



Subject: *Andrew and Julie Gilby - MPS and LUB Mapping Amendments*
To: Planning Advisory Committee, July 21 2026
Date Prepared: July 6, 2026
Related Motions: PAC26(25), C26(115), PAC26(38), C26(176)
Prepared by: Darby Sullivan, Community Planner I
Approved by: John Woodford, Director of Planning and Development

Summary

The Municipality has received an application from Julie and Andrew Gilby to redesignate and rezone a portion of property in Enfield from the Rural Use (RU) zone and designation to the Established Residential (R1) zone and (ER) designation. This report provides the policy analysis for the proposed amendments and recommends that approval be given.

Financial Impact Statement

An approximate calculation of the financial impact has been conducted by planning staff using assumptions of potential assessed values. Maintaining the Rural Use (RU) zoning could potentially generate \$7,000 in annual tax revenue. An Established Residential development could potentially generate around \$57,000 in annual tax revenue.

Recommendation

That Planning Advisory Committee recommend that Council give Second Reading and approve the proposed amendments.

Recommended Motion

Planning Advisory Committee recommends that Council:

- *Give Second Reading and approve the proposal for a portion of PID 45080801 to amend the Municipal Planning Strategy and Land Use Bylaw by changing from the Rural Use (RU) zone and designation to the Established Residential Neighbourhood (R1) zone and (ER) designation*

Background

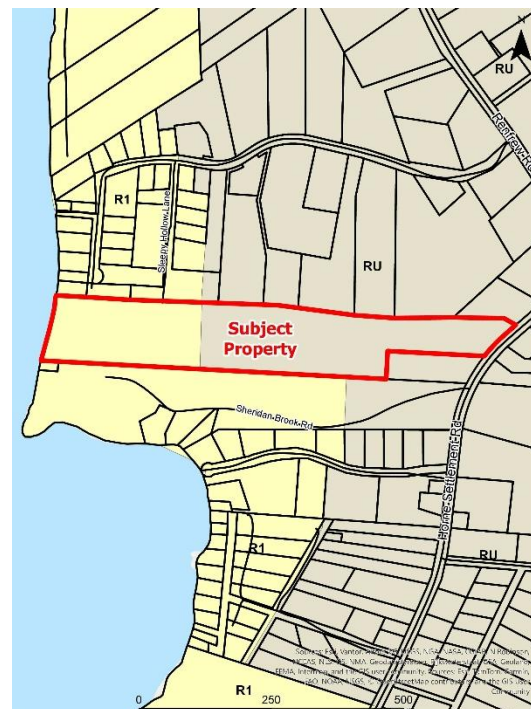
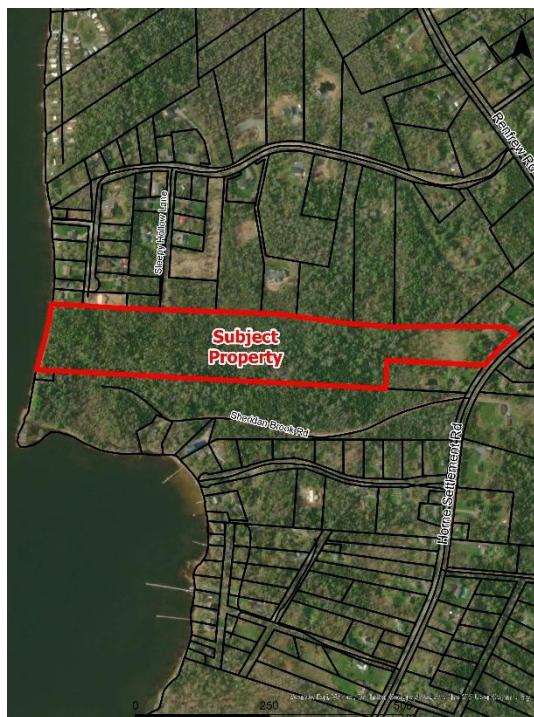
Planning staff received an application in March 2026 from Andrew and Julie Gilby to redesignate a portion of property on Horne Settlement Road from Rural Use (RU) to Established Residential Neighbourhood (R1) zone. This application would also require a change in the land use designation.

Subject Property

An excerpt of the zoning map and aerial photography map below show the location of the subject property identified as PID 45080801, which is accessed via Horne Settlement Road. The application relates to just a portion of the property which is currently designated and zoned Rural Use (RU). There is a portion of the property located adjacent to Grand Lake which is designated and zoned Established Residential Neighbourhood (ER) designation and (R1) zone.

The R1 portion of the property is approximately 3.58 hectares in size and the RU portion is approximately 5.87 hectares in size. The property has approximately 84 metres of frontage on Horne Settlement Road.

