

Public Information Package
Amendment to Peggy's Cove Land Use Bylaw to
Rezone Properties at 173 Peggy's Point Road from Residential to Core

ORIGIN

Property owner request to rezone properties at 173 Peggy's Point Road, PIDs: 40038556, 40281834 and 40281826 from the Residential (R) Zone to the Core (COR) Zone.

PROPERTY DETAILS

Subject Site Location:	PIDs 40038556, 40281834 and 40281826 - 173 Peggy's Point Road, Peggy's Cove
Location:	Western portion of the Village of Peggy's Cove
LUB Zoning:	Residential Zone and Conservation Zone
Size of Site:	Total Area = PID 40038556 + PID 40281834 + PID 40281826 = 0.33 hectares = 0.83 acres
Current Land Use:	Uninhabited main building on PID 40038556. Presently unoccupied.
Surrounding Uses:	A mix of residential and commercial uses, fishing uses, and coastal areas zoned for conservation.

RATIONALE FOR CONSIDERING AMENDMENTS TO THE LAND USE BYLAW (LUB)

Section 10.1 of the Land Use By-law deals with amending the By-law. It states that the by-law may be amended:

1. In response to a request by a property owner or member of the public.
2. Initiated by the Commission in response to an identified deficiency or need within the By-law.
3. As part of regular review of the By-law.

This section states the Commission is not obligated to initiate a process to consider amendments to this By-law in response to a request by a property owner or member of the public; however, such requests should be considered except where:

Clause of the Land Use By-law	Current Situation
A similar request has been considered and denied within the last 12 months and the facts of the request have not materially changed; or	The 12-month period between the original decision of the Commission regarding zoning of the properties has lapsed.
The request is on the face of it clearly contrary to the Intent in Part 2.	The request is not clearly contrary to the Intent in Part 2 of the Land Use By-law.

PROPERTY OWNER CASE FOR REZONE

The owner of the property provided the following reasons for the request:

- The property is located near recent developments, including the viewing deck, sidewalks, Amos Pewter, and the vehicle drop-off zone.
- The adjacent commercial developments are designed to provide amenities and lighthouse access to visitors, significantly increasing traffic and activity around the property.
- The property's residential use is disrupted by heavy visitor activity, including increased traffic, tour buses, and pedestrian presence.
- The ongoing disruption affects the quiet enjoyment and use of the property by the owners.
- The current unmaintained state of the main building on the property is not in keeping with the intended character of Peggy's Cove and detracts from its beauty.
- The property has previously been used as a business for approximately 30 years.

LAND USE BYLAW PROVISIONS - Residential and Core Zones Comparison Tables

TABLE 1: Zone Purpose – Residential & Core Zones

Use Zone Name	Symbol	Zone Purpose
Residential Zone	R	To prioritize and promote residential uses and associated community amenities.
Core Zone	COR	To enable a mix of residential, commercial, and community amenity uses that serve both the residents of Peggy's Cove and visitors to the community.

TABLE 2: Comparison – Residential & Core Zones

	R	COR	Land Use Bylaw Special Provisions
Accommodations	Not Permitted	Permitted with special provisions	<i>7.4.3 The total combined commercial floor area of all offices, personal service shops, restaurants, accommodations, and retail sales on a lot, excluding floor area dedicated to a home-based business, is not permitted to exceed: (a) 200 sq m if the lot contains a dwelling; or (b) 100 sq m if the lot does not contain a dwelling. 7.4.4 In addition to Subsection 7.4.3, the total combined commercial floor area of all offices, personal service shops, restaurants, accommodations, retail sales, assembly uses, cultural facilities, galleries, and interpretive centres, excluding floor area dedicated to a home-based business, on a lot is not permitted to exceed 300 sq m.</i>
Assembly Uses	Not Permitted	Permitted with special provisions	<i>7.4.4 – as above 7.4.7 Assembly uses, cultural facilities, galleries, personal service shops, restaurants, retail sales, and workshops are not permitted to be open to</i>

