



Subject: *Places of Worships and Cemeteries - MPS and LUB Bylaw Amendment*
To: Planning Advisory Committee, July 21st, 2026
Date Prepared: July 14, 2026
Related Motions: C26(182)
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Approved by: John Woodford, Director of Planning and Development

Summary

Council passed a motion at the Regular Meeting of Council on June 24th, directing staff to prepare amendments to the East Hants Official Community Plan that would enable the subdivision of properties containing places of worship/former places of worship. Council directed that these amendments should enable reduced setback, area and frontage requirements to permit the cemeteries and the buildings to be located on separate lots. This report outlines the proposed amendments and requests that Council authorize staff to schedule a Public Information Meeting.

Financial Impact Statement

There are no immediate financial impacts with the recommendations of this report. Information on the financial impact of the amendments will be provided in the final report

Recommendation

That Planning Advisory Committee recommends to Council to authorize a Public Information Meeting.

Recommended Motion

Planning Advisory Committee recommends that Council:

- *Authorize staff to schedule a Public Information Meeting regarding amendments to the Municipal Planning Strategy and Subdivision Bylaw to allow the subdivision of places of worship/former places of worship from cemeteries in all zones where there is deeded access to both lots.*

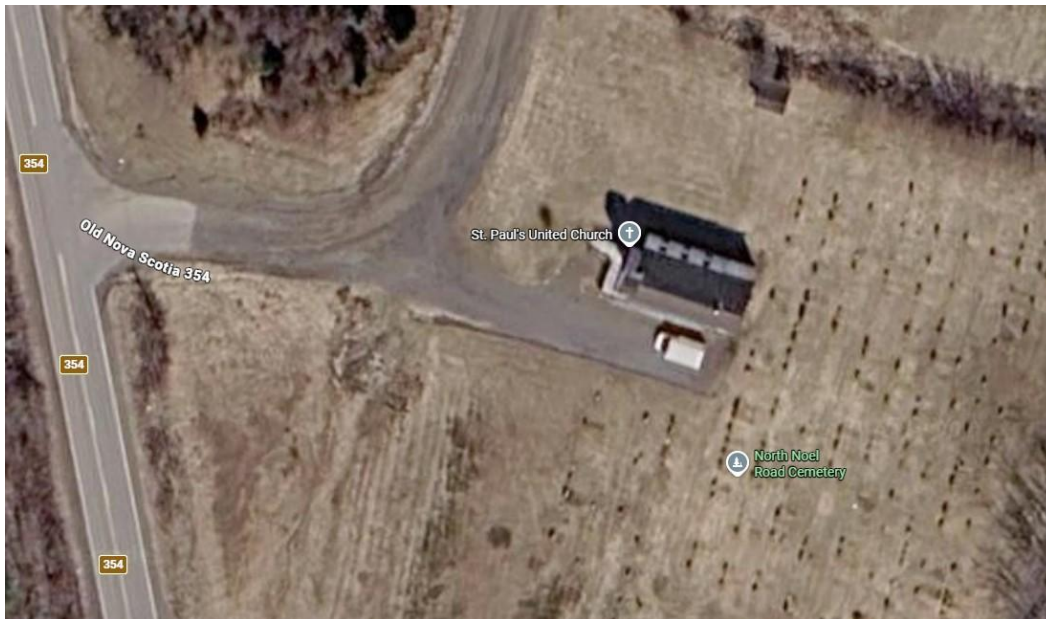
Background

Council's motion to amend subdivision requirements for places of worship and associated cemeteries stems from recent interest in selling properties previously used as places of worship.

C26(128) Moved that staff be directed to prepare amendments to the East Hants Official Community Plan that would enable the subdivision of properties containing churches/former churches and cemeteries. Amendments should enable reduced setback, area and frontage requirements to permit the cemeteries and church buildings to be located on separate lots.

A congregation has approached the municipality looking for insight on what can be done to subdivide their building from the associated cemetery. As shown from the Google Maps photos below, headstones are located very close to the building, only a few metres from the rear of the building. Other rural congregations that have closed their doors may benefit from a policy change enabling them to sell the buildings while maintaining cemeteries.

St. Paul's United Church, 4 Old Highway 354, North Noel Road, PID 45149390



Discussion

The congregation facing this issue is currently zoned Rural Use North (RU-2). According to the RU-2 Zone standards, a building must maintain a minimum side yard of 2m and a rear yard of 11m. Rezoning the rural places of worship to Institutional Use (IU) zone would have the same setback issue. Under current Institutional Use (IU) zone standards, a building must maintain a minimum side yard of 3m and a rear yard of 6-10m based on the level of service.

If the congregation were to subdivide under current regulation or Institutional Use (IU) zone regulations, the building would not be able to meet the standard setbacks. Without the ability to subdivide with reduced setbacks, this building might otherwise be left to deteriorate because it cannot be easily sold as a separate piece of real estate.

To address this issue, the municipality is proposing amendments to the Municipal Planning Strategy and Subdivision Bylaw that would allow the subdivision of places of worship/former places of worship from cemeteries with reduced setbacks and frontage requirements. This approach is an as-of-right process for congregations to subdivide their assets and repurpose former places of worship. These amendments align with the municipal heritage preservation objectives and encourages adaptive reuses of former places of worship and heritage buildings.

Proposed Additional Municipal Planning Strategy Text

TH17.1 Council shall consider the subdivision of places of worship and former places of worship from cemeteries with reduced frontage and setbacks in all zones where there is deeded access to both lots.

Proposed Additional Subdivision Bylaw Text

9.2

e) In all zones, the subdivision of places of worship and former places of worship from cemeteries with reduced frontage and setbacks shall be permitted where there is deeded access to both lots.

STRATEGIC ALIGNMENT

The 2025-2029 East Hants Strategic Plan identifies ‘Strong Community’ as one of the four areas of strategic focus. The proposed amendments support the management of change and growth in the community, while reducing land use conflicts.

LEGISLATIVE AUTHORITY

The Municipal Government Act, Part VIII gives legislative authority for this application. This section outlines the process for these amendments to be considered, including the advertisements for a Public Hearing.

FINANCIAL CONSIDERATIONS

A financial impact analysis will be provided in the final staff report.

MUNICIPAL PLANNING STRATEGY POLICY ANALYSIS

Staff are currently reviewing the proposed amendments based on the applicable policies contained in the Municipal Planning Strategy (MPS). As part of the review, staff will be requesting comments from internal departments and external agencies. A detailed table of the evaluative criteria from the enabling policies and corresponding comments from Staff and reviewing agencies will be attached to the final report.

Citizen Engagement

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

As part of the review process for MPS amendments, a Public Information Meeting (PIM) is required to hear input from the community. A notice of the PIM will also be placed in the *Chronicle Herald*.

Conclusion

Staff will continue to review the amendments to the Municipal Planning Strategy and Subdivision Bylaw for the subdivision of places of worship and associated cemeteries. The proposed amendments will be evaluated using all applicable policies in the Municipal Planning Strategy. Staff will make a recommendation to PAC in their final staff report.

Council’s decision on this application is not appealable to the Nova Scotia Utility and Review Board as it involves an amendment to the Municipal Planning Strategy.

