

# **Non-Farm Dwellings in AR Zone**

Planning Advisory Committee

Planning and Development Department

May 13, 2025



**EAST HANTS**

## Background

- At their regular meeting on February 26, 2025 Council passed the following motion:

*C25(75) Moved that staff be directed to prepare text amendments to the Land Use Bylaw that would treat existing non-farm dwellings, within the Agricultural Reserve (AR) Zone, as lawfully existing uses to enable these homes to be expanded, moved and add accessory dwelling units without the restrictions placed on them as a result of being in the AR Zone.*

- The reason for the motion was a resident expressing frustration with the inability to expand their home by more than 25%.
- 25% is the upper limit enabled for the expansion of a non-conforming structure. Over the past few years, staff have become aware of other property owners also frustrated by this limitation.
- As a result of this direction, staff have prepared amendments to the Land Use Bylaw.

# Proposed Amendments

Uses	RU	RU-2	AR	RCDD
Dwelling, Non-Farm Single Unit	P	P	DA	-
Dwelling, Tiny Home on Wheels	P	P	<b>P</b>	-
Dwelling, Two Unit	P	P	-	-
Excavating and Construction Services	P	P	-	-
Fabrication and Repair of Farm and Forestry Equipment	P	P	P	-
Forestry Uses & Structures	P	P	P	-
Funeral Services	P	P	-	-
Greenhouses	P	P	P	-
Home-based business uses above 140 m <sup>2</sup> of commercial floor area	DA	P	DA	-
Home-Based Business Uses up to 140 m <sup>2</sup> of commercial floor area	P	P	P	-
Horse Stables, Boarding, and Training Facilities (including race horses)	P	P	P	-
Industrial uses related to the chemical treatment of timber resources	DA	DA	-	-
Kennel, Boarding and Breeding	P	P	P	-
Lawfully Existing Uses	-	P	<b>C</b>	-
Large Scale Special Events	P	P	P	-
Marina	-	P	-	-

## 5.4.13 Lawfully Existing Uses

a) Existing non-farm dwellings shall be considered lawfully existing uses.



## Policy Analysis

- Staff have reviewed the proposed amendments based on the applicable policies contained in the Municipal Planning Strategy (MPS).
- A detailed table of the evaluative criteria from the enabling policies and corresponding comments from Staff are attached to the final report.
- Staff have determined that the proposed amendments are consistent with the spirit and intent of the MPS policies associated with the Agricultural Reserve (AR) designation as well as general policies related to amending the Land Use Bylaw (LUB).

### Agricultural Advisory Committee

- Under the terms of reference, one of the mandates of the Agricultural Advisory Committee is to review land use matters related to agricultural land and provide recommendations to the Planning Advisory Committee.
- The Agricultural Advisory Committee met on April 8, 2025 and passed a motion in support of the changes.

## Citizen Engagement

- Planning staff have complied with the Citizen Engagement Policies of the Municipal Planning Strategy when processing the amendments.
- As this is not a site specific proposal, there is no survey or direct mail notice regarding a public hearing to property owners or residents.
- A notice was placed in the *Chronicle Herald* on May 7<sup>th</sup> & 14<sup>th</sup>, the municipal website and social media regarding the public hearing scheduled for May 21, 2025.

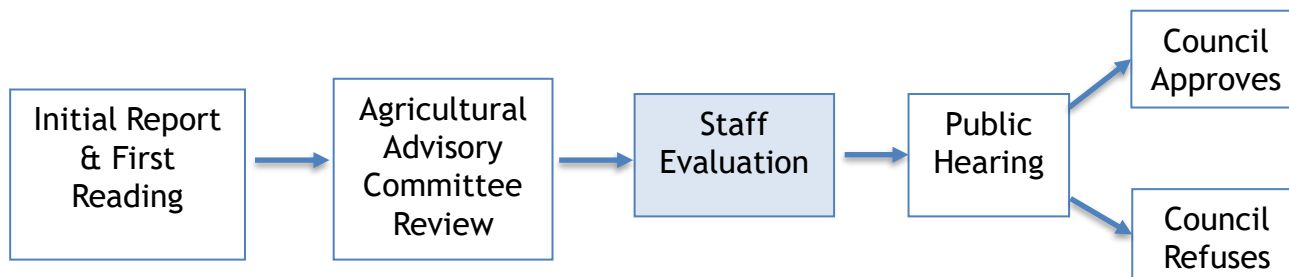
## Conclusion

Staff have concluded their review the proposal to change the Agricultural Reserve (AR) Zone to permit existing non-farm dwellings to expand beyond 25% and add accessory dwelling units.

The amendments have been evaluated using all applicable policies in the MPS, in particular the policies regarding the protection of agricultural land.

Staff are recommending in favour of the changes.

Council's decision on this application is appealable to the Nova Scotia Regulatory & Appeals Board as it does not involve an amendment to the MPS.





## Recommendation

That Planning Advisory Committee recommend that Council give second reading to the amendments.

## Recommended Motion

*Planning Advisory Committee recommends to Council that Council:*

- *Give second reading to amendments to the Land Use Bylaw that make existing non-farm dwellings, within the Agricultural Reserve (AR) Zone, lawfully existing uses.*