

PLANNING ADVISORY COMMITTEE
Town Hall – Council Chambers & ZOOM
Monday, April 13, 2026
4:00pm.



AGENDA

1. Call to Order
2. Approval of the Agenda
3. Approval of the Minutes
 - 3.1 February 19, 2026
 - 3.2 February 19, 2026 – Public Information Meeting
4. Action/Discussion Items
 - 4.1 18 King Street, Planning Report
 - 4.2 Magee Drive Amendments
5. Anything by Members
6. Next Meeting Date
7. Adjournment

A meeting of the Planning Advisory Committee (PAC) was held in person on Thursday, February 19, 2026, starting at 4:00pm.

PRESENT

Chairing the meeting: CAO Ashley Crocker, Howard Selig; Councillors Dan Smith and John Bartlett; Citizens-at-large, Hilary Campbell, and Margaret Jerke, Planner Chrystal Fuller, Development Officer, Ethan Oderkirk, Director of Public Works, Adam Verran, and Recording Secretary/Planning Services Coordinator, Sara Marceau.

Regrets: Councillor Jonathan Archibald

1. CALL TO ORDER

Chair Selig called the meeting to order at 4:34pm.

2. APPROVAL OF THE AGENDA

260219.01 It was moved and seconded to approve the agenda as circulated. **Motion carried.**

3. APPROVAL OF THE MINUTES

260219.02 It was moved and seconded to approve the minutes as circulated. **Motion carried.**

4. ACTION/DISCUSSION ITEMS

4.1 Approval of Chair

CAO Crocker called for nominations and Hilary Campbell was nominated and accepted the nomination.

CAO Crocker called for nominations a 2nd time and there were no nominations.

CAO Crocker called for nominations a 3rd time and there were no nominations.

Hilary Campbell was acclaimed as Chair of the Planning Advisory Committee.

4.2 Approval of Vice Chair

Chair Campbell called for nominations and Howard Selig was nominated and accepted the nomination.

Chair Campbell called for nominations a 2nd time and there were no nominations.

Chair Campbell called for nominations a 3rd time and there were no nominations. Howard Selig was acclaimed as Vice Chair of the Planning Advisory Committee.

4.3 Development Fees Staff Reports

Development Officer Ethan Oderkirk gave a presentation on the Development Fees Staff Report.

The fees do not fully cover the cost of issuing permits. Middleton should take this into consideration.

Councillor Bartlett suggested waiving the fees, noting that applicants would still be required to pay for sewer and water services.

CAO Crocker explained that even when a building fee is charged, the Town still incurs costs.

Chair Campbell noted there have been complaints about fees being too high in HRM. It was observed that when HRM increased its fees, it resulted in a decrease in applications, as well as impacts on resources and materials.

CAO Crocker clarified that there have been no complaints about the Town's current fees and that this discussion is strictly related to the Housing Accelerator Fund initiatives.

The Committee discussed encouraging growth in Town, noting that any adjustment does not need to be permanent and would not create a significant administrative burden.

Councillor Smith suggested offering a 50% reduction on building and development fees, similar to retail incentives.

CAO Crocker concluded that the broader goal is to promote tax revenue growth.

PAC recommends to Council that affordable housing development applications fees including accessory dwellings are waved for a period of one year. **Motion carried.**

5. ANYTHING BY MEMBERS

Margaret Jerke provided clarification to an email she had distributed.

Planner Fuller stated that staff have been following up with Parson's Investments to obtain a proper plan. She added that expectations remain clear, and that developers are responsible for paying their required fees.

CAO Crocker provided a brief update on the Northlands Secondary Planning Strategy and the status of obtaining the appropriate plans. She noted that staff are doing their best to move the process forward and emphasized that the Town will not move ahead without proper plans and clear expectations.

6. **NEXT MEETING DATE**

To be determined.

7. **ADJOURNMENT**

260219.03: It was moved and seconded to adjourn the meeting at 5:26pm. **Motion carried.**

CHAIR

RECORDING SECRETARY

UNAPPROVED

A Public Information Meeting (PIM) of the Planning Advisory Committee (PAC) was held in person on Thursday, February 19, 2026, starting at 3:00pm.

PRESENT

Chairing the meeting: Howard Selig; Councillors Dan Smith and John Bartlett; Citizens-at-large, Hilary Campbell, and Margaret Jerke, Planner Chrystal Fuller, Development Officer Ethan Oderkirk, Director of Public Works, Adam Verran, CAO Ashley Crocker; and Recording Secretary/Planning Services Coordinator, Sara Marceau.

Regrets: Councillor Jonathan Archibald

Also in attendance: 26 attendees

1. CALL TO ORDER

CAO Crocker called the meeting to order at 3:04pm.

2. ACTION/DISCUSSION ITEMS

2.1. MPS/LUB Amendment for 18 King Street

Development Officer Ethan Oderkirk went over the staff report for 18 King Street.

Gerry Bezanson, 13 King Street

- What will the property taxes be?
 - Planner Fuller stated that it would be up to Property Valuation Services Corporation (PVSC) to determine any updated assessed value for the property.

Lloyd Lombard, 45 Connaught Avenue

- Has Council considered the impact on taxes, such as sewer and water?
 - Planner Fuller stated that considerations will include compatibility with the Town, as well as sewer, water, and overall financial impacts.

Shelly Specht, 16 King Street

- Lights are always turned on; however, lights are shining into their bedroom.
 - Alex Balcome stated that the lights for the new development will abut the residential area.
 - Planner Fuller stated that the lighting, hours of operation, and requirements are included in the Development Agreement (DA). The DA would not apply to the existing site; it applies only to the new site. The existing lights are a concern, as well as adding more.

Lloyd Lombard, 45 Connaught Avenue

- Expressed surprise that the Town does not have detailed information regarding the proposal and expansion. Noted that the commercial tax rate is higher; however, it is based on the assessed value.
 - Planner Fuller stated that it's the initial process and staff haven't done a full review.

Shelly Specht, 16 King Street

- There is currently a water issue related to when the existing property was built.
 - Alex Balcome stated that there are currently six catch basins on the property.
 - Planner Fuller stated that Alex Balcome can investigate the water issue on the existing property and follow up.

Shelly Specht, 16 King Street

- The fence would be approximately 6 feet tall. How close would it be to the property line?
 - Planner Fuller stated that the exact location is to be determined, but it must be on their side of the property line.

Lloyd Lombard, 45 Connaught Avenue

- Should install a fence that allows access without encroaching on the neighbor's property.
 - Planner Fuller stated that this involves bylaw considerations and would generally be treated as a civil matter.

Councillor Smith

- Asked whether the new lot would be used for employee parking or for existing sales parking.
 - Alex Balcome stated that the new lot would be designated for sales parking

Hal Cox, 25 George Street

- Will there be an increase in delivery trucks?
 - Planner Fuller stated that there would be no additional traffic and that vehicles would not turn onto King Street because of the new parking lot.

Craig Parsons, Parson's Investments

- How many additional truck spaces are there?
 - Planner Fuller stated there would be 17 additional parking spaces.

2.2. MPS/LUB Amendment for Magee Drive

Development Officer Ethan Oderkirk went over the staff report for a cluster development on Magee Drive.

Lloyd Lombard, 45 Connaught Avenue

- Are these on slab?
 - Erin Dagley from EKD Match Design confirmed that these homes will be built on a slab.

Brian Harvey, 82 Magee Drive

- How does this plan fit together and will there be another public meeting?
 - Heather McCormick from Annapolis County Housing Association stated that the development is fully integrated, accommodating young families and seniors. Based on the data collected, there is a diversity of ages, and it will likely be a mixed community.
 - Planner Fuller stated that the town does not regulate tenancy; the tenant mix will be determined by the organization, and there will be another public meeting before it is brought forward to Council.

Doris Blood, 234 Main Street

- How much space is there between the green space and her property, and will a fence be installed?
 - Planner Fuller stated that the green space will directly abut her property, and since the planning is still in the early stages, details are unclear.

Chris Dowell, 250 Main Street

- Will these units be rented or owned? Are there similar developments elsewhere in the province, and how are they functioning?
 - Heather McCormick stated that the units will be rented. She noted that, at the provincial level, there are new developments in Amherst, and most are rental. This is the first housing development of its kind in Nova Scotia in a rural type setting.
 - Heather added that the necessary structures and supports are already in place.

Craig Parsons, Parson's Investments

- How does a not-for-profit operate, and what happens if the funding runs out?
 - Heather McCormick from the Annapolis Valley Housing Association stated none of us are paid; all work as volunteers. We are partnering with an experienced developer, who will eventually hand the project over to a Housing Association.

Chris Dowell, 250 Main Street

- Does a non-profit have a different tax rate?
 - CAO Crocker stated that a non-profit might be eligible for a tax exemption, but this would require further review.

Tara Webb

- Pointed out that it's important to recognize the value of this project as community infrastructure, benefiting employees, volunteers, and people with disabilities - a real bonus to the community.

Brian Harvey, 82 Magee Drive

- Have they determined the point of entry for construction on Magee?
 - Planner Fuller stated not yet, but construction will take place.

Councillor Bartlett

- Asked if this is part of the 514 units the province announced?
 - Heather McCormick, Annapolis County Housing Association: No.
 - CAO Crocker stated that this development comes from the Provincial Opportunity Notices (PONs), which is separate.

Lloyd Lombard, 42 Connaught Avenue

- Commented that everyone should be aware of radon in this area.

2.3. **Presentation – Annapolis County Housing Association**

The Annapolis County Housing Association gave a brief presentation on the cluster development for Magee Drive.

3. **ADJOURNMENT**

260219.01: It was moved and seconded to adjourn the meeting at 4:27pm. **Motion carried.**

CHAIR

RECORDING SECRETARY

Planning Report

DATE 13 April, 2026



To: Middleton Planning Advisory Committee

Prepared By: Ethan Oderkirk, Planner

Date: 13 April, 2026

Reference: Amendment to the Municipal Planning Strategy and Land-use Bylaw to Redesignate and Rezone 18 King Street Lot 1, PID 05079264, and Lot 2 05180641, Middleton, to allow extension of the Bruce Auto Group GM dealership parking lot.

Recommendation:

That Council approve the amendment to the Municipal Planning Strategy and change the designation and rezone PID 05079264 and PID 05180641 (18 King Street) from Residential to Residential Mixed Use and proceed by way of Development Agreement.

Part 1. Background

1.1. Project Summary

Property Owner(s)	Justin Barker Bruce Auto Group
Civic Address	18 King Street, Middleton
PID(s)	Lot 1 - 05079264 Lot 2 - 05180641
Designation	Residential (R)
Zone	Residential (R)
Proposed Designation	Residential Mixed Use (RMU)
Proposed Zone	Residential Mixed Use (RMU)
Area	~0.30 acres (1218.9 square meters)
Existing Land Use	Residential
Adjacent Land Uses	Residential and Residential Mixed-Use



1.2. Location and Site Description:

The Town of Middleton received an application to amend the Municipal Planning Strategy (“MPS”) and Land Use Bylaw (“LUB”) from Justin Barker, the President of Bruce Auto Group on 14 November 2026. The proposal involves extending the dealership parking lot onto 18 King Street (“Subject Property”), land that is directly adjacent to the dealership. PID 05069264 and PID 05180641, the Subject Property is located on King Street in the Town of Middleton within Annapolis County. The Subject Property, which contains the two PIDs, has an approximate area of 0.30 acres (1218.9 sqm) and has direct street frontage onto King Street.

The Subject Property sits at the edge of an established residential neighbourhood. The area consists primarily of low-density dwellings set within mature landscaping. The built form reflects a traditional residential pattern, with defined front yards, private driveways, and pedestrian-oriented streetscapes. These elements contribute to a stable and recognizable neighbourhood character.



Figure 1 – Subject Property (Red) & Existing Dealership (Blue)

The Subject Property is zoned Residential (R). The Residential Zone permits a variety of residential building forms as-of-right, including single unit dwellings, semi-detached and duplex dwellings, townhouses, multiple unit dwellings, and grouped dwellings, as well as short-term rentals and certain existing institutional-style residential uses. The maximum number of dwelling units permitted on a lot in the Residential Zone is six (6), subject to meeting the applicable lot area, frontage, setback, height, and parking requirements set out in the Land Use By-law.

To the north, the Bruce Auto Group GM dealership fronts onto Main Street. Main Street accommodates a mix of residential uses, commercial and service-oriented businesses, and accessory parking areas. To the south, residential uses continue, along with the Middleton Curling Club located at 6 King Street.

