

Sunny Point Farms MPS and LUB Amendments

Planning Advisory Committee
April 14th, 2026

Planning & Development



EAST HANTS

Background

Applicant: Phillip Vroegh of Sunny Point Farms

Request: 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) zone where the neighbouring property is in common ownership.

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, or what is permitted under the National Building Code, where the adjacent property is in common ownership.

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.

Discussion

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*

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

Discussion

The Agricultural Reserve (AR) zone has further regulations for all agricultural related uses and residential uses

Intensive livestock operations have a minimum required setback of 46m to property lines, or 10m if the adjacent property is in common ownership

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 | | | |
| • General | 30 m | 30 m | 60 m |
| • Where the lot is within 23 m of any water course | 46 m | 46 m | 60 m |
| Minimum Front Yard | | | |
| • Main structure | 8 m | 8 m | 46 m |
| • Accessory structure | 8 m | 8 m | 46 m |
| Minimum Rear Yard | | | |
| • Main structure | 10 m | 10 m | 46 m or 10 m if adjoining property is in common ownership |
| • Accessory structure | 2.5 m | 4.5 | 46 m or 10 m if adjoining property is in common ownership |
| Minimum Side Yard | | | |
| • Main structure | 3 m | 10 m | 46 m or 10 m if adjoining property is in common ownership |
| • Accessory structure | 2.5 m | 4.5 m | 46 m or 10 m if adjoining property is in common ownership |
| Maximum Building Height | | | |
| • Main structure | 10 m | no maximum | no maximum |
| • Accessory structure | 7.5 m | no maximum | no maximum |

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

Negative impacts may include, but not limited to odour, noise, manure, dust, ground water contamination, and flies.

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.

Proposed Amendments

As per Council Motion C26(66) the proposed amendments are that the minimum setback requirement for an intensive livestock operation in the Rural Use North (RU-2) zone be permitted to be reduced to 2m where the adjacent property is in a common ownership, subject to the spatial separation requirements under the National Building Code, and that in no instance shall an intensive livestock operation be less than 45m from a property that is not commonly owned.

Proposed Amendments

Land Use Bylaw

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~~ 46 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

...

e) In the Rural Use North (RU-2) zone, the 46m minimum setback may be reduced to 2m if the adjoining property is in common ownership, subject to spatial separation requirements of the National Building Code

f) In no instance shall an intensive livestock operation be less than 45m from a property that is not commonly owned.

Proposed Amendments

Municipal Planning Strategy

- 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), and Rural Use North (RU-2) to reduce possible negative impacts and potential conflicts with rural residential development in areas designated for such use.*

Citizen Engagement

Planning staff have complied with the Citizen Engagement Policies of the Municipal Planning Strategy when processing the amendments.

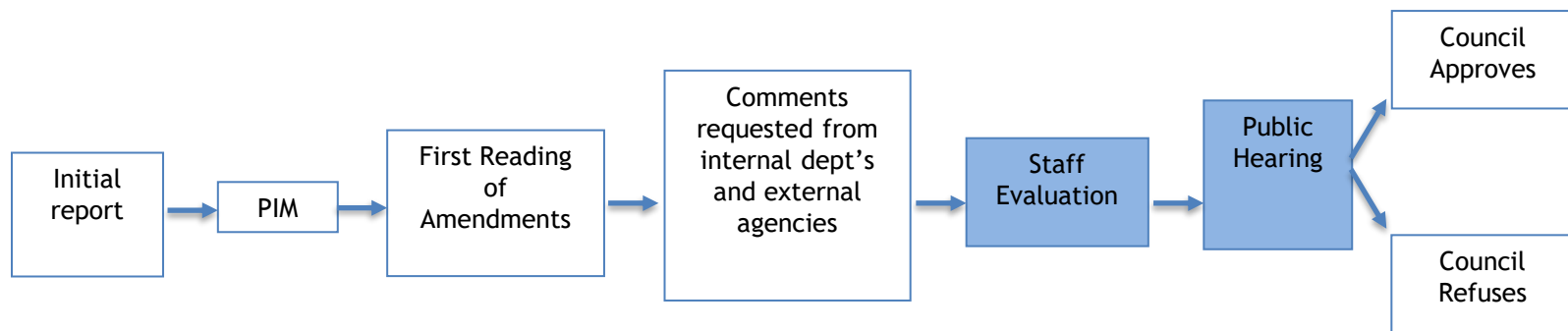
As this application involves an amendment to the Municipal Planning Strategy, a Public Information Meeting (PIM) was required. The Public Information Meeting was held on January 6th, 2026. There were five (5) members from the public who attended the meeting, including two (2) councillors and the applicants from both applications being presented at the meeting.

As these are not site-specific amendments, questionnaires were not mailed to residents.

Conclusion

As per Council Motion C26(66) the minimum setback requirement for an intensive livestock operation in the Rural Use North (RU-2) zone is proposed to be reduced to 2m where the adjacent property is in a common ownership, subject to the Building Code requirements, and that in no instance shall an intensive livestock operation be less than 45m from a property that is not commonly owned.

Council's decision on the amendments is not appealable to the Nova Scotia Regulatory and Appeals Board. If Council approves the amendments, the decision will be sent to the Minister of Municipal Affairs and Housing for approval.



Recommendation

- That Planning Advisory Committee recommends that Council give Second Reading and approve the amendments

Recommended Motion

Planning Advisory Committee recommends to Council that Council

- *Planning Advisory Committee recommends to Council that Council Give Second Reading and approval 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 to 2m, subject to building code requirements, where the neighbouring property is commonly owned, and;*
- *That in no instance shall an intensive livestock operation be less than 45m from a property that is not commonly owned.*