



Subject: *Motion C25(36)- Undersized Lots and Setbacks from Watercourses*
To: CAO for Planning Advisory Committee, March 18, 2025
Date Prepared: March 4, 2025
Related Motions: C25(36)
Prepared by: Debbie Uloth, Community Planner II
Approved by: John Woodford, Director of Planning and Development

Summary

In January of 2025, East Hants Municipal Council passed a motion to “bring a report back to Council through the Mount Uniacke planning review regarding setback variances from watercourses and lakes on undersized lots”. Staff are requesting that Motion C25(36) be incorporated into the 2026 Plan Review due to the impact of possible changes to Section 3.24 Setback from Watercourses, of the Land Use Bylaw, on the entire Municipality. Residents and property owners outside of the Uniacke SPS study area should be given a chance to participate and provide feedback on the topic.

Financial Impact Statement

There is no financial impact with the adoption of this report.

Recommendation

That Planning Advisory Committee recommends that Council authorize staff to move the review of watercourse setbacks for undersized lots to the 2026 Plan Review.

Recommended Motion

- *Planning Advisory Committee recommends that Council authorize staff to move the review of watercourse setback for undersized lots (Motion C25(36)) to the 2026 Plan Review.*

Background

At their January 2025 Regular Meeting, Council passed the following motion:

C25(36) *Moved that staff bring a report back to Council through the Mount Uniacke planning review regarding set back variances from watercourses and lakes on undersize lots.*

Planning staff are recommending that the item be reviewed as part of the 2026 Plan Review, due to any potential changes to the watercourse provisions in the Land Use Bylaw impacting the entire Municipality. There are a variety of reasons for staff's recommendation including:

- The ability to engage with residents outside of the Uniacke SPS area, the current public participation program for the Uniacke SPS is only focused on engaging residents and property owners within the study area;
- To give staff time to identify the number of lots throughout the Municipality that would be impacted by any potential changes and to analyze what impacts any changes could have to all lakes within East Hants; and
- To review the request in conjunction with other zone provisions that may not be applicable to the Uniacke SPS area.

The 2026 Plan Review is anticipated to start January of 2026.

STRATEGIC ALIGNMENT

Amendments to the East Hants Official Community Plan aligns with Council's Strategic goal to build strong communities by ensuring the East Hants official community plan is effective in managing changes in the community, reducing land use conflict and protecting both natural resources and community character.

LEGISLATIVE AUTHORITY

The Municipality has Legislative Authority to create land use policies and regulations under Part 8 of the Municipal Government Act.

FINANCIAL CONSIDERATIONS

There are no immediate financial considerations for the adoption of this report.

Alternative

If PAC decides that the topic is urgent and needs to be addressed prior to the start of the 2026 Plan Review, the review of watercourse setbacks for undersized lots could be considered as a stand-alone project and not as part of the Uniacke SPS.

Attachments

There are no attachments to this report.