The existing Bruce Auto Group dealership lands are both the RMU designation and RMU zoning (See *Figure(s) 2 & 3 below*). The RMU Zone permits a mix of residential and commercial uses, including single unit dwellings, semi-detached and duplex dwellings, townhouse dwellings, multiple unit dwellings, grouped dwellings, retail and service uses, offices, personal service shops, restaurants, and automotive sales establishments. The RMU Zone accommodates areas where residential and commercial uses coexist and where limited commercial activity can function in proximity to residential development.

Municipal water, sanitary sewer, and stormwater services are available to service the Subject Property. Public Works reviewed the proposal and identified no concerns with stormwater management, sanitary sewer capacity, water servicing, or traffic. Park Street provides sufficient stormwater capacity to support a connection from the Subject Property. The proposal does not introduce new access points or additional structures, limiting additional demands on municipal infrastructure at this stage.

Any future servicing, access, and site-specific matters will be subject to review and approval by the Town of Middleton and all other applicable authorities. Detailed site design, access management, parking layout, hours of operation, buffering, lighting fixtures, stormwater management, and landscaping considerations will be addressed through the development agreement process, should council determine compatibility with the existing residential neighbourhood is met.

1.3. Application and Process

The applicant applied to amend the Municipal Planning Strategy and Land Use By-law to enable expansion of Bruce Auto Group GMs commercial parking lot onto the Subject Property.

The Subject Property is designated Residential (R) under the Municipal Planning Strategy and zoned Residential (R) under the Land Use By-law. Parking associated with an automobile dealership is not permitted under the current designation or zoning requiring a redesignation and rezoning to Residential Mixed-Use.

The proposed amendment package would permit the accessory parking lot by development agreement. The proposal does not include new access points to the site and does not propose

the construction of any new buildings or structures. The existing commercial operation would not be impacted by the development agreement, which would apply only to the Subject Property.

1.4. Site Context & Dealership History

The RMU Zone previously carried a Highway Corridor (HC) designation, which permitted automotive sales and service uses as-of-right, including the existing Bruce Auto Group operation.

In 2007, staff approved a Development Permit to expand the dealership onto 12 Park Street. That approval allowed the demolition of a single-unit dwelling and the extension of the dealership's parking area. The expansion maintained an active commercial presence along Park Street as the service shop directly abuts the street, providing repair functions as well as a defined entrance to the commercial lot. The built form along Park Street shifted toward a more commercial pattern and supported consistent vehicle movement associated with the dealership, increasing the overall traffic.

The proposal for King Street follows a similar pattern in that it removes a single-unit dwelling to accommodate parking expansion. However, unlike the 2007 expansion, the proposal does not introduce commercial frontage along King Street. Instead, the design retains mature trees along the street, establishing a landscaped buffer between King Street and the parking area. These measures reduce the visual presence of the parking lot and preserve the established residential streetscape.

The intent of MPS Policy R13 is to ensure that new development maintains the existing neighbourhood character.

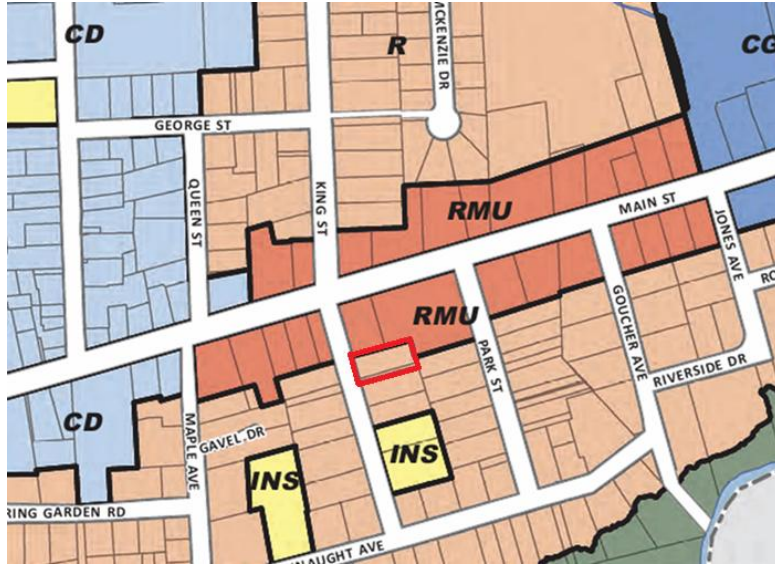


Figure 2 Subject Property Designation

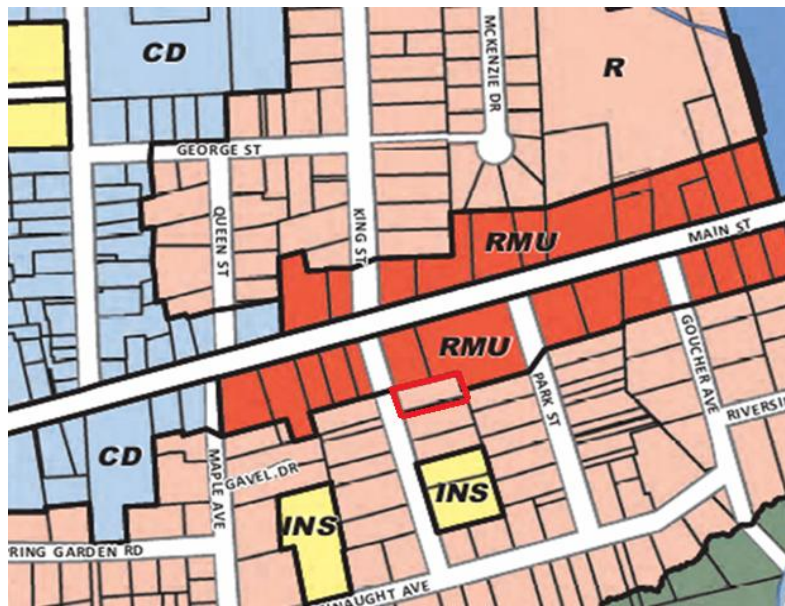


Figure 3 Subject Property Zoning

1.5. Public Information Meeting

The Town held a Public Information Meeting (PIM) for the proposal February 19th, 2026. This provided an opportunity for the public to voice their comments and concerns to staff and the applicant. Below are a list comments presented by the public during the meeting.

Public Comment	Comment and Response
Stormwater	Stormwater pooling and flooding neighbouring yard after grading occurred. Staff Response: <ul style="list-style-type: none"> We have required the applicant to provide a conceptual stormwater plan.
Lighting	Lighting will increase on the neighbouring properties. Staff Response <ul style="list-style-type: none"> Lighting fixtures on the preliminary site plan are focused away from the neighbouring property with shading to prevent exposure. Applicant explained these are effective. Lighting will be a measure addressed within the Development Agreement.
Assessment Value	The assessment value of the property will lose taxation for the Town. <ul style="list-style-type: none"> The current assessed value of the property with a residential unit is 226,900\$. PVSC provided a preliminary assessment which indicated that the lot, if used for parking, would be valued between 60 and 70,000\$.
Traffic	Increased traffic will be introduced to King Street. Staff Response: <ul style="list-style-type: none"> Public Works has indicated no traffic concerns with the proposal. The parking lot will be access through the adjacent lot.
Site access	Car transport vehicle going down King will offload cars creating more traffic. Staff Response: <ul style="list-style-type: none"> There will no change to the existing delivery of vehicles to the site.
Employee Parking	Employee parking along Park Street consumes street parking. Applicant Response <ul style="list-style-type: none"> Employee parking should not spread as the existing workforce will not choose to park as an inconvenience.

Part 2. Discussion

2.1. Policy Review

The Middleton Municipal Planning Strategy (“MPS”) establishes the Residential Designation primarily for housing while recognizing that land use patterns evolve over time. To respond to this

change, the MPS creates the Residential Mixed Use (RMU) designation to accommodate a mix of residential and limited commercial uses in areas that support downtown activity and remain compatible with the surrounding neighbourhood. Main Street demonstrates this transition, where residential and commercial uses function together in an established mixed-use setting.

The Municipal Planning Strategy identifies commercial activity as fundamental to the Town's sustainable growth and long-term prosperity, encouraging a broad range of retail, service, office, hospitality, and related commercial uses within designated areas to allow economic growth. The MPS commercial goal in Middleton supports business retention and commercial growth where infrastructure capacity exists and where development can integrate with surrounding land uses.

Policy IM13 directs Council to consider amendments to the Land Use By-law only where they align with the intent of the MPS. The proposed redesignation and rezoning align with the Strategy by recognizing the Subject Property's functional relationship to an established commercial use and by applying a zoning framework that requires site-specific compatibility controls.

Policy R3 directs Council to create and apply the Residential Mixed-Use designation in areas where a mix of residential and commercial uses are consistent the character of the existing residential area. Policy R3 states:

“It shall be the intention of Council to create a Residential Mixed-Use Designation on the Generalized Future Land Use Map and encourage a mix of residential and commercial uses that are consistent with the character of existing residential structures.”

Policy R4 identifies Main Street between Queen Street and Jones Avenue as the primary location for the RMU designation. Although the Subject Property is located on King Street, it sits directly adjacent to the existing RMU Zone, and forms part of an established commercial block anchored by Bruce Auto Group. The proposed redesignation reflects this existing development pattern and supports the mixed-use intent of the MPS.

Policy IM8 treats designation boundaries on the Generalized Future Land Use Map as fixed. To proceed with the proposal, Council must amend the MPS to redesignate the Subject Property from Residential to Residential Mixed-Use. This amendment recognizes the site's established commercial context and aligns the designation with its current and intended function.

Policy R13 requires Council to consider the expansion of existing commercial structures and uses within the RMU Zone only by Development Agreement. The policy does not provide an as-of-right or site plan approval pathway. A Development Agreement is therefore mandatory for this proposal. Policy R13 states:

“It shall be the intention of Council to consider the expansion of existing commercial structures and existing commercial uses and the development of new structures for commercial use within the Residential Mixed Use (RMU) Zone only by Development Agreement. In addition to criteria contained in Policies IM15 and IM16, the design of all structures, the configuration of parking, and the provision of landscaping shall be consistent with the primary residential character of Main Street.”

Through the Development Agreement process set in Policies IM15 and IM16, Council can regulate site-specific matters such as but not limited to buffering, lighting direction, parking layout, landscaping, hours of operation, stormwater, snow clearing, and noise mitigation. These controls directly address compatibility with the surrounding residential neighbourhood and ensure the development maintains the residential character intent identified in the MPS.

The applicant's preliminary site plan incorporates measures that support this objective, including a 15-foot landscaped buffer along King Street and between adjacent residential, fencing along the southern property line, and lighting directed northward to reduce impacts on adjacent homes. The Development Agreement will secure these measures and require their implementation.

Taken together, Policies IM13, IM8, R3, and R13 establish both the authority and the required mechanism to consider the proposal. The redesignation aligns the property with an established mixed-use area, and Policy R13 requires a Development Agreement set out by Policies IM15 and IM16 to ensure the expansion integrates appropriately with the surrounding residential context and fulfills the intent of the Municipal Planning Strategy.

2.2. Planning Analysis:

The proposal for the Subject Property requires Council to decide on whether it amends the Municipal Planning Strategy to redesignate the lands from Residential to Residential Mixed Use (RMU), amend the Land Use By-law to rezone the lands from Residential (R) to RMU, and direct that development proceed by Development Agreement.

The proposal will permit the demolition of an existing single-unit dwelling and extension of the adjacent Bruce Auto Group commercial parking onto the Subject Property. The decision before Council does not centre on whether the dealership requires additional parking; rather, Council must determine whether this site-specific expansion can occur in a manner that maintains the established residential character along King Street and aligns with the intent of MPS policies R3 and R13.

The Subject Property sits at the edge of an established residential neighbourhood characterized by low-density dwellings, defined front yards, private driveways, mature trees, and a pedestrian-oriented streetscape. These elements create a consistent and recognizable residential pattern along King Street. Lands to the north form part of the existing automotive dealership along Main Street, where there are commercial and service-oriented uses. This location creates a clear transition area between commercial and residential contexts. The proposal must respond to this edge condition by ensuring that commercial-supportive functions do not erode the residential character of King Street.

The existing Bruce Auto Group dealership lands carry both the RMU designation and RMU zoning. Extending the RMU designation and zone to the subject property would align the zoning boundary with the established commercial operation and recognize the functional relationship between the dealership and the proposed parking expansion. From a land use perspective, expanding the RMU boundary to include lands directly adjacent to an existing RMU-zoned property represents a logical continuation of the current zoning pattern, subject to securing compatibility measures through the Development Agreement process.

