

***Swinks Agro Engineering Ltd.:  
Application to amend the LUB***

Planning Advisory Committee

Planning and Development Department

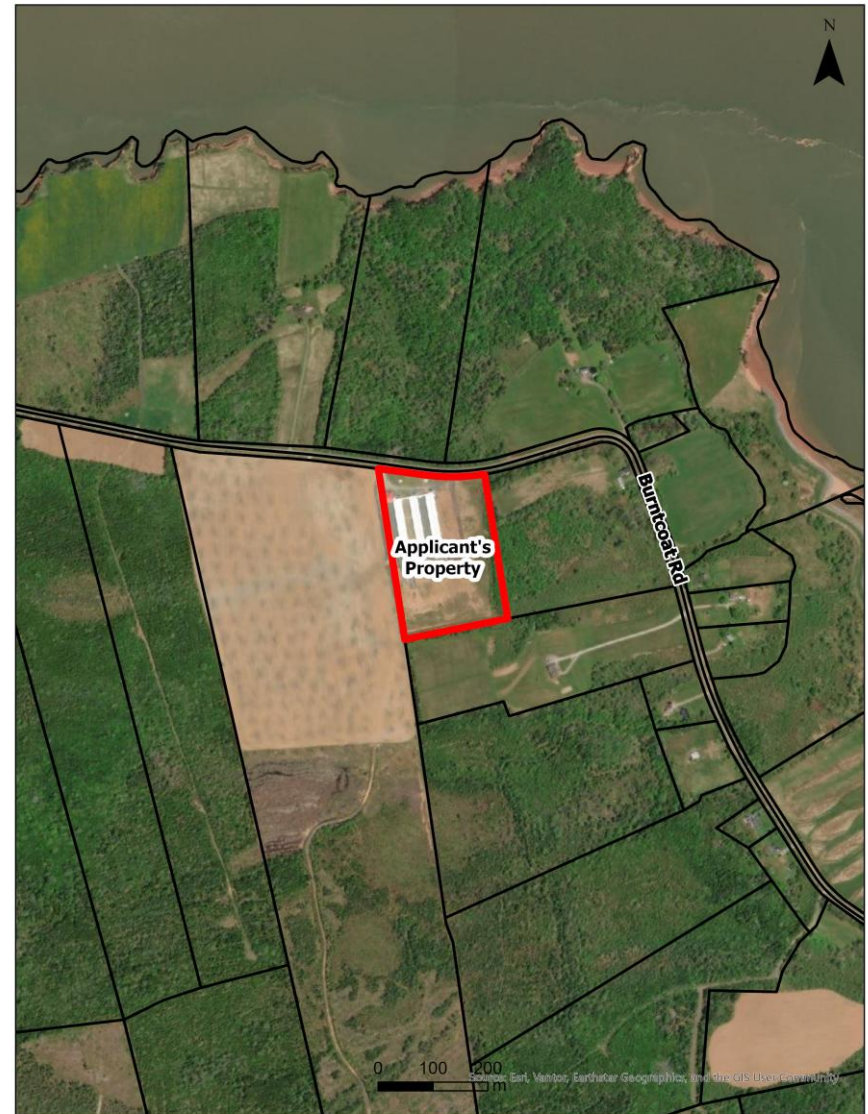
June 16, 2026



**EAST HANTS**

## Subject Property

- **Applicant:** Swinks Agro Engineering Ltd.
- **Location:** 1108 Burntcoat Rd, Burntcoat, and is identified as PID 45382199
- **Subject Property Size:** Total area of the subject property is approximately 5.4 hectares with approximately 195 m of frontage
- **Proposal:** To amend the Land Use Bylaw by reducing the minimum public road setback requirements for an intensive livestock operation use in the Rural Use North(RU-2) Zone to 20 m



## Development Proposal

- There are currently three poultry units located on the applicant's lands, constructed in 2021. Swinks Agro Engineering Ltd. is proposing two new structures be built for egg processing in a phased approach
- Since the construction of the poultry units, the Municipal Land Use Bylaw has been updated to require a 45 m setback from public roads in the Rural Use-North (RU-2) Zone
- The applicants proposed building configuration is 22.2 m from the front yard property boundary.
- Therefore, the applicant is applying for a LUB amendment to decrease the public road setbacks for intensive livestock operations in the Rural Use-North (RU-2) Zone to 20m
- The proposed site plan meets flanking setbacks requirements