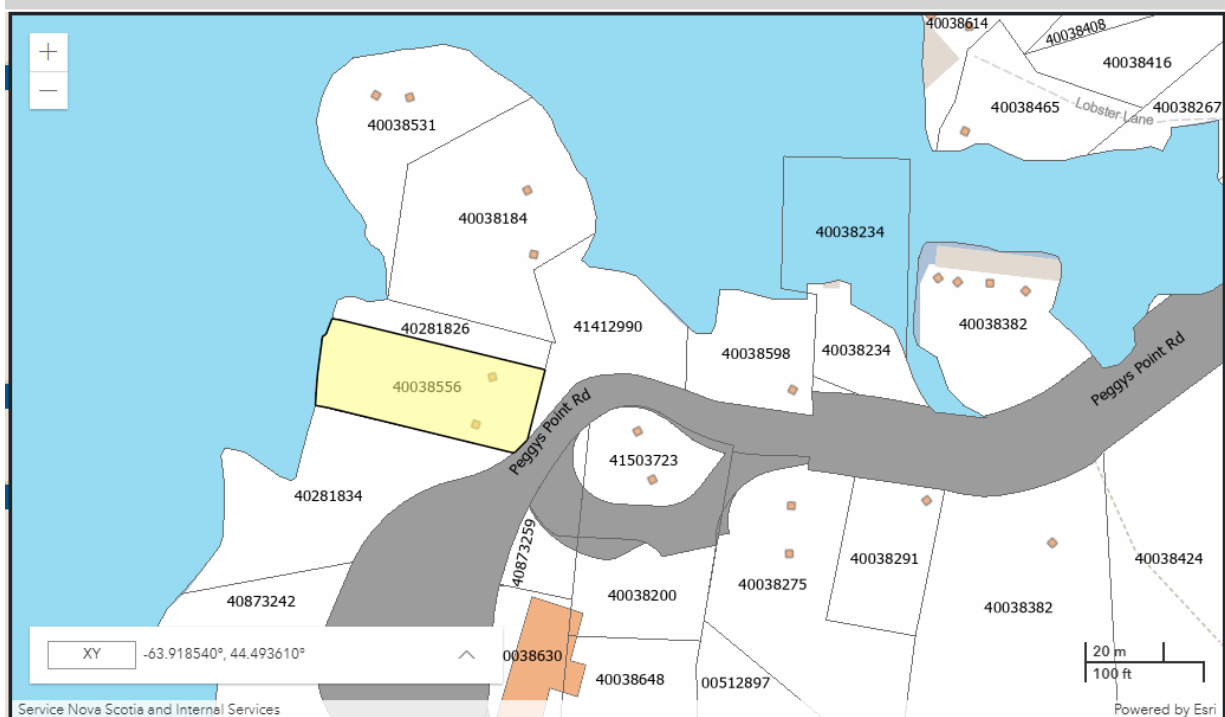
	R	COR	Land Use Bylaw Special Provisions
			<i>the public outside the hours of 7:00 a.m. to 9:30 p.m., except in conjunction with a special event that meets the requirements of Section 7.13.</i>
Cultural Facilities	Not Permitted	Permitted with special provisions	7.4.4 – as above 7.4.7 – as above
Daycare Centres	Permitted	Permitted	Not applicable
Dwellings	Permitted	Permitted	Not applicable
Fishing Related Industry	Permitted	Permitted	Not applicable
Galleries	Not Permitted	Permitted with special provisions	7.4.4 – as above 7.4.7 – as above
Interpretive Centres	Not Permitted	Permitted with special provisions	7.4.4 – as above
Marine Recreation Providers	Not Permitted	Permitted	Not applicable
Medical Facilities	Not Permitted	Permitted with special provisions	Not applicable
Offices	Not Permitted	Permitted with special provisions	7.4.3 – as above 7.4.4 – as above
Parking Lots	Not Permitted	Permitted	Not applicable
Parks and Playgrounds	Permitted	Permitted	Not applicable
Personal Service Shops	Not Permitted	Permitted with special provisions	7.4.3 – as above 7.4.4 – as above 7.4.7 – as above
Places of Worship	Not Permitted	Permitted	Not applicable
Post Offices	Not Permitted	Permitted	Not applicable
Restaurants	Not Permitted	Permitted with special provisions	7.4.3 – as above 7.4.4 – as above 7.4.7 – as above
Retail Sales	Not Permitted	Permitted with special provisions	7.4.3 – as above 7.4.4 – as above 7.4.7 – as above
Schools	Not Permitted	Permitted	Not applicable
Trails and Conservation Uses	Permitted	Permitted	Not applicable
Water Access	Permitted	Permitted	Not applicable
Workshops	Not Permitted	Permitted with special provisions	7.4.7 – as above