In land use planning, compatibility does not require that adjacent uses be identical; rather, it requires that different uses coexist without creating unreasonable adverse impacts on one another. Two uses may differ in function or intensity yet remain compatible if their scale, form, traffic patterns, noise, lighting, and visual presence respect the surrounding context. Compatibility focuses on outcomes such as how development affects neighbouring properties and the greater environment. Where potential impacts arise, mitigation measures such as buffering, landscaping, fencing, lighting controls, building orientation, access management, and operational restrictions can reduce conflict. These tools work by managing the interface between uses, softening visual transitions, limiting nuisance effects, and reinforcing established streetscape patterns. When applied through enforceable mechanisms such as a Development Agreement, mitigation measures allow municipalities to accommodate change, while protecting neighbourhood character.

The MPS enables RMU zones in areas where a mix of residential and limited commercial uses reflect the character of the existing area. The intent of the relevant policies is to ensure that development maintains neighbourhood character and minimizes adverse impacts on surrounding residential properties. The subject lands currently fall within the Residential designation; therefore, Council must first amend the MPS to extend the RMU designation. Following redesignation, Council must amend the LUB to apply the RMU Zone. The RMU framework requires that expansions of commercial structures and uses proceed by Development Agreement. The MPS establishes the policy direction, while the LUB and Development Agreement provide the regulatory tools. The Development Agreement serves as the primary lever to secure detailed design, buffering, lighting, access, and operational controls that ensure compatibility over time.

The proposal would convert a residential lot to a surface parking area, accessory to an automotive dealership. This change represents a clear shift in land use from residential occupancy to a commercial-supportive function. Although the proposal does not introduce additional building mass or height, it expands the functional footprint of the dealership and increases the area devoted to vehicle storage. Council must consider compatibility in terms of use, scale, traffic generation, noise, lighting, and visual impact.

In terms of scale and built form, the expansion increases impervious surface area and visible vehicle presence along the residential edge. Even without new structures, an expanded parking field can alter perceptions of scale due to paving, parked vehicles, snow storage, and lighting infrastructure. The proposal mitigates these impacts by avoiding commercial frontage along King Street, retaining mature trees along the street line, and introducing a landscaped buffer between the street and the parking area. These measures reduce the visual dominance of the parking lot and preserve the established rhythm of the streetscape. The absence of a building along King Street limits the perception of a commercial shift, and the retained vegetation maintains continuity with adjacent residential properties.

With respect to access and traffic, the proposal does not introduce a new entrance onto King Street and does not alter the existing access configuration associated with the dealership. This approach prevents King Street from functioning as a commercial access corridor and reinforces its residential role. Public Works reviewed the proposal and identified no concerns with traffic

impacts or servicing capacity. Municipal water and sanitary sewer services are available, and King Street provides sufficient stormwater capacity to accommodate the proposal. While servicing capacity does not present a constraint, the Development Agreement can address stormwater management practices associated with increased impervious area to ensure appropriate drainage and runoff control.

Parking areas generate vehicle movement, door closures, lighting, and seasonal maintenance activity that differ from typical residential patterns. Council can address these impacts through the Development Agreement. The DA can alter the parking layout and stall count, prohibit new access points to King Street, and require defined internal circulation to prevent informal cut-through movements near residential properties. Council can require landscaped buffers of a defined width, tree retention measures, and replacement planting where removal becomes necessary. The DA also can secure fencing or screening along residential boundaries to reduce visual and operational impacts, including materials used.

Lighting represents a critical compatibility consideration. Council can require full cut-off fixtures, limit mounting heights, direct lighting away from adjacent dwellings, and require lighting plans that demonstrate minimal light trespass at property lines only for the Subject Property. Lighting on the existing property can not be controlled. Operational controls can restrict outdoor storage, prohibit vehicle servicing or display functions on the subject lands, and address hours of use, snow storage locations, and maintenance activities. These provisions constitute the principal levers available to Council to manage compatibility and maintain neighbourhood character.

In 2007, staff approved a Development Permit to expand the dealership onto 12 Park Street. That expansion removed a dwelling and extended parking while maintaining active commercial frontage along Park Street through the presence of a service building and defined entrance. The built form along Park Street shifted toward a commercial pattern and supported consistent dealership-related activity. The current proposal also removes a dwelling; however, it does not introduce commercial frontage or a new entrance along King Street. Instead, the design emphasizes buffering, tree retention, and visual screening to maintain the residential edge condition. This distinction reduces the functional and visual shift along King Street compared to the earlier Park Street expansion.

The Subject property zoning of Residential (R) permits single unit dwellings, semi-detached and duplex dwellings, townhouse dwellings, multiple unit dwellings, and grouped dwellings as of right. Section 7.3 of the Land Use Bylaw limits development on a lot in the Residential (R) Zone to a maximum of six (6) dwelling units. As a result, the owner may develop the property for residential purposes with up to six (6) dwelling units, provided the development meets the applicable lot area, frontage, setback, height, servicing, and parking requirements of the Land Use By-law.

Based on preliminary discussions with Property Valuation Services Corporation (PVSC), the estimated assessed value of the subject property, if utilized primarily for parking purposes, is in the range of \$60,000 to \$70,000. The current assessed value of the property, under its existing residential use, is \$226,900.

The property currently has a residential assessment, with a capped taxable assessment of \$132,700 in 2025. At the Town's residential tax rate of \$1.82 per \$100 of assessment, the property

generates approximately \$2,415.14 in municipal taxes. The proposed parking lot use would reduce the assessed value to an estimated \$60,000 to \$70,000. At the Town's commercial tax rate of \$4.30 per \$100 of assessment, the property would generate approximately \$2,580.00 to \$3,010.00 in municipal taxes. Although the proposed use would lower the overall assessed value, the higher commercial tax rate would increase in municipal tax revenue compared to the current capped residential assessment

Overall, Council must determine how to balance commercial expansion with neighbourhood protection; the MPS expressly supports economic activity and commercial stability as core planning objectives. Where appropriate controls secure compatibility with adjacent residential properties, extending the RMU designation to support the continued function and growth of an established business aligns with the Town's stated policy direction.

2.3. Draft Development Agreement

Attached to this report is a draft development agreement. Main regulatory requirements of this DA include:

- 3.2.1 Requirement of a Stormwater Management Plan
- 3.3.1 The intended use of Subject Property
- 3.3.2 Driveway access Requirements
- 3.3.3 Requirements for consolidation with north adjacent PID for street access
- 3.3.4 Landscaped buffering requirements along King Street & south adjacent residential property – including retaining mature trees in buffer
- 3.3.5 Lighting Controls Requirements
- 3.3.6 Parking requirements
- 3.3.7 Maintenance of Property and Landscaped Buffer
- 3.3.8 Permitted Hours of Operation Control & Winter Maintenance

Part 3. Recommendations and Draft Motions

3.1. Summary

The application requests amendments to the Municipal Planning Strategy and Land Use By-law to redesignate and rezone the subject lands from Residential to Residential Mixed Use (RMU) to permit the demolition of an existing single-unit dwelling and the expansion of the adjacent Bruce Auto Group parking area. The subject property sits at the edge of an established residential neighbourhood along King Street, where low-density dwellings, mature trees, and a defined streetscape establish a consistent residential character. The principal planning consideration is whether the proposed expansion can occur while maintaining an established neighbourhood character.

The proposal would convert a residential lot to a surface parking area accessory to the existing dealership. While the expansion does not introduce new building mass or height, it increases the functional footprint of the commercial use. The proposal does not create a new access onto King Street, does not introduce commercial frontage along the street, and retains mature vegetation

with a landscaped buffer between the parking area and the public right-of-way. Public Works has identified no concerns related to traffic or servicing capacity.

Compatibility between commercial-supportive parking and adjacent residential uses depends on managing visual impact, lighting, drainage, and operational effects. The Development Agreement provides the primary mechanism to secure enforceable mitigation measures, including site layout controls, landscaped buffering, tree retention, lighting direction and height restrictions, fencing or screening where necessary, stormwater management requirements, and operational limitations. These controls represent the key levers available to Council to ensure the expanded parking area integrates respectfully within the existing neighbourhood context.

If Council supports the amendments and secures appropriate mitigation measures through a Development Agreement, the proposal can create a functional relationship between the subject lands and the existing dealership, while maintaining the established residential streetscape along King Street.

Options

The proposed redesignation and rezoning represent a targeted, site-specific extension of the RMU framework to recognize the functional relationship between the subject lands and the existing dealership. The principal planning issue remains the protection of established neighbourhood character along King Street. At the same time, Council must consider the role of the dealership as an established commercial use and the broader objective of supporting local economic activity. This application requires Council to balance the opportunity for commercial growth and operational efficiency against the need to protect residential character, streetscape continuity, and adjacent property stability. Council holds three options:

- 1. Approve the amendments to redesignate and rezoning PID 05079264 and PID 05180641 from Residential to Residential Mixed-Use (RMU) and proceed by Development Agreement**

Council may approve the redesignation and rezoning and proceed by Development Agreement that secures mitigation measures such as buffering, landscaping, fencing, tree retention, lighting controls, defined access, and stormwater management. This approach would allow the parking lot while using the Development Agreement to manage compatibility and minimize impacts on the surrounding neighbourhood.

- 2. Refuse the amendments**

Council may refuse the application and retain the existing Residential (R) zoning. This option preserves the current development rights, which allows up to six (6) dwelling units by development permit, and maintains the established residential framework along King Street.

- 3. Approve with modifications or defer for further information**

Council may direct revisions to the proposal prior to approval, such as enhanced buffering, reduced parking layout, additional tree retention, or further technical review of stormwater and lighting. This option allows Council to seek a revised design that better balances commercial function with neighbourhood protection before making a final decision.

If Council supports the amendments and secures appropriate mitigation measures through the Development Agreement, the proposal can accommodate the expanded parking function while maintaining the established residential streetscape and minimizing adverse impacts on surrounding homes.

3.2. Staff Recommendation to PAC:

Staff have reviewed the proposed amendments to the Municipal Planning Strategy and Land Use By-law for 18 King Street (PIDS 05079264 and 05180641) and evaluated the application against the intent of the RMU policies, compatibility considerations, and the surrounding residential character and context.

The primary planning consideration is whether Council can maintain the established residential character along King Street while introducing a commercial accessory use. Staff find that the Development Agreement process provides the appropriate mechanism to secure buffering, lighting controls, site layout requirements, stormwater management measures, and operational limitations necessary to ensure compatibility.

Staff recommend the following for the Planning Advisory Committee's consideration:

That the Planning Advisory Committee recommend that Council:

1. That the Planning Advisory Committee recommend that Council give First Reading to the proposed amendments to the Municipal Planning Strategy and Land Use By-law to redesignate and rezone 18 King Street (PIDS 05079264 and 05180641) from Residential to Residential Mixed Use (RMU); and
2. PAC recommends that Council give initial consideration to the draft Development Agreement; and
3. Schedule a Public Hearing.

3.3. Proposed Motion for PAC:

Be it resolved THAT the Planning Advisory Committee recommends that Municipal Council:

1. That the Planning Advisory Committee recommend that Council give First Reading to the proposed amendments to the Municipal Planning Strategy and Land Use By-law to redesignate and rezone 18 King Street (PIDS 05079264 and 05180641) from Residential to Residential Mixed Use (RMU); and
2. PAC recommends that Council give Initial Consideration to the attached draft development agreement; and
3. Schedule a Public Hearing.