# Proposed Amendments

## 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*
- 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.*
- d) Application for site plan approval shall be in the form specified in the Appendix and shall be accompanied by a sketch of sufficient detail to address all of the matters identified above, and shall be accompanied by a letter stating the purpose for the reduction in the minimum setback requirement.*
- e) In the Rural Use North (RU-2) zone, the 45m 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*
- g) Notwithstanding clause f), in the Rural Use North (RU-2) zone, any structure related to an intensive livestock operation may have a minimum setback of 20 m from public roads.*

## Policy Analysis

- Recent amendments to intensive livestock operations provisions have identified that:

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

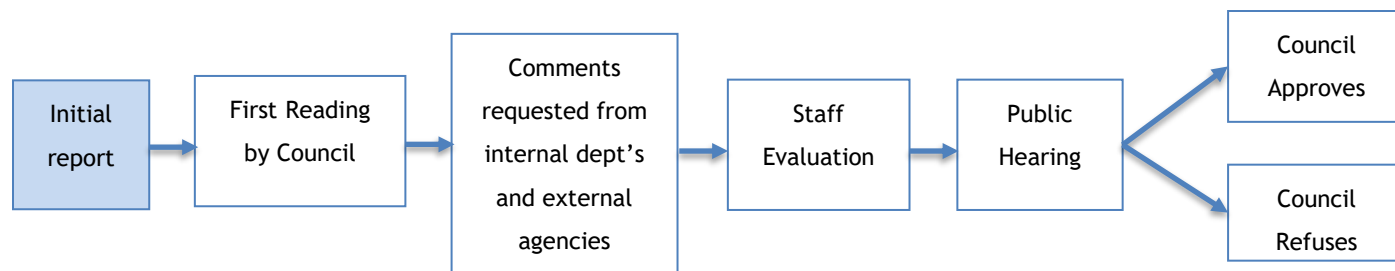
- Staff recommend that the proposed reduction of setbacks from public roads be not withstanding the above policy
- Public rights-of-way are a physical separation that contributes to the overall distance between intensive livestock operations and the nearest use
- The right-of-way in front of the subject property is approximately 25m, providing adequate buffers for the proposed facility with the proposed setbacks
- Most public roads within the municipality have 20m or right-of-way or more

## Agricultural Advisory Committee

- The proposed reduction in setbacks for Intensive Livestock Operations may directly affect agricultural operations and neighbouring land uses
- The Agricultural Advisory Committee (AAC) is mandated to review studies, plans, proposals, and policy changes related to agriculture and provide recommendations on agricultural matters
- Review by the AAC can help identify potential impacts on existing and future farming operations resulting from reduced setbacks
- Engagement with the AAC provides Council with informed recommendations on whether the proposed changes appropriately balance agricultural viability and land-use compatibility

# Citizen Engagement

- Staff will follow the Citizen Engagement Policies of the Municipal Planning Strategy when processing this application
- An advertisement outlining the application and indicating that it is under review will be placed in the Chronicle Herald
- Text amendments to the Land Use Bylaw do not require a public information meeting
- The public hearing will be advertised in the Chronicle Herald, on the Municipal website, and will be posted on social media
- The proposed amendments are appealable to the Nova Scotia Regulatory and Appeals Board



## Recommendation

- Recommend that first reading be given to the Land Use Bylaw text amendments, direct staff to seek comments from the Agricultural Advisory Committee, and authorize a public hearing.

## Recommended Motion

*Planning Advisory Committee recommends to Council that Council:*

- *give first reading to the application from Swinks Agro Engineering to amend the LUB to reduce the minimum setback from a public road of intensive livestock operations in the Rural Use North (RU-2) zone to 20m; and,*
- *Direct staff to seek comments from the East Hants Agricultural Advisory Committee on the application; and*
- *authorize staff to schedule a public hearing*