

Community Plan Update: Jurisdictional Scan Agriculture Regulations

Planning Advisory Committee

February 14, 2023

Planning & Development Department



EAST HANTS

Background

- At their December 21, 2022 meeting, Council passed two motions related to the Plan Update. Motion C22(434) was passed “*that Council direct staff to do a jurisdictional scan of an abutting municipalities with regards to agricultural (AR) zoning.*”
- Only three Municipalities currently have comprehensive agricultural policies:
 - Municipality of the County of Kings
 - West Hants
 - Cumberland County
- A number of Municipalities are still in the process of creating comprehensive planning documents that apply to the entire municipality, including Colchester.
- Detailed sections from each of the Municipalities have been attached to the staff report.

Kings County - Summary

- Kings County has five different agricultural zones:
- **Agricultural A1:** Lands located in this zone are those identified as high-capability agricultural lands for future agricultural production. This zone will provide maximum flexibility for agricultural and complementary uses and limit non-farm development, including residential development.
- **Rural Mixed Use A2:** Lands located in this zone are intended for a mix of agricultural, residential and resource uses to enable the agricultural industry expansion as well as to accommodate rural housing demand.
- **Farm Commercial A3:** Lands located in this zone contain existing farm operations along Highway 1 between New Minas and the Town of Wolfville. These lands are intended for the development of farm commercial and agritainment uses that involve, support or complement agricultural activities in the described area. Commercial uses that are not related or complementary to farming business operations will be limited
- **Country Residential A4:** Lands located in this zone are intended to maintain onsite serviced low-density neighbourhoods, consisting primarily of one or two unit dwellings, while encouraging the efficient use of land and infrastructure in an agricultural setting. This zone has also been applied to isolated areas of serviced development in rural areas of the Municipality.
- **Historic Hamlet of Grand Pré A5:** The purpose of the Historic Hamlet of Grand Pré (A5) Zone is to retain the historic character of the Heritage Conservation District of Grand Pré.
- In any of these zones, in the event of a conflict between an agricultural use and a non-agricultural use, the agricultural use shall take priority.

Kings County - Summary

- For the A1 Zone, existing residential uses are permitted and new residential uses are only permitted by site plan approval in certain situations as follows:
 - New residential uses are permitted between two dwellings in existence on the date of adoption of this By-law that are no more than 300 feet apart or between a dwelling in existence on the date of adoption of this By-law and a public road that are no more than 300 feet apart.
 - Existing dwellings are required to have been in existence on the date of adoption of this By-law and may include farm dwellings but shall exclude farm tenements.
 - Lots may be either newly created or in existence on the date of adoption of this By-law.
- For the A2 Zone residential uses are permitted without any special provisions.
- For the A3 Zone only existing residential uses are permitted or residential uses that are associated with commercial agricultural development.
- For the A4 Zone residential uses are permitted and they are to be located in denser residential areas.
- For the A5 Zone residential development is permitted in the zone but all development has to be in compliance with the Grand Pré Heritage Conservation District By-law.

West Hants Summary

- There are three types of agricultural zones in West Hants.
- In order to minimize the fragmentation of agricultural land no new public or private roads are permitted in any of the three agricultural zones.
- The only way new roads can be considered are by a decision of Council, through a development agreement or rezoning process.
- The criteria of the three agricultural zones are based on a combination of soils and active agricultural lands.

West Hants Summary

1. **Prime Agriculture:** Improved land with high capability (Class 2 and 3) for production of a variety of crops. This land will be reserved primarily for long-term agricultural production with the most restrictions on non-agricultural development.
1. **Agricultural Priority Two:** Improved and unimproved land with high capability (Class 2 and 3) for production of a variety of crops. This land will be reserved for agricultural production with limited non-agricultural development.
1. **Agricultural Priority Three:** Agricultural land with a lower productive capability (Class 4) and active agricultural land in the Growth Centres, Village and Hamlets. Controlled non-agricultural development will be permitted.

West Hants Summary

- In the Prime Agricultural (P/Ag) Zone residential uses are only permitted as-of-right as part of an ongoing agricultural operation. Residential uses as the main use of a property may only occur on existing (as of 1989) undersized lots.
- In the Agricultural Priority Two (AR-2) Zone residential uses are permitted but there is a limit of two lots that may be subdivided from a parcel of land each year. There is no limit to the number of consolidations.
- In the Agricultural Priority Three (AR-3) Zone residential uses are permitted, there are not restrictions on subdivision.
- In both the AR-2 and the AR-3 Zones, the zone allows for limited institutional uses.

Cumberland County Summary

- The intended purpose of the Agriculture Zone is to prioritize agricultural activities and to reduce the non-agricultural development and fragmentation of productive agricultural lands.
- The zone was applied to Class 2 and 3 soils and the intention is to prevent the loss of these soils to subdivision development or commercial development. Also included in the zone is continuous blocks of farmland which may not be Class 2 or 3 soils.
- No private roads permitted in the Agriculture Zone without a rezoning.
- Land use regulations allow for many agricultural-related uses, similar to the East Hants Agricultural Reserve (AR) Zone.
- In addition, Cumberland also allows in their Agriculture Zone airports, community halls, places of worship, fishery uses, emergency services, and single unit dwellings.
- Only one dwelling is permitted per property and dwellings are not permitted on flag lots or hockey stick lots.
- Lots have large frontage requirements of 45 m which reduce the number of lots that can be subdivide on existing road frontage.

Colchester County

- Colchester is still in the initial phase of its plan update and it will consider agricultural land policies as part of its planning process.



Recommendation

- There is no recommendation associated with the adoption of this report.

Recommended Motion

- *There is no recommendation associated with the adoption of this report.*