Part 4. Appendices:

Appendix A: Summary of Policy Evaluation

Appendix B: Site Plan

Appendix C: Conceptual Stormwater Management Plan

Appendix D: Draft Development Agreement

Appendix E: Public Letters

Appendix F: PVSC Assessment Value

Appendix G: Public Information Meeting Minutes

Appendix A: Summary of Evaluation Criteria

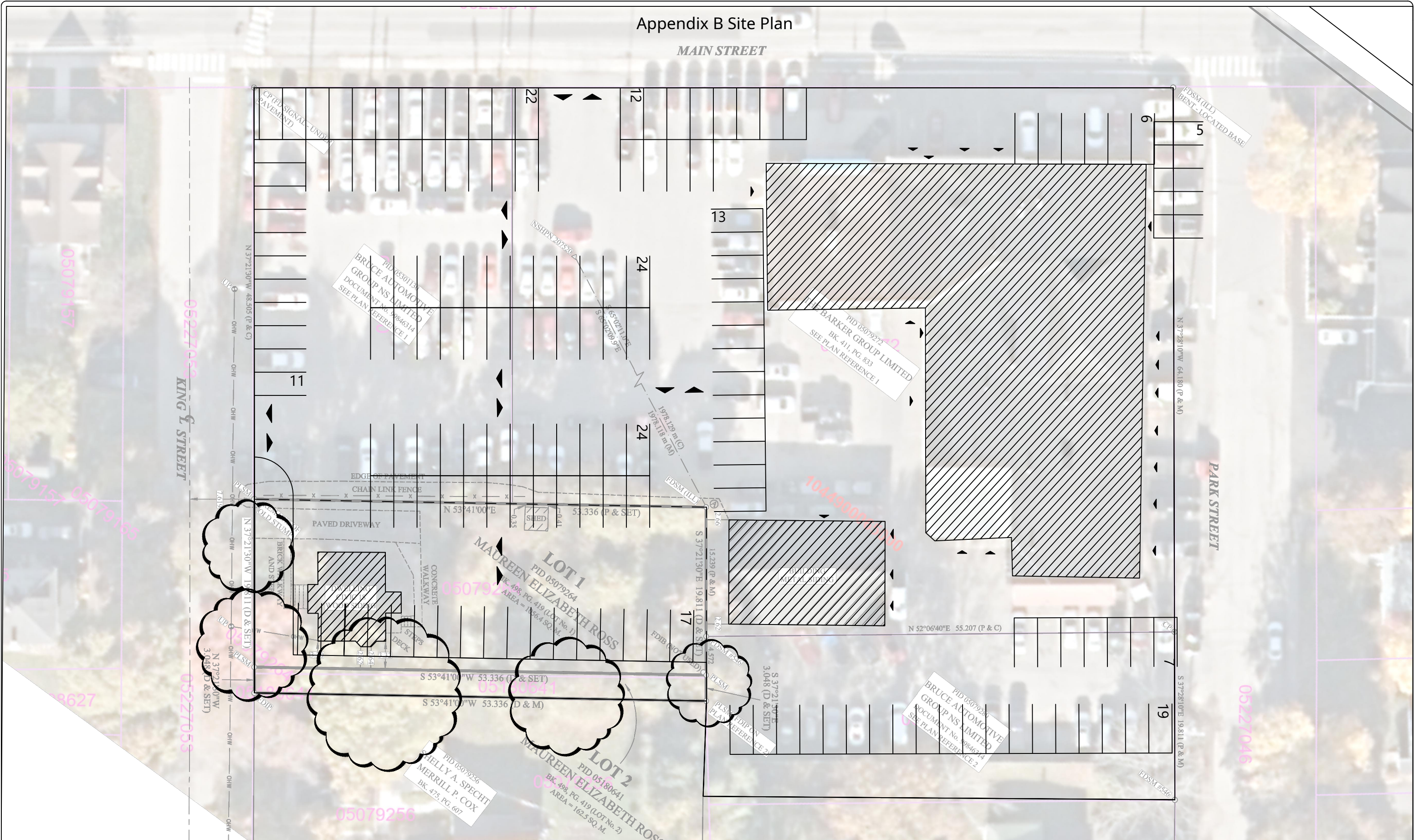
Policies	Comment and Concerns
<p>MPS Policy R3 – Generalized Future Land Use It shall be the intention of Council to create a Residential Mixed-Use Designation on the Generalized Future Land Use Map and encourage a mix of residential and commercial uses that are consistent with the character of existing residential structures.</p>	<p>The proposal seeks to redesignate the Subject Property from Residential to Residential Mixed Use to support an accessory parking use associated with an existing commercial operation.</p>
<p>MPS Policy R13 - Residential Mixed-Use Zone – Development Control It shall be the intention of Council to consider the expansion of existing commercial structures and existing commercial uses and the development of new structures for commercial use within the Residential Mixed Use (RMU) Zone only by Development Agreement. In addition to criteria contained in Policies IM15 and IM16, the design of all structures, the configuration of parking, and the provision of landscaping shall be consistent with the primary residential character of Main Street.</p>	<p>The proposed amendments enable the expansion of parking accessory to an existing commercial use. The application does not include new buildings or the expansion of commercial structures at this time. Policy R13 provides Council with the ability to require a Development Agreement should future commercial expansion or site development be proposed, ensuring that parking layout, landscaping, and compatibility with nearby residential uses receive review.</p>
<p>MPS Policy IM12 - General Implementation and Administration – Development Control It shall be the intention of Council to consider the following development only by Development Agreement, pursuant to enabling policies contained in this Strategy and subject to criteria contained in Policies IM15 and IM16:</p>	
<p>(b) the expansion of existing commercial structures and existing commercial uses and the development of new structures for commercial purposes within the Residential Mixed Use (RMU) pursuant to Policy R14;</p>	<p>The current application seeks amendments to the Municipal Planning Strategy and Land Use By-law only and does not propose new structures or building expansion. Policy IM12(b) confirms that, should the applicant propose future expansion of commercial structures or uses beyond what is permitted as-of-right, Council may require a Development Agreement. This policy ensures that the rezoning does not remove Council’s ability to regulate future development</p>

	impacts and supports approval of the amendments at the policy and zoning stage.
<p>MPS Policy IM17 - General Implementation and Administration</p> <p>In considering amendments to the zoning in the By-law or, entering into Development Agreements, in addition to all other criteria as set out in various policies of this planning strategy, Council shall have regard for the following matters:</p>	
(a) That the proposal is in conformance with the intents of this Strategy and with the requirements of all other Town By-laws and regulations;	The proposal is reasonably consistent with the intent of Municipal Planning Strategy and all other Town By-laws and regulation
(b) That the proposal is not premature or inappropriate by reason of:	
(i) the financial capability of the Town to absorb any costs relating to the development;	There are no known cost implications to the town.
(ii) the adequacy of sewer and groundwater to support the proposed density of development;	No impact
(iii) the adequacy and proximity of school, recreation, and other community facilities;	No impact
(iv) the adequacy of road networks adjacent to, or leading to, the development;	No new entry points are proposed for the site. Public Works reviewed the plan and has indicated no concerns.
(v) the potential for the contamination of water courses or the creation of erosion or sedimentation;	No known impacts
(vi) stored water capacity for fire protection;	No impacts
(vii) the potential for damage to or destruction of historical buildings and sites.	N/A
(c) That controls are contained in a Land Use By-Law or a Development Agreement so as to reduce conflict between the development and any other adjacent or nearby land use by reason of:	
(i) type of use;	Parking lot

(ii) emissions, including air and water pollutants and noise;	Light emission is controlled by directional lighting fixtures facing away from the adjacent residential properties.
(iii) height, bulk, and lot coverage of the proposed building;	There is an increase to non permeable surface proposed on the Subject Property. Stormwater management will be regulated by DA
(iv) traffic generation, access to and egress from the site, and parking;	There are no new access points to King Street. Traffic Authority has no concerns
(v) open storage;	To be regulated by the DA
(vi) signs;	To be regulated by the DA
(vii) similar matters of planning concern.	
(d) Suitability and development costs of the proposed site in terms of steepness of grades, soil and geological conditions, marshes, swamps or bogs , and proximity of highway ramps, railway rights-of-way, and other nuisance factors.	No know areas of concern
(e) Provision is made for buffering, landscaping, screening, and access control, to reduce potential incompatibility with adjacent land uses and traffic.	Site plan includes buffering along the southern boundary adjacent to residential property. The plan shows a 15-foot landscaped green space buffer between the edge of the proposed parking area and the southern property line, along with a fence along the Subject Property south boundary. DA to include buffering measures to reduce potential impacts on adjacent residential uses

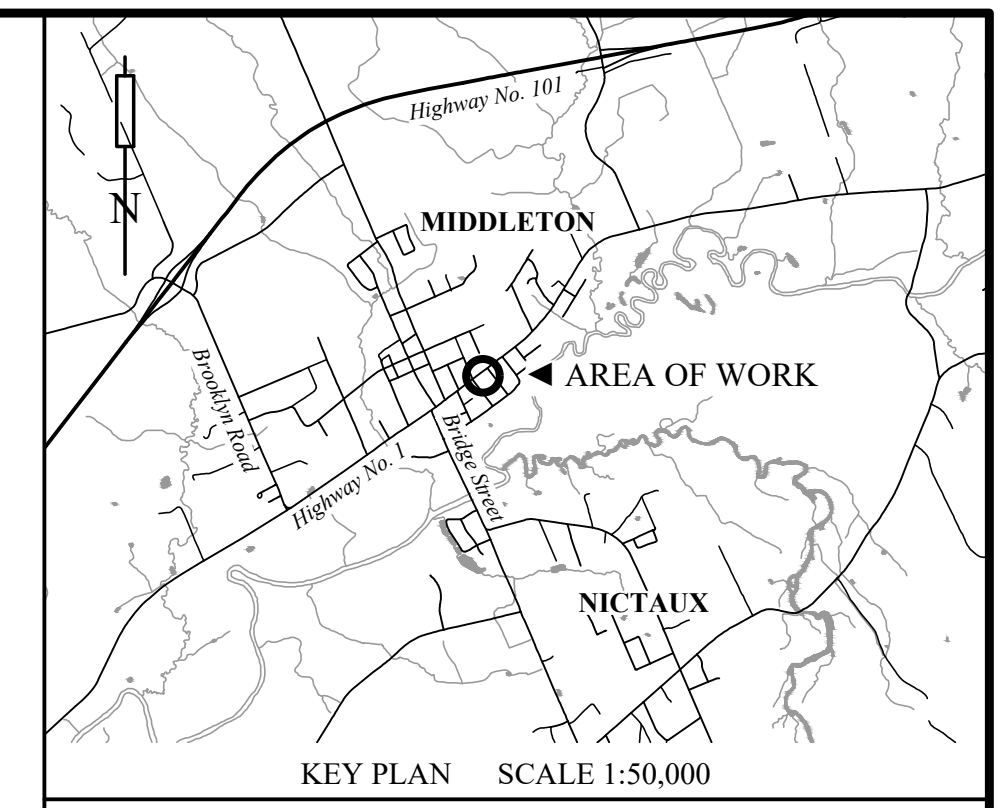
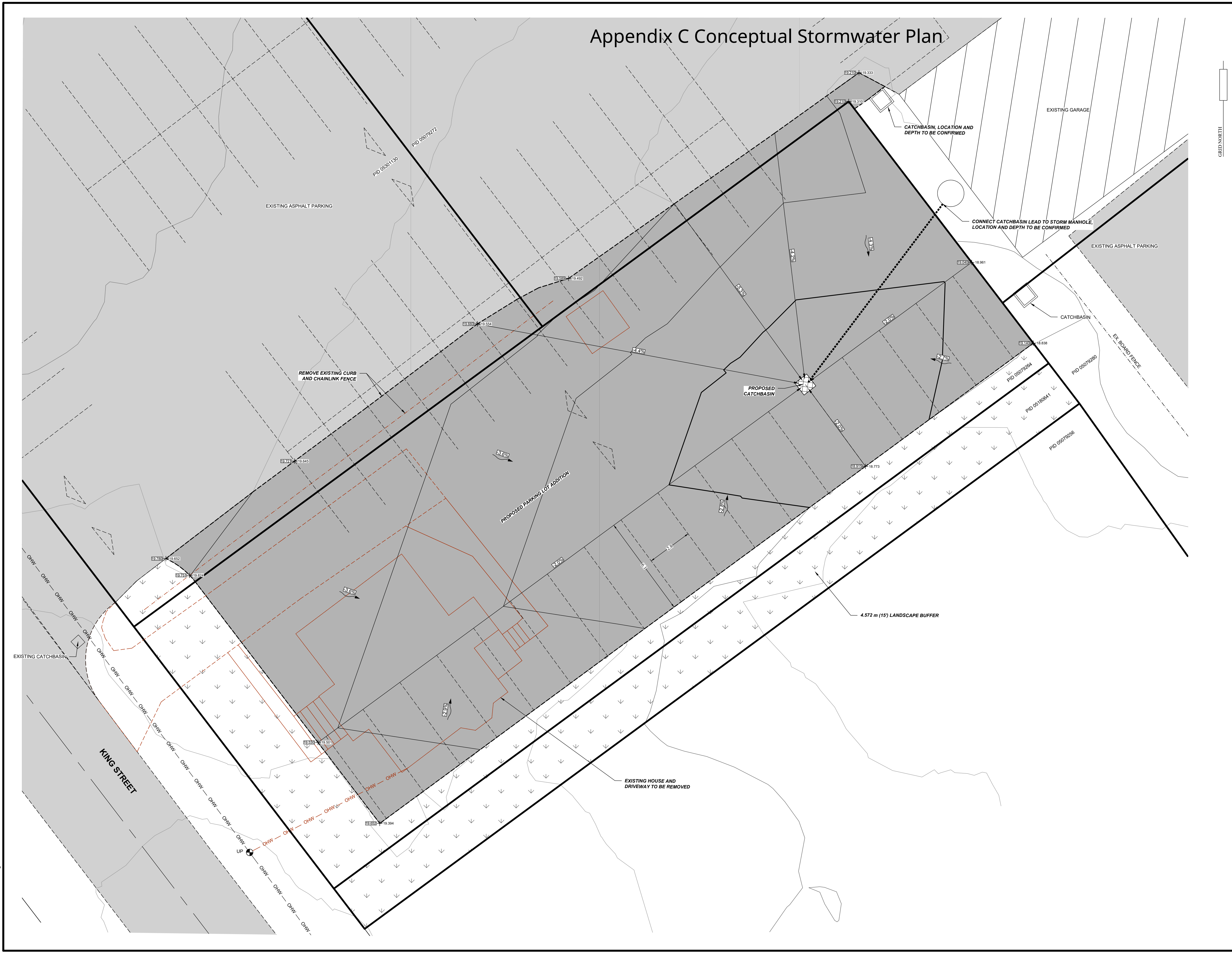
Appendix B Site Plan