MAPS

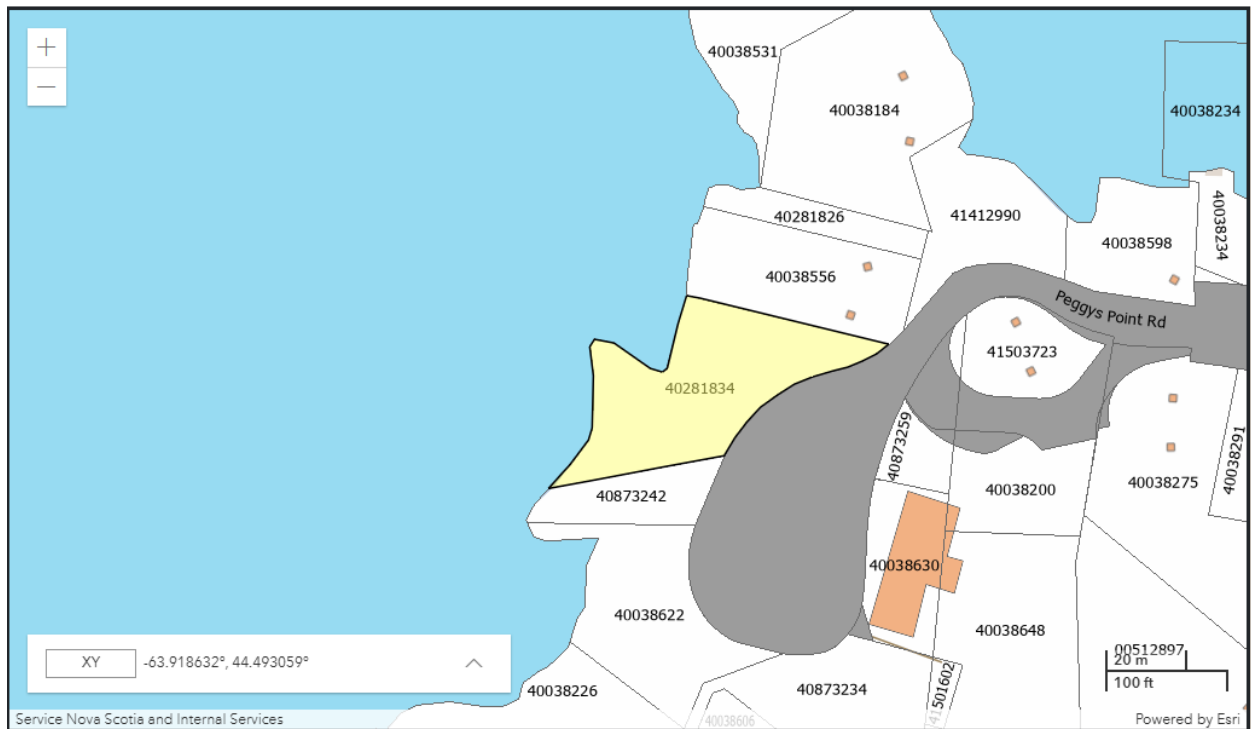
MAP 1: Lot Location - PID 40281826 (Source: NS Property Online)



MAP 2: Lot Location - 40038556 (Source: NS Property Online)



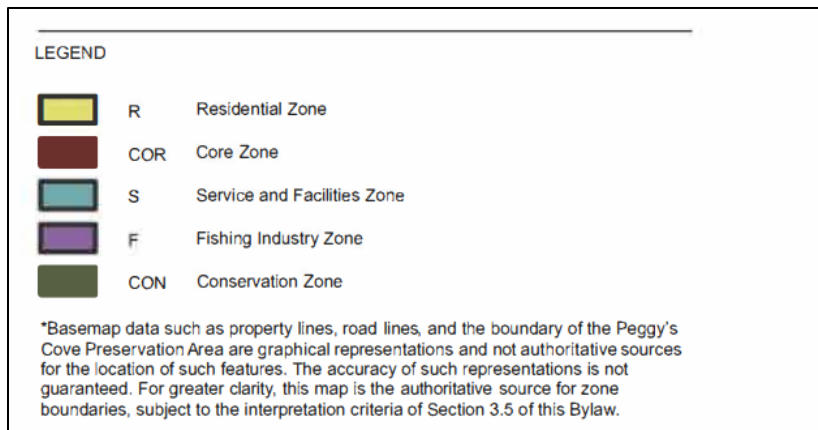
MAP 3: Lot Location - 40281834 (Source: NS Property Online)



MAP 4: Community Setting (Source: Google Earth)



MAP 5: Peggy's Cove Zoning Map (Source – Peggy's Cove Land Use Bylaw 2024)



The Land Use Bylaw for the Peggy's Cove Preservation Area can be accessed by visiting the Peggy's Cove Commission Website: <https://pcc.novascotia.ca/>

Land Use Bylaw: https://pcc.novascotia.ca/sites/default/files/2024-04/Peggys%20Cove%20Land%20Use%20Bylaw%20-%20Effective%20-%202024.04.17_0.pdf