in the Res zone and the General Industrial zone is attached in Appendix B.

With respect to access and transportation, the Subject Property has frontage on Sandy Point Road. In 2023, DPW issued a letter confirming construction was complete regarding a right of way permit. Detailed access design and any future modifications will be subject to applicable municipal and provincial requirements at the development permit stage.

Planning staff received comments from the Town of Shelburne on water servicing and from the Director of Operations regarding sewer servicing. A municipal sewer line crosses a corner of the subject property; however, municipal sewer service is not currently available to the site. Water service is available from the Town of Shelburne. The Town has noted that watermain serving the area is not frequently used, which may result in occasional cloudiness. Water testing has confirmed that the supply is safe and provides adequate pressure, although some nearby residents have elected to use private wells instead.

Any future connection to municipal services, including the potential use of a pumping station, will be subject to detailed review and approval by the Municipality's Public Works Department, in coordination with other applicable authorities. These matters will be addressed through the development permit and site plan approval process and do not preclude consideration of the rezoning request.

From an adjacency perspective, the Subject Property is in an area characterized by General Industrial, Marine Industrial, and Residential uses. The proposed GI zoning reflects the existing industrial pattern along Sandy Point Road and provides an opportunity to consolidate industrial activity in a location where it can be appropriately accommodated. Potential impacts related to noise, traffic, storage, and servicing can be managed through the application of Land Use By-law standards and site plan review, ensuring compatibility with nearby residential properties.

Overall, the proposed rezoning supports the efficient use of land, aligns with the operational requirements of the intended industrial uses, and reflects the surrounding land use context. The rezoning represents an appropriate and defensible application of the GI Zone in this location.

2.3 Public Participation Policy

Public consultation for the proposed rezoning is guided by Section 7.4 of the Municipal Planning Strategy (MPS), including Policy 7.4.2, which establishes the principles of the Municipality's Public Participation Program. These policies outline the expectations for notification and engagement when Council is considering amendments to the Land Use Bylaw.

Policy 7.4.2 "That impacted neighbours of a proposed development agreement or planning document change are notified by mail or personal notice, or as permitted by the MGA, as amended from

time to time;"

In addition, Policy 7.4.3 gives Council discretion to extend public participation where it considers additional engagement applicable or warranted. The proposed rezoning does not change the land use designation and aligns with Policy 7.3.6, which allows Council to consider rezonings without amending the MPS. In this context, the notice and public hearing process required under the Municipal Government Act provides the applicable public consultation framework. The Municipal Planning Strategy does not require a Public Information Meeting for this type of rezoning.

Part 3: Recommendation

After reviewing the applicable Municipal Planning Strategy policies, discussions with the applicant, the Land Use By-law provisions, and the characteristics of the Subject Property and surrounding area, staff recommend amending the Land Use By-law Zoning Map to rezone PID 82573577 from the Residential (RES) Zone to the General Industrial (GI) Zone. A Public Information Meeting is not required by the Municipal Planning Strategy and remains at Council's discretion.

Part 4: Draft Motion

That the Council give first reading to rezone PID 82573577, located on Sandy Point Road, Sandy Point, from Residential (RES) Zone to the General Industrial (GI) Zone and that the application be forwarded to a public hearing.

Appendix A – Relevant MPS Policies

Policies	Comments & Concerns
MPS Policy 7.3.3 – Amending the Land-Use Bylaw	The proposal has been reviewed with respect to compatibility, access, servicing, and potential impacts. Servicing and waste disposal matters will be addressed at the development permit and site plan approval stage.
MPS Policy 7.3.3.1 – Criteria for Amending the Land-Use Bylaw	The proposed amendment was evaluated against the criteria set out in Policy 7.3.3 of the Municipal Planning Strategy, including: municipal servicing capacity; consistency with the Land Use By-law; compatibility with adjacent land uses; transportation access and parking; site suitability and physical constraints; impacts on municipal infrastructure; environmental and coastal considerations; and compliance with applicable municipal and provincial requirements.
MPS Policy 7.3.3.2 – Information Required for Application to Amend the Land-Use Bylaw.	In accordance with Policy 7.3.2 of the Municipal Planning Strategy, the application was supported by information relating to site characteristics and constraints; lot area and location; surrounding land use context; access and transportation; servicing and infrastructure capacity; environmental considerations; setbacks and buffering; and applicable external approvals.
MPS Policy 7.3.6 – Rezoning Without Amending Designation (Adjacency Policy)	In accordance with Policy 7.3.6, the proposed General Industrial zoning is compatible with the surrounding land use context and functions in a manner that is consistent with the intent of the Municipal Planning Strategy, despite not being a typical implementing zone within the Suburban Designation.
MPS Policy 7.4.2 – Public Participation Program	No Public Information Meeting is required for this rezoning, as the Municipal Planning Strategy does not directly prescribe a PIM.
MPS Policy 7.4.3 – Extending the Public Participation Program	Council will determine whether a Public Information Meeting is required for this rezoning.