MAIN STREET



	<p>BRUCE GM 394 MAIN STREET, MIDDLETON, NS</p>	<p>SHEET TITLE</p>	<p>SIZE: 11" x 17" SCALE: 1/2" = 1' DATE: 13/04/2023 DRAWN BY: ABB</p>	<p>SHEET NUMBER 1</p>
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Appendix C Conceptual Stormwater Plan



REVISIONS

- ISSUED FOR CLIENT REVIEW - 2026 03 04

LEGEND

BEGINNING OF VERTICAL CURVE	BVC
END OF VERTICAL CURVE	EVC
POINT OF VERTICAL INTERSECTION	PVI
FINISHED GRADE	FG
CALCULATED	C
POINT OF CURVATURE	PC
POINT OF COMPOUND CURVATURE	PCC
CHORD	CH
MANHOLE (SANITARY)	MHS
MANHOLE (STORM)	MHST
CATCH BASIN	CB
FIRE HYDRANT	FH
WATER VALVE	WV
CALCULATED POINT	CP
UTILITY POLE	UP
RIGHT OF WAY	ROW
NOT TO SCALE	NTS
ANCHOR	AN
OVERHEAD WIRES	OHW
ELEVATION (PROPOSED + EXISTING)	(7.75) + 7.63
PROPERTY LINE	PL
AREA TO BE FILLED	AF
SILT FENCE	SF

CONCEPTUAL GRADING & DRAINAGE PLAN
SHOWING
PROPOSED PARKING LOT ADDITION
FOR
BRUCE AUTOMOTIVE GROUP
NS LIMITED

MAIN STREET
MIDDLETON
ANNAPOLIS COUNTY, NS

SCALE 1:100

DESIGNED BY PETER L. SNOW, P.ENG.

DeWOLFE & MORSE SURVEYING LIMITED
P.O. BOX 520 MIDDLETON
ANNAPOLIS COUNTY, N.S.
BOS - 1P0
Email: info@demosl.ca

S:\2026\2026077\CAO\2026077CSD.dwg

Appendix D Draft Development Agreement

This Development Agreement made this _____ day of _____, A.D., 2026

Between:

Bruce Auto Group NS Limited in Middleton, Nova Scotia,
and hereinafter called the "Developer",

OF THE FIRST PART

-and-

Town of Middleton, a duly incorporated municipal body
incorporated under the laws of the Province of Nova Scotia,
hereinafter called the "Town"

OF THE SECOND PART

WHEREAS the Developer is the owner of certain lands known as 18 King Street in the Town of Middleton (PID 05079264 and PID 05180641) and more particularly described in the attached Schedule "A" and hereinafter called the "Property"; and

AND WHEREAS the Developer has submitted a detailed development proposal for a parking lot extension of Bruce Auto Group GM.

AND WHEREAS Policy R13 of the Town of Middleton Municipal Planning Strategy requires that an extension of the Residential Mixed-Use (RMU) zone only be permitted by Development Agreement.

AND WHEREAS the proposed development of the Property has been considered at a Public Hearing held on Insert Date and approved by a majority vote of the Town Council on Insert Date pursuant to requirements of the Municipal Government Act;

NOW THEREFORE in consideration of the various covenants and benefits hereinafter set out in this Agreement, the parties hereto agree as follows:

Part 1: General Requirements and Administration

1.1 Applicability of Agreement

1.1.1 The Developer agrees that the Property shall be developed and used only in accordance with and subject to the terms and conditions of this Agreement.

1.1.2 Variances to the requirements of the applicable Land Use By-law shall be permitted in accordance with the Municipal Government Act on the whole site as shown on Schedule B.

1.2 Applicability of Other By-laws, Statutes and Regulations

1.2.1 Nothing in this Agreement shall exempt or be taken to exempt the Developer, lot owner or any other person from complying with the requirements of any by-law of the Town applicable to the Property (other than the Land Use By-law to the extent varied by this Agreement), or any statute or regulation of the Provincial/Federal Government and the Developer or Lot Owner agree(s) to observe and comply with all such laws, by-laws and regulations, as may be amended from time to time, in connection with the development and use of the Property.

1.2.2 The Developer shall be responsible for securing all applicable approvals associated with the on-site and off-site servicing systems required to accommodate the development, including but not limited to the sanitary sewer system, water supply system, stormwater sewer and drainage system, and utilities. Such approvals shall be obtained in accordance with all applicable by-laws, standards, policies, and regulations of the Town and other approval agencies. All costs associated with the supply and installation of all servicing systems and utilities shall be the responsibility of the Developer. All design drawings and information shall be certified by a Professional Engineer or appropriate professional as required by this Agreement or other approval agencies.

1.3 Conflict

1.3.1 Where the provisions of this Agreement conflict with those of any by-law of the Town applicable to the Property (other than the Land Use By-law to the extent varied by this Agreement) or any provincial or federal statute or regulation, the higher or more stringent requirements shall prevail.

1.3.2 Where the written text of this Agreement conflicts with information provided in the Schedules attached to this Agreement, the written text of this Agreement shall prevail.

1.4 Costs, Expenses, Liabilities and Obligations

1.4.1 The Developer shall be responsible for all costs, expenses, liabilities and obligations imposed under or incurred in order to satisfy the terms of this Agreement and all Federal, Provincial and Municipal laws, by-laws, regulations and codes applicable to the Property.

1.5 Provisions Severable

1.5.1 The provisions of this Agreement are severable from one another and the invalidity or unenforceability of one provision shall not affect the validity or enforceability of any other provision.

1.6 Property

1.6.1 The Developer hereby represents and warrants to the Town that the Developer is the owner of the Property and that all owners of the Property have entered into this Agreement.

Part 2: Definitions

2.1.1 All words used herein shall be defined as in the Land Use Bylaw and Subdivision Bylaw unless otherwise specifically defined herein. If not defined herein or in these Bylaws, the customary meaning shall apply.

2.2 When interpreting this agreement, the following words are defined as follows:

a) *Land Use Bylaw* means the Town of Middleton Land Use By-law adopted by Council on November 15, 2018, as amended from time to time.

b) *Municipal Planning Strategy* means the Town of Middleton Municipal Planning Strategy adopted by Town Council on November 15, 2018, as amended from time to time.

c) *Parking area* means a place for the parking of cars and trucks that are for sale or repair, or for staff parking. The parking area shall be an accessory use to the existing car dealership.

Part 3: Use of Property, Subdivision and Development Provisions

3.1 Schedules

3.1.1 The Developer shall develop the Property in a manner, which, in the opinion of the Development Officer, conforms with the following Schedules attached to this Agreement:

- a) Schedule A: Legal Description of the Property(s)
- b) Schedule B: Site Plan

3.2 Requirements Prior to approval

3.2.1 Prior to the issuance of a Development Permit, the Developer shall provide the following to the Development Officer, unless otherwise permitted by the Development Officer:

- a) Submission of a site plan that generally complies with the Site Plan in Schedule B and this Agreement. The site plan shall include the location of lighting standards, parking stall and all landscaping features.
- b) A Stormwater management plan and connections to existing stormwater service on Park Street that is acceptable to the Town Engineer

3.3 General Description of Land Use

3.3.1 The following uses are permitted on the Property:

- Commercial parking lot with a maximum of 17 full sized parking spaces and 12 partial parking spaces
- Accessory structure not to exceed 300 square feet
- Signs as per the LUB, as amended from time to time.

3.3.2 Driveway Access

- a) No driveway access is permitted to the Property.
- b) Driveway access shall be through PID 05301130.

3.3.3 Subdivision

The Property shall be consolidated with PID 05301130.

3.3.4 Landscaping

- a) The existing mature trees located within the 15-foot landscaped buffer along King Street and southern property line shall be retained and protected.
 - No removal or cutting of trees shall occur within the 15-foot landscaped buffer shown on the Site Plan as shown in Appendix B.
 - If any tree within the landscaped buffer dies or is removed due to safety concerns, it shall be replaced with native coniferous tree.
- b) Fencing along the southern boundary as shown on the Site Plan (Appendix B) shall comply with the LUB and subject to the following condition:
 - A continuous opaque, solid wood board fence, minimum height of 1.8 meters (6 ft.) shall be installed within the landscaped buffer of the southern property boundary

3.3.5 Lighting

All light standards located on PID 0507964 shall be directed away from adjacent residential properties, and shall include cut off fixtures, other similar tools. All light shall be directed away from the adjacent residential dwellings.

3.3.6 Parking

The total number of parking spaces permitted on the property shall not exceed the number shown on the approved Site Plan in Appendix B.

3.3.7 Maintenance

- a) The Developer shall be responsible to maintain the Property in compliance with all Town By-laws and applicable Provincial regulations and to ensure that the Property is maintained in a safe and clean condition.
- b) Maintenance of the landscaped buffer shall be maintained in a healthy condition. Any dead or damaged plantings shall be replaced in the next growing season.

3.3.8 Hours of Operation

- a) Hours of operation for the parking area shall only be used Monday-Sunday 7am – 10pm. This includes loading, unloading, or idling.
- b) Winter maintenance shall occur Monday-Sunday at any time to plow snow or salt.

Part 4: Streets and Municipal Services

4.1 Off-Site Disturbance

- 4.1.1 Any disturbance to existing off-site infrastructure resulting from the development, including but not limited to, streets, sidewalks, curbs and gutters, street trees, landscaped areas and utilities, shall be the responsibility of the Developer, and shall be reinstated, removed, replaced or relocated by the Developer as directed by the Development Officer, in consultation with the Town's Engineer or Director of Public Works.

Part 5: Amendments

5.1 Non-Substantive Amendments

- 5.1.1 The following items are considered by both parties to be not substantive and may be amended through decision of the development officer.
 - a) Changes to landscaping and buffering requirements
 - b) Changes to hours of operation
 - c) Changes to the Timing and Completion provisions in section 6.3 and 6.4 of this Agreement.

5.2 Substantive Amendments

- 5.2.1 Amendments to any matters not identified under Section 5.1 shall be deemed substantive and may only be amended in accordance with the approval requirements of the Municipal Government Act.

Part 6: Registration, Effect of Conveyances and Discharge

6.1 Registration

- 6.1.1 A copy of this Agreement and every amendment or discharge of this Agreement shall be recorded at the Registry of Deeds or Land Registry Office for the County of Annapolis, Nova Scotia and the Developer shall incur all costs in recording such documents.

6.2 Subsequent Owners

6.2.1 This Agreement shall be binding upon the parties hereto, their heirs, successors, assigns, mortgagees, lessees and all subsequent owners, and shall run with the Property which are the subject of this Agreement until this Agreement is discharged by Council.

6.2.2 Upon the transfer of title to any lot(s), the subsequent owner(s) thereof shall observe and perform the terms and conditions of this Agreement to the extent applicable to the lot(s).

6.3 Commencement of Development

6.3.1 In the event that development on the Property has not commenced within 2 years from the date of registration of this Agreement at the Registry of Deeds or Land Registry Office, as indicated herein, the Property shall conform with the provisions of the Land Use By-law.

6.3.2 For the purpose of this section, commencement of development shall mean issuance of a Development Permit.

6.3.3 For the purpose of this section, Council may consider granting an extension of the commencement of development time period through a resolution under Section 6.1, if the Town receives a written request from the Developer at least sixty (60) calendar days prior to the expiry of the commencement of development time period.

6.4 Completion of Development

6.4.1 Upon the completion of the whole development, Council may review this Agreement, in whole or in part, and may:

- a) retain the Agreement in its present form;
- b) negotiate a new Agreement; or
- c) discharge this Agreement.

