



**Subject:** *Sunny Point Farms- Amendments to Official Community Plan*  
**To:** CAO for Planning Advisory Committee, November 18<sup>th</sup>, 2025  
**Date Prepared:** November 4, 2025  
**Related Motions:** n/a  
**Prepared by:** Lee-Ann Martin, Planner & Development Officer  
**Approved by:** John Woodford, Director of Planning and Development

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### Summary

In October of 2025, Planning staff received an application from Phillip Vroegh of Sunny Point Farms to amend the Municipal Planning Strategy and Land Use Bylaw to reduce the minimum setback requirement for an intensive livestock operation use in the Rural Use North (RU-2) Zone.

This staff report outlines the application, current regulations, and recommends that a Public Information Meeting be scheduled.

### 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 schedule a Public Information Meeting and seek comments from the Agricultural Advisory Committee

### Recommended Motion

- *Planning Advisory Committee recommends that Council authorize staff to schedule a Public Information Meeting to amend the Municipal Planning Strategy and Land Use Bylaw to reduce the minimum setback requirement for Intensive Livestock Operations in the Rural Use North (RU-2) Zone, and;*
- *Direct staff to seek comments from the East Hants Agricultural Advisory Committee on the application.*

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## Background

An application was received from Phillip Vroegh of Sunny Point Farms to amend the Municipal Planning Strategy and Land Use Bylaw to allow for a smaller setback for intensive livestock operation uses located within the Rural Use North (RU-2) zones. The applicant had submitted a Plan of Subdivision for their property containing an existing intensive livestock operation. Their plan of subdivision indicated a setback of 2m from the existing structure to the new property line. The current setback requirement in the RU-2 zone for an intensive agricultural use is 45m. The applicant has submitted an application to have the setback reduced from 45m to 2m where the neighbouring property is in common ownership. This report outlines the application and recommends that a Public Information Meeting be scheduled.

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## Discussion

The Municipality's Land Use Bylaw has specific regulations for intensive livestock operations. This use is only permitted within the Rural zones including the Rural Use (RU), Rural Use North (RU-2) and the Agricultural Reserve (AR) zones. The General Provisions for rural zones of the Land Use Bylaw has regulations that apply across all three (3) rural zones. The Agricultural Reserve (AR) zone also has specific regulations for agricultural developments within that zone, including for intensive livestock operations. The provisions for intensive livestock operations as outlined in the general provisions for all rural zones are as follows:

### 5.2.3. Intensive Livestock Operation

*An intensive livestock operation in a Rural Zone shall be subject to the following requirements:*

- a) A minimum setback of 45 m from all lot lines and any public road, private road, or right-of-way easement;*
- b) The following setback distances shall be required from any structure or manure storage related to an intensive livestock operation to be located near a watercourse or well; and*

<i>Private or Off-Farm Well</i>	<i>100 m</i>
<i>Lake, River, Brook</i>	<i>50 m</i>
<i>Non-contained storage (solid manure)</i>	<i>100 m</i>
<i>Fully contained storage (liquid, semi-solid manure)</i>	<i>50 m</i>
<i>Ditch/Intermittent Stream or Wetland</i>	<i>20 m</i>

- c) An Intensive Livestock Operation in the Rural Use and Agricultural Reserve Zones which does not meet the minimum separation distances in this section may be considered by site plan approval.*

*In the Rural Use (RU) Zone or Rural Use North (RU-2) Zone a dwelling shall be setback from existing intensive livestock operations in accordance with the following requirements:*

- a) The minimum setback of a dwelling from existing intensive livestock operations shall be 46 m.*
- b) A dwelling which does not meet the minimum setback requirement of 46 m may be considered by site plan approval*

The Agricultural Reserve (AR) zone has further regulations for all agricultural related uses and residential uses, which are broken down into different categories as illustrated in the table below. As can be seen from the table, intensive livestock operations have a minimum required setback of 46m to property lines, or if the adjacent property is in common ownership, the setback may be reduced to 10m. There is no regulation within the Rural Use (RU) or Rural Use North (RU-2) zones for a reduced setback for properties with a common ownership.

	Residential and Home-Based Business Uses	Agricultural Related Business Uses and Agriculture Buildings	Intensive Livestock Operations
Minimum Lot Area	0.4 hectares	0.4 hectares	2 hectares
Minimum Lot Frontage <ul style="list-style-type: none"> <li>• General</li> <li>• Where the lot is within 23 m of any water course</li> </ul>	30 m 46 m	30 m 46 m	60 m 60 m
Minimum Front Yard <ul style="list-style-type: none"> <li>• Main structure</li> <li>• Accessory structure</li> </ul>	8 m 8 m	8 m 8 m	46 m 46 m
Minimum Rear Yard <ul style="list-style-type: none"> <li>• Main structure</li> <li>• Accessory structure</li> </ul>	10 m 2.5 m	10 m 4.5	46 m or 10 m if adjoining property is in common ownership 46 m or 10 m if adjoining property is in common ownership
Minimum Side Yard <ul style="list-style-type: none"> <li>• Main structure</li> <li>• Accessory structure</li> </ul>	3 m 2.5 m	10 m 4.5 m	46 m or 10 m if adjoining property is in common ownership 46 m or 10 m if adjoining property is in common ownership
Maximum Building Height <ul style="list-style-type: none"> <li>• Main structure</li> <li>• Accessory structure</li> </ul>	10 m 7.5 m	no maximum no maximum	no maximum no maximum

The application requests a similar clause be introduced to allow a reduced setback for an intensive livestock operation where the neighbouring property is in common ownership.

### Municipal Planning Strategy

An amendment to the Municipal Planning Strategy policy AR22 is required to proceed with the applicant's request. Policy AR22 states:

**AR22.** *Council shall ensure that buildings or structures housing an intensive livestock operation not be established within 46 m of boundaries of properties within any designation other than Rural Use (RU) or Agricultural Reserve (AR), to reduce possible negative impacts and potential conflicts with rural residential development in areas designated for such use*

The amendment to policy AR22 is required to include the Rural Use North (RU-2) zone as an area that allows a reduced setback from 46m for intensive livestock operations.

### Agricultural Advisory Committee

Under the terms of reference, one of the mandates of the Agricultural Advisory Committee is to review studies, plans, and proposals related to agriculture in East Hants and recommendations to the Planning Advisory

Committee. Planning staff recommend seeking comments from the Agricultural Advisory Committee on proposed amendments.

#### STRATEGIC ALIGNMENT

Amendments to the East Hants Official Community Plan aligns with Council's Strategic goal to build strong communities and economic prosperity by ensuring the East Hants official community plan is effective in managing changes in the community and supporting existing local businesses.

#### 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 is no cost to the Municipality to process these amendments.

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### Citizen Engagement

Planning staff will comply with the Citizen Engagement Policies of the Municipal Planning Strategy when processing the amendments. An advertisement outlining the proposed amendments and indicating they are under review by staff will be placed in an upcoming edition of the *Chronicle Herald*.

As this application involves an amendment to the Municipal Planning Strategy, a Public Information Meeting (PIM) is required. A notice of the PIM will be placed in the *Chronicle Herald* and on the Municipal website. As these are not site-specific amendments, questionnaires will not be mailed to residents.

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### Conclusion

Staff are recommending that approval be given to schedule a Public Information Meeting to consider amendments to the Municipal Planning Strategy and Land Use Bylaw to reduce the minimum setback requirement for Intensive Livestock Operations in the Rural Use North (RU-2) Zone where properties are in a common ownership.

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### Attachments

There are no attachments to this report.