Appendix B - Residential and General Industrial Permitted Uses

The following table compares the uses identified in Part 6, Section 4 of the Land Use By-law as permitted in the Residential (RES) Zone and the General Industrial (GI) Zone.

Status: P = permitted; S = site plan approval; DA = development agreement; blank = not listed as permitted in the zone table.

Land Use	Residential (RES)	General Industrial (GI)
Residential		
Single-Unit Dwellings	P	
Two-Unit Dwellings	P	
Multi-Unit or Grouped Dwellings	P	
Townhouses (maximum of 5 in a row)	P	
Existing Dwellings	P	
Boarding or Rooming Houses	P	
Residential Care Community	P	
Home Occupations (Section 4.20)	P	
Home Office	P	P
Mixed use commercial/residential	S	
Agricultural		
Agricultural Uses & Related Use		P
Agricultural-related Industries		P
Primary Forestry Use		P
Commercial		
Automotive & Autobody Repair		P
Automotive Sales & Rental		P
Bed & Breakfast Operations	P	
Building Supplies		P
Call & Data Processing Centres		P
Campgrounds & RV Parks	S	
Carwash Facilities		P
Commercial Daycare Centres	P	
Commercial Short-Term Rental	P	
Construction & Landscaping Industry		P
Existing Hotels & Motels	P	

Land Use	Residential (RES)	General Industrial (GI)
Existing Uses	P	P
Fitness Centres	P	
Funeral Homes		P
Kennels & Animal Day Cares	P	
Offices		P
Personal Service Shops	P	
Repair Shops		P
Rented Room	P	P
Restaurants	P	P
Self-Storage Facilities		P
Service Industries		P
Service Station		P
Recycling Depots		P
Taxicab Operation & Dispatch		P
Private Utilities & Services		P
Veterinary Offices & Clinics		P
Wholesale Establishments		P
Workshops (Arts, Craft, & Custom)	P	P
Industrial		
Accessory Commercial Uses	P	P
Abattoirs & Agricultural Processing Facilities		P
Automotive Impound Facilities		P
Breweries & Distilleries	P	P
Boat and Ship Building and Repair		P
Bulk & Cold Storage Facilities		P
Commercial Cannabis Facilities		P
Construction Debris Disposal Sites		DA
Commercial Greenhouses		P
Extractive-Related Facilities		P
Fish Processing		P
Fire Training Facility		P

Land Use	Residential (RES)	General Industrial (GI)
Fuel Depots		P
Heavy Industrial Uses		P
Hydrogen Facilities		DA
Light Industrial Uses		P
Marine Related Uses		P
Scrap & Salvage Yards		P
Secondary Forestry Uses		P
Truck Transport Operations		P
Warehouse, Depots, Storage & Distribution Facilities		P
Waste Disposal Facilities		S
Waste Transfer & Processing Facility		S
Institutional		
Cemeteries	P	
Community Centres	P	
Fire & Emergency Services	P	
Institutional Uses	P	
Library	P	
Museums	P	
Places of Worship	P	
Post Office	P	
Public Utilities & Facilities	P	P
Public Schools, Training & Educational Facilities	P	
Recreational		
Firing Range & Shooting Club		P
Parks & Recreation Uses	P	
Public Recreation Facility	P	
Recreational Vehicle Parking Sites	P	

Notes

1. The table reproduces the RES and GI entries in the permitted land-use table. All definitions, general provisions, zone standards, overlay requirements and other applicable approvals continue to apply.
2. Some listed uses are accessory uses and may only be established in association

with a permitted main use.

3. Section 4.28 separately provides that parks and recreation uses controlled or operated by a public authority are permitted in all zones.

Source: *Municipality of the District of Shelburne Land Use By-law, Part 6, Section 4, pages 36-38 (June 26, 2025).*