6.4.2 For the purpose of this section, completion of development shall mean issuance of a Development Permit.

6.5 Discharge of Agreement

6.5.1 If the Developer fails to complete the development after three (3) years from the date of registration of this Agreement at the Registry of Deeds or Land Registration Office Council may review this Agreement, in whole or in part, and may:

- a) retain the Agreement in its present form;
- b) negotiate a new Agreement; or
- c) discharge this Agreement.

Part 7: Enforcement and Rights and Remedies on Default

7.1 Enforcement

7.1.1 The Developer agrees that any officer appointed by the Town to enforce this Agreement shall be granted access onto the Property during all reasonable hours without obtaining consent of the Developer. The Developer further agrees that, upon receiving written notification from an officer of the Town to inspect the interior of any building located on the Property, the Developer agrees to allow for such an inspection during any reasonable hour within seventy two hours of receiving such a request.

7.2 Failure to Comply

7.2.1 If the Developer fails to observe or perform any condition of this Agreement after the Town has given the Developer 30 days written notice of the failure or default, then in each such case:

- a) The Town shall be entitled to apply to any court of competent jurisdiction for injunctive relief including an order prohibiting the Developer from continuing such default and the Developer hereby submits to the jurisdiction of such Court and waives any defence based upon the allegation that damages would be an adequate remedy;
- b) The Town may enter onto the Property and perform any of the covenants contained in this Agreement or take such remedial action as is considered necessary to correct a breach of the Agreement, whereupon all reasonable expenses whether arising out of the entry onto the Property or from the performance of the covenants or remedial action, shall be a first lien on the Property and be shown on any tax certificate issued under the Assessment Act;
- c) The Town may by resolution discharge this Agreement whereupon this Agreement shall have no further force or effect and henceforth the development of the Lands shall conform with the provisions of the Land Use By-law; or
- d) In addition to the above remedies, the Town reserves the right to pursue any other remedy under the Municipal Government Act or Common Law in order to ensure compliance with this Agreement.

Part 8: Expenses

8.1.1 In addition to the costs to be paid pursuant to section 6.1.1, any expenses incurred by the Town in exercising its rights under Section 7 shall be paid by the Developer to the Town. Such expenses may include, but are not limited to, costs incurred in returning property owned by the Town, or the Property to their original condition before the beginning of work on the development, costs incurred for entry on the Properties and performance of the Developer's obligations, and all solicitors' fees and disbursements incurred in terminating or discharging this Development Agreement. Such expenses shall be payable by the Developer to the Town as a debt and may be recovered from the Developer by direct suit. They shall form a charge upon the Properties. The Developer shall pay interest on any sum so expended by the Town at the same monthly rate charged by the Town for tax arrears on the outstanding balance from time to time. Such interest shall be treated as an expense.

8.1.2 The Developer shall be liable for any damage caused to public or private property by Developer or any contractor or other individual doing work related to the development. The Developer shall indemnify the Town and save it harmless from any claim, cause of action, or liability in any way relating to the development. The Developer shall obtain and maintain in force throughout the course of construction on the development, liability insurance coverage to ensure the responsibilities which the Developer is assuming in this section.

Part 9: Notice

Any notice to be given under this Development Agreement shall be made in writing and either served personally or forwarded by courier or by registered mail, postage prepaid,

if to the Town to:

Town of Middleton
131 Commercial Street
Middleton, NS
B0S 1P0
Attention: Chief Administrative Officer

And if to the Developer to:

Bruce Auto Group NS Limited
90 Commercial Street
Middleton, NS
B0S 1P0
Attention: Justin Barker

THIS AGREEMENT shall ensure to the benefit of and be binding upon the parties hereto, their respective heirs, executors, administrators, agents, successors, and assigns.

IN WITNESS WHEREOF, this Agreement was properly executed by the respective parties on the day and year first above written

SIGNED, SEALED AND DELIVERED

In the presence of:

Developer

Witness

Justin Barker, President of Bruce Auto Group

Witness

Bruce Auto Group

Town of Middleton

Witness

Mayor

Witness

CAO/Clerk

Schedule “A”, - Property Description

PID 05079264 ALL that certain lot, piece or parcel of land situate, lying and being at Middleton, in the County of Annapolis and Province of Nova Scotia, and more particularly bounded and described as follows:

BEGINNING at a tree at the Southwest corner of lands of Renforth Elliott;

THENCE Easterly along lands of said Renforth Elliott and Albert Doucette one hundred and seventy-five feet to an iron stake;

THENCE in a Southerly direction along lands of P. E. Black sixty-five feet to an iron stake;

THENCE in a Westerly direction along lands of Renforth Elliott one hundred and seventy-five feet to an iron stake on the East side line of King Street, so called;

THENCE North along the East side bounds of King Street sixty-five feet to the place of beginning.

PID 05079256 ALL that certain lot, piece or parcel of land situate, lying and being at Middleton, in the County of Annapolis and Province of Nova Scotia, and more particularly bounded and described as follows:

BEGINNING at the southwest corner bound of D. I. Ross;

THENCE in an easterly direction along the south side line of the said D. I. Ross' land one hundred and seventy-five feet or until it comes to the west boundary of P. E. Black's land;

THENCE at right angles south along the west line of the said P. E. Black's land ten feet to an iron stake;

THENCE at right angles west parallel with the north boundary of the said D. I. Ross lot, one hundred and seventy-five feet or until it comes to the east boundary of King Street so called;

THENCE north along the east side line of said King Street ten feet to the place of beginning.

Appendix E Public Letter - Tony Pye

Middleton Development Officer

From: Tony Pye
Sent: March 3, 2026 6:26 PM
To: Hilary Campbell; Middleton Planner; Middleton Development Officer
Cc: Ashley Crocker; Sara Marceau
Subject: 18 king St.

Good afternoon PAC members

My name is Tony Pye and I live at 12 king street in Middleton. I have some concerns regarding the proposed rezoning of 18 King st.

Firstly this will not do anything to increase my property value I believe it will have the opposite effect and lower my property value.

Secondly this car dealership expansion will bring increased noise,street traffic,delivery trucks,nighttime lighting,environmental impact with all the trees they will be cutting down etc. This street is zoned residential I believe and should remain so. This property would be better used for housing people rather than selling more cars when we are in a housing shortage currently. I am also afraid that if my neighbours put their house up for sale will it be bought by this dealership and the business expanded again?

I thank you for your thoughts and consideration of my concerns during this approval process.

Thank you
Tony

Sent from my iPhone

Appendix E Public Letter - Merrill Cox and Shelley Specht

Merrill Cox & Shelley Specht
16 King Street
Middleton, NS
B0S 1P0
coxmerrill@gmail.com
shelley.specht@yahoo.ca

February 19, 2026

Town of Middleton
131 Commercial Street
P.O. Box 340
Middleton, NS
B0S 1P0

Re: 18 King Street zone change application

Dear Mayor, Council Members and Planning Advisory Committee,

We are writing to formally **object** to the proposed commercial development and rezoning by Bruce Automotive Group at 18 King Street. We strongly believe that permitting this encroachment to the neighborhood would be detrimental to our quality of life. The following provides important historical context with a list of reasons for our objection.

We have lived at 16 King Street for thirty-five years and our property abuts 18 King Street. When we first arrived, the property located behind us was owned by a family who lived in a single-family dwelling. All our neighbors were wonderful, and we felt a sense of community. Everyone was quiet, respectful, and we were very happy living here. At that time, the Bruce Parking lot was not lit with the numerous bright lights that are there today and we were not threatened with their encroachment. Things have changed.

As Bruce grew their business, their presence became a nuisance to our neighborhood. The annoying pervasive parking lot lights were installed, and Bruce purchased 12 Park Street (the property behind us). In May of 1999, they requested a zone change from residential to commercial for this property. We recall the initial information meeting was very well attended and many spoke of their concerns. The application was denied (Planning Advisory Committee recommendation attached - Appendix A).

Despite the zoning change rejection, Bruce began using the property for commercial purposes. Cars were parked in the front and back yard, mechanical work was being performed on the

property, and snow was plowed across property boundaries onto neighboring properties (pictures attached – Appendix B). Staff were not provided with parking, and they parked on Park Street.

Neighboring residences and the whole of Park Street took the brunt of the negative impact, and many complaints were made to not only Bruce Automotive but also to the town, Provincial Ombudsman, and to GM Canada (attached – Appendix C). The neighborhood was under a lot of stress.

Bruce Automotive applied for a zoning change for 12 Park Street again in 2007. The owners of 18 King Street (Maureen Ross), 16 King Street (Merrill & Shelley), and 14 Park Street (Valerie Rhyndress) had a meeting with Justin Barker who assured us that he wanted to negotiate with us because we were the bordering properties. He stated that ‘we were the most important’ residents in the negotiation and it was important to him that we would be satisfied with the outcome.

We attended a meeting with residents of Park Street, but they had issues separate from ours. Although we all desired the property to remain residential, they had many issues with Bruce using their street for business purposes.

Most of the initial concerns regarding the rezoning were in direct consequence of the added stress to the area due to the growing business. In the end, we were shocked and disappointed to discover that the Park Street residents had negotiated an agreement with Bruce Automotive without us. We were outnumbered. In desperation to clean up their street, the Park Street residents had given their support to the zoning change with conditions. We attempted to have two conditions included but we were unsuccessful. The zoning change was approved.

Our requested conditions had pertained to privacy - we wanted a privacy fence between Bruce’s parking lot and 18 King Street and for the parking lot lights to be turned off at 11pm. We spoke to Justin Barker who told us that he could not afford to install a fence that year, but he would look at it the following year. He did not. We were told the lights were directed as far as they could be away from our properties, but it made no noticeable difference. The lights light up our property like a MLB ball park. As you can imagine, this has many negative consequences.

We were misled throughout the process. As soon as the Park Street residents pledged their support we were no longer ‘the most important residents’. The parking issue on Park Street was moved from the street into our backyards.

I have attached a list of the conditions agreed upon by the residents and Bruce, which Bruce promised to fulfill (Appendix D). We were told the town and the planning department would ensure that everything would be done, and done properly. They did not. One year after the agreed upon conditions were created, four of the fifteen were fulfilled.

The house at 12 Park Street was torn down, filled to the level of the Bruce Automotive property and paved. A fence was erected along the back and the side which borders our property and 14 Park Street. The fence was supposed to have been erected 20' from our property line but it was placed 13' from our line. At the start of its' erection, we called the Town of Middleton to notify them the fence was in the wrong location, but we were ignored. No one did anything and nothing changed.

Justin Barker told me that although they had to build a fence, they did not have to maintain the fence. A back section of the fence was removed in the summer 2024 and not replaced until Bruce Automotive purchased 18 King Street, in July 2025. We assume it was done to win some favour with the rezoning committee.

The filling and paving of 12 Park Street has negatively affected our backyard, and the backyards of neighboring properties. (See photos in the Appendix which demonstrate post paving of 12 Park Street.) Even with drains installed in the parking lot, snow melt and moderate rain now floods our yards. We used to have a healthy vegetable garden which has become soggy and nutrient depleted. Our rhubarb patch died and our lawn is unhealthy. Maureen at 18 King lost her raspberry patch and use of her back garden. If 18 King Street were to be paved, all our backyards would worsen, and we fear wet basements will be next.

We object to the rezoning of 18 King Street for the following reasons, in no particular order (please note that the property line is only 10 feet from our house):

- Increased traffic: The expansion of Bruce Automotive will increase traffic flow and could create significant safety hazards particularly for children who walk to school and cross at the intersection of King and Main.
- Environmental Impact/Noise, Light and Disturbance: The business is noisy; car horns, mechanical equipment, deliveries, and snow plowing. Melting snow run off into our yard will likely contain contaminants. The bright parking lot lights are illuminated throughout the night. Currently, the trees in the backyard of 18 King Street help block some of this lighting in our yard as well as our neighbors. If the trees are removed, we will have no protection. It is light pollution and we feel that it should not be allowed. A fence cannot protect us from the lights.
- Security & Safety/Loss of Privacy: Foot and vehicle traffic erodes the privacy of the neighborhood. Our yards, windows and outdoor spaces are exposed to bright lights and unfamiliar individuals. This diminishes our sense of security and enjoyment of property.
- Negative Impact on Property Values: Commercial intrusion is associated with declining property values not just for our property which would be the most affected, but for all homes on our street. Most of us cannot afford this loss. At the information meeting held on

February 19, 2026 we discussed the assessed value of Bruce's parking lot at 12 Park Street, comparing its value as commercial vs residential. The current value is \$27,700 which is far less than if the house had remained. (Viewpoint's historical data begins in 2008 when it was already a parking lot.)

