

**Edward Hunter**  
**MPS & LUB Mapping Amendments**  
**Indian Road, Upper Nine Mile River**

Planning Advisory Committee

February 18<sup>th</sup>, 2025

Planning & Development



**EAST HANTS**

## Subject Property

- Subject property (PID 45189206) is accessed via Indian Road and Ess Road, Upper Nine Mile River
- The property totals 1.4 Ha (3.46 acres)
- Zoning is Agricultural Reserve (AR)
- Designated Agricultural Reserve (AR) as per the Generalized Future Land Use Map (GFLUM)
- Property is not located within a Growth Management Area or Growth Reserve Area



# Development Proposal

- Change the zone and designation from Agricultural Reserve (AR) to Rural Use (RU)
- The purpose of the application is to provide further as-of-right development opportunities not permitted in the AR zone.
- The property is currently vacant and is cleared



## Policy Analysis

- Staff will refer to MPS polices associated with the Rural Use (RU) designation as well as general policies related to amending the MPS and the Land Use Bylaw (LUB).
- Policy IM10 states Council shall only consider private applications to amend the Strategy where said amendments are in the best interest of the Municipality
- Policy AR17 allows considers non-agricultural uses by development agreement only on Agricultural Reserve designated lands subject to an Agricultural Impact Study.
  - Staff discussed this policy with the applicant.

## Policy Analysis

- The applicant engaged Hillside Consulting Inc. to conduct an Agricultural Impact Study which is required to evaluate the CLI soil classification and the impact of the loss of agricultural land based on the proposed application
- The property was found to adhere best to the definition of Class 4 Subclass W under the CLI soil classification by the study author. The study indicated that the rezoning of the lands to Rural Use will have a negligible impact on the supply and connectivity of agricultural lands within East Hants
- Class 4 soils have severe limitations that restrict the range of crops or require special conservation practices. The soils are low to fair in productivity for a fair range of crops but may have high productivity for a specially adapted crop.
- Staff will provide an analysis of the policies regarding the protection of agricultural land in the final staff report.

## Agricultural Advisory Committee

A meeting of the Agricultural Advisory Committee was held on November 27<sup>th</sup>, 2024; however, quorum was not obtained. The meeting was rescheduled and held on January 28<sup>th</sup>, 2025. The following motion from the Committee was made:

*Moved that the Agricultural Advisory Committee recommend to the Planning Advisory Committee recommends to Council to not approved the rezoning and redesignation from Agricultural Reserve (AR) to Rural Use (RU).*

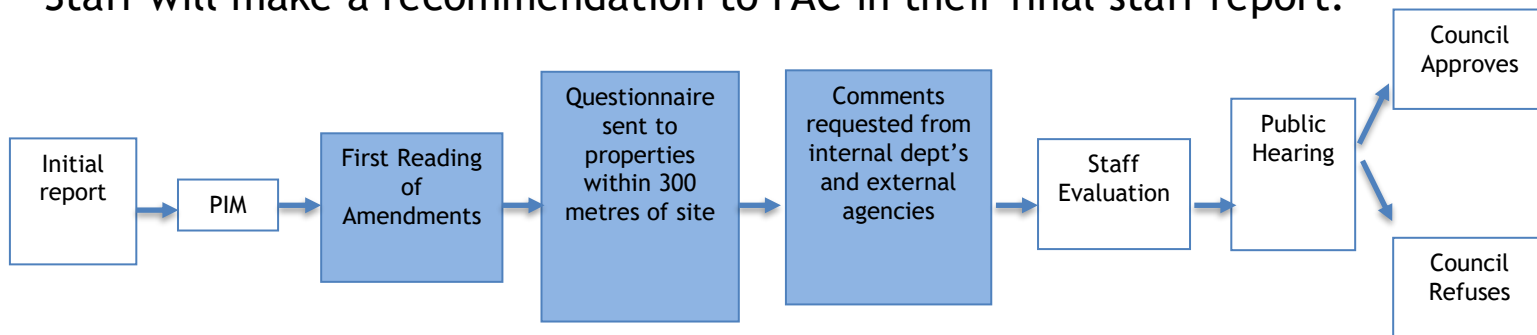
The Committee suggested the applicant reconsider policy AR17 of the Municipal Planning Strategy in order to protect and preserve the current zoning on the property. Policy AR17 states that Council shall consider non-agricultural uses in the Agricultural Reserve (AR) Zone by development agreement only.

## Citizen Engagement

- An advertisement outlining the proposal and indicating that it is under review by staff was placed in the *Chronicle Herald*
- As part of the review process for MPS amendments, a Public Information Meeting (PIM) is required to hear input from the community
- The PIM was held on November 5<sup>th</sup>, 2024. No members of the public attended. No comments or concerns were raised
- A letter and questionnaire were mailed to all property owners and residents within 500m of the subject property providing residents another opportunity to express their thoughts on the proposal
- 22 letters were mailed out, and four (4) were returned. The responses did not have any concerns with the proposed application; however, requested development on the property be limited to residential uses only

## Conclusion

- Staff will continue to review the proposal to change a portion of the subject property to the Rural Use (RU) Zone and Designation.
- The proposed amendments will be evaluated using all applicable policies in the Municipal Planning Strategy, in particular, policies related to the protection of agricultural land
- Councils decision on this application is not appealable to the Nova Scotia Utility and Review Board
- Staff will make a recommendation to PAC in their final staff report.





## Recommendation

That Planning Advisory Committee recommend that Council give First Reading to the application

## Recommended Motion

*Planning Advisory Committee recommends that Council:*

- *Give First Reading to consider a proposal for PID 45189206 to change from the Agricultural Reserve (AR) zone and designation to the Rural Use (RU) zone and designation and for the purpose of enabling a Public Hearing; and authorize staff to schedule a Public Hearing.*