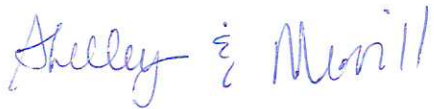
Homebuyers are less likely to invest in an area with incompatible land uses. It creates long-term neighborhood instability.

- Incompatible Land Use: Residential zoning preserves safety, livability and neighborhood cohesion. Allowing commercial activity in this location undermines the principles that protect established neighborhoods, especially at a time of an affordable housing crises.
- Security and Safety Concerns: The business attracts a level of public activity. Increased traffic and foot traffic at all hours seven days a week creates a loss of privacy and security. These disturbances degrade the area's residential quality.
- Erosion/Gradual loss of the neighborhood to Bruce Automotive: Why should residents lose enjoyment of our properties at the expense of a business that has grown too large for its current footprint? Residents are valuable to the town as well as businesses and Nova Scotia desperately needs more affordable housing.
- Commercial Zoning: This zoning allows for a multitude of business activities and in the future, the property could be transformed into very unfavorable uses (such as an automotive paint shop).
- Risk of Further Expansion: How far into the residential neighborhood is the town of Middleton willing to allow Bruce Automotive to go? Enough is enough!
- Loss of Residential Dwelling: Population growth should be encouraged in the town. The four-bedroom house on the property was well constructed and has been well maintained. It would make an excellent home for a new family who would be welcomed with open arms into our neighborhood.

For all the reasons stated above, we request the Town of Middleton reject the proposed re-zoning at 18 King Street. Please uphold the integrity and intent of our established residential zone.

Thank you for your consideration. Please accept this letter as an objection to be recorded as part of the official review process.

Sincerely,

A handwritten signature in blue ink that reads "Shelley & Merrill". The signature is written in a cursive style with a small ampersand between the two names.

Merrill Cox & Shelley Specht
16 King Street
Middleton, NS

REPORT TO: Annapolis District Planning Commission
 Town of Annapolis Royal
 Town of Bridgetown
 Town of Middleton

PAC
 HAC
 COUNCIL
 OTHER _____

DATE: July 21, 1999

FROM: Roger G. Sturtevant, MCIP, MUP

SUBJECT: 12 Park Street MPS & LUB Amendment Request

An application to rezone 12 Park Street, Middleton was received by Council on May 3, 1999. The application was made by Bruce Chevrolet Oldsmobile Limited with the permission of the landowner C.B. Holdings Limited.

The property is zoned in the *Town of Middleton Land Use By-law* as *Restricted Residential (RR) Zone* and the parcel exists within the *Restricted Residential* designation on the *Municipal Planning Strategy Map-A Future Land Use Map*. The parcel is currently used for residential and is part of a well-established and defined residential neighbourhood.

Council referred this amendment request to the PAC for a *Public Participation Program* and a report back to Council. The PAC met several times on the matter and all residents within 200 feet of the proposed rezoning were given personal service of a notice of a public meeting. The residents have attended PAC meetings on the matter and participated in a survey regarding the desirability of the rezoning. Of the 22 residential parcels fronting on King and Park Streets, 19 households responded to a telephone survey. Two (2) households were in favour of the rezoning, 10 were opposed and 7 expressed no opinion. The survey was done at the request of PAC after all possibility of a collaborative solution involving residents and Bruce Chev Olds was exhausted.

From a planning view, the parcel is clearly part of a residential neighbourhood that has been given some protection from commercial encroachment through the recently reviewed MPS and LUB. Property values of residences are negatively affected by the proximity of the Highway Commercial zone and little if any benefit is apparent from a rezoning that would give permission for a wide range of automotive uses as a further intrusion into this neighbourhood. Parking problems have existed for decades in the area of this parcel, and after numerous attempts at finding design alternatives meeting the requirements of both proponents and neighbours, it appears that the rezoning would not provide a satisfactory solution and would create a threat of greater commercial traffic within this restricted residential neighbourhood.

The Planning Advisory Committee has dealt fully with the matter and has formed its recommendation in the form of a motion. Materials prepared by the ADPC for the Public Participation Program, the neighbourhood survey, PAC minutes and the motion of PAC is available from the Town Administration.

18
KING
BACK
YARD





Thursday, January 04, 2007

General Motors of Canada Limited,
Main Mailing Department CA1-002-002
1908 Colonel Sam Drive,
Oshawa, ON
L1H 8P7

RE: BRUCE GM DEALERSHIP – MIDDLETON, NOVA SCOTIA

We were disappointed that no direct response was received from GM following our letter of November 2006 to the Town of Middleton, a copy of which was provided to you. (A further copy is enclosed for your ease of reference).

The GM Dealership operated by the Barker Group here in Middleton, is projecting a Corporate image to its neighbours which is contrary to that of a good corporate citizen

It is to be expected that any business and perhaps a car dealership more than most, can cause occasional inconvenience to its neighbours. However, the situation we face is that of **CONTINUAL** disregard for the by-laws governing our Town, as well as disrespect to we residents, resulting in an erosion of our property enjoyment and value by the visual and environmental damage flowing from the operation of this dealership.

Following our letter to the Town the residents attended a Council meeting on November 29th, 2006. A copy of the newspaper article reporting on this meeting is attached.

Town Council

The ~~Council~~ delayed action on our requests because their lawyer wished to give his legal opinion in camera. However, following the Council meeting we were asked to meet with an employee of Bruce GM to try to resolve some of our concerns.

It was during this meeting that we told that the reason for the excess inventory (which overflows the dealership lot) is because GM Canada forces the dealership to take the number of vehicles it does. We were also told that Bruce GM cannot move their location in Middleton because GM Canada would force them to open in Greenwood, rather than move in Middleton. This seems to suggest some coercion on their part and without GM's direct input it is difficult for us to determine the true position.

We would like to reiterate that Park Street **IS A RESIDENTIAL STREET** and the house abutting the dealership, which is now owned by Bruce GM, is and always has been zoned as "restricted residential" as has the entire street. These facts are simply ignored by the dealership in its efforts to persuade the residents to agree to a zoning variance and the demolition of this house resulting in further encroachment onto the street of its business. It appears to the residents that some of the cost of doing business is being underwritten by us, when other business decisions could be taken which would improve our quality of life and not diminish our property values.

We cannot emphasize enough that our sole reason for pursuing this dispute is to protect our right to quiet enjoyment of our property which is enshrined in the Charter of Rights. We have also been guided by your own corporate philosophy as set out so eloquently in the attached statement of GM's core values taken from your website.

We look forward to hearing from you and from any of the other parties to whom this letter has been copied.

Joyce & Brian Manns,
15 Park Street,
PO Box 1176,
Middleton, NS
B0S 1P0

On behalf of:
The Residents and Tax Payers of Park Street and environs.

c.c. *Town of Middleton*
Office of the Ombudsman (Nova Scotia).

Appendix D

From: Yvonne and Dave Matheson [mailto:mathesonyl@yahoo.com]
Sent: Tuesday, May 13, 2008 4:52 PM
To: jbarker@brucegm.com
Cc: kriles@caohminconsulting.com; bldg@adpc.ca; cao@town.middleton.ns.ca
Subject: Commitments for 12 Park Street

START HERE ↓

Hi Justin,

One year ago the Residents received a notice regarding the Rezoning and Improvements Proposal for 12 Park Street. The proposal outlined 15 commitments from Bruce GM. Could you please review these commitments which are attached and reply to the residents of Park, Goucher and King Streets as well as some residents along Main Street as to when the commitments will be completed.

Thanks,

Dave Matheson (Acting on behalf of the residents)
22 Park Street
825-2591

Be smarter than spam. See how smart SpamGuard is at giving junk email the boot with the All-new Yahoo! Mail

Be smarter than spam. See how smart SpamGuard is at giving junk email the boot with the All-new Yahoo! Mail

Looking for the perfect gift? Give the gift of Flickr!

Commitments

1. Elimination of Bruce GM vehicles parking in front of residential homes on the street. ***There are still trucks parking occasionally in front of residential homes, notably the red collision truck.***
2. The removal of the building located at 12 Park Street – FULFILLED
3. All Bruce GM staff parking to be on 12 Park Street versus Park Street – FULFILLED
4. Excavation and proper drainage plan of property and paving of the property that will have a catch basin and underground pipe to take the properties excess water to the Town's storm water pipe underground on Park Street. - FULFILLED
5. Erect a screen/fence along the shared residential property lines to ensure an adequate buffer exists and is adhered to. The 8 foot high wooden fence has been placed 20 feet from the side property lines facing King Street and at the rear of the property facing south along Park Street. Landscaping is intended for the land between Bruce GM's external property line and 20 feet before you get to the fence.
*Placed at 13'
No landscaping*
6. Erect a hedge and fence along 50% of the border line along Park Street to ensure an additional buffer is in place. Mr. Barker has agreed to both a fence and hedge with the hedge being on the outside of the fence facing Park Street.
7. Estimated costs to undertake the items listed above are approximately \$75,000.
8. Ensure the ongoing management of the site in regards to snow removal, drainage and any repairs to the fence/screening.
9. Bruce GM to create a Community Liaison Officer within its Management Team. This Team will be the main contact with the neighbourhood and Community to answer any ongoing questions and inquiries from Residents.
10. The existing floodlights will be positioned as not to shine in residents homes during bedtime hours. ***The floodlights are still bothering some neighbours.***
11. Bruce GM will direct its staff to not use King, Park and Goucher streets for the test driving of vehicles. ***Test driving still occurs on a fairly regular basis.***
12. Bruce GM will direct its staff to not repair vehicles on residential street. ***Vehicles are still being repaired on Park Street.***
13. To ensure the hedge and fence on Park Street facing King Street is sufficient to protect adequate screening for residents. The hedge will be placed outside of the

fence to ensure a nicer visual look.

Placed at 13'


14. The buffer at the back portion of 12 Park Street facing King Street is shown at 20 feet in width. FULFILLED

None planted

15. The additional spruce trees are proposed along the L shape property line of Bruce GM's lot to provide a nice natural visual barrier for residents when they mature.

Another concern that was supposed to be corrected after the No Truck signs were erected, was the elimination of trucks on residential streets other than those conducting legitimate business (i.e. Oil delivery). This is still a problem, with trucks ignoring the signs.

re Department
WINTER DANCE
 February 10th
 3.m.
 Park
 on
 welcome



Stephen McNeil

MLA Annapolis

St., Middleton,
), BOS 1PO
 825-6306(f)
 16(h)
 7-8533

@ns.aliantzinc.ca

**Weekend
 Arts Royal**

ty, the Historical
 Royal and the Town
 I like to invite you to
 Heritage Weekend.
 Charlotte Perkins"
 ; events.

February 16, 2007
 and Kick-off
 nunity Arts Council
 Awards Program
 Guest Speaker
 ow

February 17, 2007
 eritage Trees
 Workshop
):30- noon
 rnoon Tea
 urch Hall
 am
 ire, Sing-a-long
 ating
 sin Trail
 er permitting)
 colate

February 18, 2007
 Brook Taylor
 ra on the Banks

Hanse Society . . . Cont. from page 1

Brown notes that as operators for the past decade, they have managed to improve the overall efficiency of the park's operations, showing major gains in the last two years. The operating surplus of \$200,000 this past year has allowed the board to alleviate any deficit – a condition of negotiating the transfer of ownership with the province.

"We've increased our income and reduced our costs," he says. "We want to see the park be here and be open and create employment and that's basically the bottom-line."

As owners of the park, the society will no longer receive annual operating funding from the province, though they will

still be able to apply for government grants should the need arise. In the meantime, Brown says that the \$310,000 in transitional funding will be stretched as far as possible over the next couple of years.

The society has also been successful in obtaining \$300,000 in funding for future developments from the county, conditional upon reaching an agreement with the province.

The recent agreement does not include the adjacent Wildlife Park, which will continue to be operated by the Hanse Society through its existing lease agreement with the Department of Natural Resources.

"The Hanse Society has done an excellent job operating



Dave Brown

Upper Clements Park," says Len Goucher, Minister of Tourism, Culture and Heritage. "They're a passionate group of community-minded Nova Scotians and we're pleased that they've accepted our offer to own and operate the park"

Dealership told to halt work

Ray Rice, CAO told council during its February 5 meeting that Bruce GM Motors has applied to rezone the property at 12 Park Street. Council referred the matter to the planning department. No decision on the rezoning can be made until

the matter has been advertised and a public hearing is held.

Rice added that the town has sent a cease and desist order to Bruce GM to halt the work being done at 12 Park Street. The work being done to the property is in violation of

town bylaws; and should it continue, the town has warned management that it will apply an injunction. A building inspector has been monitoring the situation to ensure that the dealership is complying with the order.

RESPONSES FROM THE WEB

Go to www.NovaNewsNow.com to have your say!

Last WEEK'S QUESTION:

Do you think gas price regulation is a good thing?
 31 per cent of respondents said YES
 69 per cent of respondents said NO

This WEEK'S QUESTION:

Does Annapolis MLA Stephen McNeil have a shot at the provincial Liberal leadership?

Answer online at www.NovaNewsNow.com

TOP HITS ON OUR WEBSITE I

Pete Lockett survives 101 crash

Pete Lockett, a noted Maritime personality and owner of "Pete's Frootique" outlets in Halifax and Bedford, was involved in a two-vehicle collision last week on Highway 101 between exits 6 and 7 near Windsor.

Members of the Windsor District RCMP detachment and RCMP Annapolis Valley Traffic Services responded to the crash, which involved a car and truck.

Both drivers were transported to Hants Community Hospital. One driver received only minor injuries and was released. Lockett, who had to be cut from his vehicle by emergency crews using the Jaws of Life, was airlifted to the Queen Elizabeth II Hospital in Halifax with non-life

house was fully involved when firefighters arrived.

Two accused due back in court

The Crown and defence were granted more time by the court last Tuesday to coordinate trial dates for a Yarmouth County man who is facing numerous charges, many of them alleged to have occurred in the Wedgeport area.

The next court appearance for Gilbert Laurie Jacquard has been set for Feb. 20. He appeared briefly in court on Jan. 30, just long enough for the judge to agree to the adjournment.

Officially no pleas have been entered yet to the two-dozen or so charges before the court. That

Obi

WOODROFFE

Verna Eva - 83:
 It is with deep family wishes for the loss of our dear mother and sister away peacefully Saturday, Jan 12, 1924, she of the late Reg J. (Cranton was predeceased husband, I Woodroffe, and Carl R. Simmonds foundly loved Sandra Benneher son, Capt Malchow) Wood Trenton, Ontario cherished her Heather (Jason River; Heidi Bennett, Fall (Cathy Coat Courtenay, B. Liu) Woodro B.C.; and Tremont. She found joy in her children, Summ North River, M of Fall River, a cover. She missed by her (Denise) Sim and sisters, Barbara Dartmouth; Diner, Lakelands uncle, Jack ; mouth; niece friends. Verna fax where she beside her father and singing in Baptist Church she and Don Halifax and Yarmouth who were raised. Th active member national, volunteered less hours in office. Retirement to Granville involved around family and connections. In her could always

16 KING STREET BACK YARD.



14 PARK STREET BACK YARD



16 & 14 KING STREET BACK YARDS



16 KING STREET BACK YARD



Appendix F PVSC Assessment Value

	JUR: 25	TOWN OF MIDDLETON	AAN:
Primary Assignment:	71 -	Secondary Assignment:	04052374
NBHD: 250457	LUC: 0000	Res/Com: R	-
BRUCE AUTOMOTIVE GROUP NS LIMITED			ROLLTYPE: RPROLLEYEAR: 2027
			18 KING ST MIDDLETON

Values History

Year	Land	Building	OBY	Total Building	Total Market Value Assessment	Cap Assessment
2026	\$29,100	\$226,000	900	\$226,900	\$256,000	\$0
2025	\$28,400	\$204,600	900	\$205,500	\$233,900	\$132,700
2024	\$27,200	\$174,900	700	\$175,600	\$202,800	\$130,800
2023	\$26,200	\$167,100	800	\$167,900	\$194,100	\$126,800
2022	\$21,800	\$144,500	700	\$145,200	\$167,000	\$117,800
2021	\$16,200	\$133,400	700	\$134,100	\$150,300	\$111,800
2020	\$16,200	\$131,900	700	\$132,600	\$148,800	\$111,500
2019	\$16,200	\$127,400	700	\$128,100	\$144,300	\$110,400
2018	\$16,200	\$124,300	700	\$125,000	\$141,200	\$107,300
2017	\$16,200	\$121,200	700	\$121,900	\$138,100	\$106,400
2016	\$16,200	\$118,900	700	\$119,600	\$135,800	\$105,000
2015	\$16,200	\$117,700	700	\$118,400	\$134,600	\$104,700
2014	\$16,200	\$114,100	700	\$114,800	\$131,000	\$102,600
2013	\$16,200	\$111,600	100	\$111,700	\$127,900	\$101,100
2012	\$16,200	\$102,100	100	\$102,200	\$118,400	\$99,800
2011	\$15,700	\$100,300	100	\$100,400	\$116,100	\$96,100
2010	\$15,700	\$96,100	100	\$96,200	\$111,900	\$93,400
2009	\$15,400	\$91,900	100	\$92,000	\$107,400	\$93,400
2008	\$14,000	\$81,500	100	\$81,600	\$95,600	\$90,400

Planning Report

DATE 13 April, 2026

To: Middleton Planning Advisory Committee

Prepared By: Ethan Oderkirk, Junior Planner

Date: 13 April, 2026

Reference: Amendments to the Municipal Planning Strategy and Land Use Bylaw to enable grouped dwellings by Development Agreement in the Residential Designation

Recommendation:

Staff recommend that the Planning Advisory Committee recommend that Council give First Reading to the proposed amendments to the Municipal Planning Strategy and Land Use By-law to enable Council to consider grouped dwellings within the Residential Designation by Development Agreement, and reduce the minimum lot area requirement from 510m² to 325m², and direct staff to proceed with the required Public Hearing process.

This report addresses only the proposed policy amendments. The related Development Agreement for an affordable housing project, which triggered the proposed amendments, will be considered under a separate report.

1.1. Purpose

This report presents proposed amendments to the Town of Middleton Municipal Planning Strategy and Land Use By-law for Planning Advisory Committee consideration. The amendments will add Grouped Dwellings to the existing Development Agreement framework in the Residential Designation. They would not approve a specific development.

1.2. Background

The Town received a proposal for a grouped dwelling development on Magee Drive on 4 February 2026. The subject property is designated Residential under the Municipal Planning Strategy and zoned Residential (R) under the Land Use By-law.

The Residential Zone already permits a range of residential building forms. Larger residential developments containing more than six (6) units must proceed by Development Agreement. Policy R9 currently lists multiple unit dwellings, townhouse dwellings, conversions of existing residential structures containing seven or more units, and several institutional or lodging-related uses, but it does not list grouped dwellings.

As a result, Council does not currently have a clear policy path forward to consider grouped dwellings of more than six units through the Development Agreement process. The proposed amendments address that gap.

1.3. Policy Review

The Residential Designation supports residential development in Middleton. Policies R1 and R2 encourage a range of housing forms within the Town, and direct it to appropriate areas. The proposed amendments remain consistent with that direction because they retain residential use on residentially designated land and expand Council's ability to consider another housing form through a discretionary process.

Policy R9 already uses Development Agreements to review larger or more complex residential forms. The proposed amendments follow that same approach. They would allow Council to consider them case by case, subject to the evaluation criteria in the Strategy and the terms of a future Development Agreement, unless in the residential zone where they are permitted up to six (6) dwelling units as of right.

Policies IM16, and IM17 provide the broader framework for Development Agreements and implementation. Through that framework, Council can assess site design, access, parking, buffering, landscaping, servicing, stormwater management, and compatibility with surrounding development when a specific application comes forward.

1.4. Proposed Amendments

The proposed amendments are narrow and administrative in nature. They will:

- Amend the Municipal Planning Strategy to add grouped dwellings to the list of uses that Council may consider by Development Agreement within the Residential Designation; and
- Amend the Land Use By-law as required to correct and align the by-law with the amended policy framework.

The intent of the changes is to allow Council to consider grouped dwellings through the Development Agreement process and to revise the minimum lot area requirement to better reflect this housing form.

- **MPS Policy R9:** add grouped dwellings to the list of uses Council may consider by Development Agreement in the Residential Designation.
- **Land Use By-law Section 2.5:** add grouped dwellings to the list of uses considered by Development Agreement and align the By-law with the proposed MPS amendment.
- **Land Use By-law Section 5.25:** clarify that grouped dwellings with more than six (6) dwelling units require Development Agreement approval. Also, clarify that grouped dwellings in the residential zone are permitted up to six (6) dwelling units.
- **Land Use By-law Section 7.2:** reduce the minimum lot area requirement for grouped dwellings in the Residential Zone from 510 m² to 325 m²

1.5. Planning analysis

From a land use planning perspective, the main issue is not whether a specific grouped dwelling proposal should proceed. The main issue is whether the current policy and regulatory framework should allow Council to consider grouped dwellings, where appropriate, through the same Development Agreement process already used for other larger residential developments.

Staff support the proposed amendments because they create a clear and limited framework for Council to consider grouped dwellings in the Residential Designation. The amendments add grouped dwellings to the Development Agreement framework and reduce the minimum lot area requirement for grouped dwellings from 510 m² to 325 m². Together, these changes better reflect the compact nature of this housing form while maintaining Council's review authority.

The proposed amendments do not approve any specific development. Instead, they improve the policy framework and maintain Council's ability to review each proposal on its own merits and apply site-specific conditions through a future Development Agreement. That process allows Council to consider matters such as site layout, access, parking, buffering, landscaping, servicing, and compatibility with surrounding land uses.

The amendments also support a broader range of housing forms in serviced areas of Town. They align with the residential intent of the Municipal Planning Strategy and provide additional flexibility while retaining municipal oversight.

1.6. Public Engagement

The Town held a Public Information Meeting on 19 February 2026. Public comments raised matters such as buffering, access, community fit, and related site design issues. Those are legitimate planning considerations, but they relate primarily to the review of a specific development proposal and should be addressed through a separate Development Agreement process rather than through the amendments themselves.

1.7. Conclusion

The proposed amendments would create a straightforward policy mechanism for Council to consider grouped dwellings by Development Agreement within the Residential Designation. Staff consider that to be a reasonable amendment to the current planning framework. The amendment is limited in scope, consistent with the residential intent of the Strategy, and maintains Council's control over future site-specific review.

1.8. Draft Motion

That the Middleton Planning Advisory Committee recommend that Council give First Reading to the proposed amendments to the Municipal Planning Strategy and Land Use By-law to enable Council to consider grouped dwellings within the Residential Designation by Development Agreement, and direct staff to proceed with the required Public Hearing process.

Appendices:

Appendix A: Proposed Amendments

Appendix B: Public Information Meeting Minutes

Municipal Planning Strategy

PART 2 PLANNING STRATEGY GOALS AND POLICIES

Section 2.3 – Residential Policy R9

“It shall be the intention of Council to consider the development of new multiple unit dwellings, townhouses dwellings, the conversion of an existing residential structure containing seven (7) or more units and the development of new day nurseries, bed and breakfast uses and boarding and rooming houses in the Residential Designation by Development Agreement subject to criteria contained in Policy IM15 and IM16.”

Amend:

It shall be the intention of Council to consider the development of new multiple unit dwellings, townhouses dwellings, *Grouped Dwellings*, the conversion of an existing residential structure containing seven (7) or more units and the development of new day nurseries, bed and breakfast uses and boarding and rooming houses in the Residential Designation by Development Agreement subject to criteria contained in Policy IM15, *IM16 and IM17*.

Land Use By-law

PART 2 ADMINISTRATION

Section 2.5 – Uses considered by development agreement

- (a) new multiple unit dwellings, townhouses dwellings, the conversion of an existing residential structure containing seven (7) or more units and the development of new day nurseries, bed and breakfast uses and boarding and rooming houses in the Residential Designation pursuant to MPS Policy R10;

Amend:

- (a) new multiple unit dwellings, townhouses dwellings, *Grouped Dwellings*, the conversion of an existing residential structure containing seven (7) or more units and the development of new day nurseries, bed and breakfast uses and boarding and rooming houses in the Residential Designation pursuant to MPS Policy *R9*;

PART 5 GENERAL PROVISIONS FOR ALL ZONES

Section 5.25 – One main building to a lot

b) Grouped dwellings considered by Development Agreement.

Amend:

b) *Grouped dwellings with six (6) or fewer dwelling units in the Residential (R) Zone*

c) Grouped dwellings *greater than six (6) dwelling units* considered by Development Agreement

PART 7 RESIDENTIAL (R) ZONE

Section 7.2 – Zone Requirements

Grouped dwellings | Lot Area | 510m²

Amend:

Grouped dwellings | Lot Area | *325m²*