There is a small dwelling on the property which is located near the road.

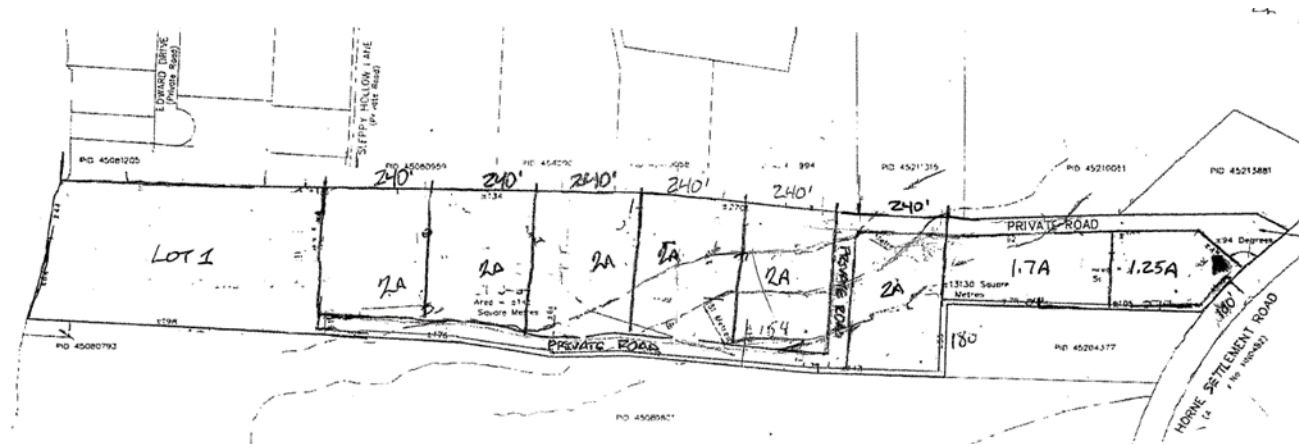


Development Proposal

The applicant is requesting the redesignation and rezoning as they plan to build a private road into the property and then subdivide off that private road. In the Rural Use (RU) Zone new roads are not permitted. The redesignation and rezoning will result in the whole of the property being Established Residential Neighbourhood (ER) Designation and (R1) Zone. The applicant is planning to subdivide the property into 2 lots initially, with one lot located adjacent to Grand Lake and the second lot with no lake frontage. The redesignation and rezoning will enable the applicant to develop the second lot with a new private road and new lots with

frontage on that private road. Private Roads are permitted in areas which are not located in either a Growth Management Area or Growth Reserve Area.

The applicant suggests that an additional 8 lots could be created, although the land would need to be surveyed and meet the requirements of the subdivision bylaw, including the requirements of Nova Scotia Environment and Climate Change regarding on site septic systems.



The site plan submitted with the application should be considered a concept only and the actual development and developer may differ. The developer will have to meet the requirements of the subdivision bylaw and also the land use bylaw at the time of the development.

Policy Analysis

The planning application requires mapping amendments to both the Municipal Planning Strategy and Land Use Bylaw. The following policies are relevant to this application:

Policy IM10 - Permits Council to consider private applications to amend the MPS where the proposed amendments are in the best interest of the Municipality.

Policy IM19.b. states that Council shall have regard to the adequacy of physical site conditions for private on-site septic and water systems. The applicant has submitted a hydrogeological study to demonstrate that there are sufficient groundwater conditions to provide drinking water for the new lots.

HYDROGEOLOGICAL STUDY

The applicant engaged Strum Consulting to perform the assessment. The study concluded that the site can be sustainably serviced by private drilled wells for the proposed nine residential lots. The assessment found no significant environmental concerns related to groundwater quality or quantity through the review of historical records, site investigations, and hydrogeological analysis. A copy of the Level 1 Groundwater Assessment is attached as Appendix B.

Their report determined that the underlying bedrock aquifer is capable of meeting the provincial groundwater supply requirements for residential development. The proposed subdivision satisfies provincial criteria related to groundwater recharge, ecological protection, and well interference. The proposed development will not impact the water supply and quality of neighbouring wells. Wells within the subdivision may require conventional water treatment for parameters such as hardness, sodium, or manganese, this is typical for the

area. The study concluded these issues can be addressed through standard treatment systems, as seen in many surrounding residential areas. Based on the findings the consultant determined that a Level 2 Groundwater Assessment is not required for the proposed development but may be required if the subdivision exceeds 10 lots.

INTERNAL AND EXTERNAL AGENCY COMMENTS

Comments were sought from external agencies and internal departments. Feedback from the Enfield Volunteer Fire Department, the RCMP, and the municipal Infrastructure & Operations department indicated no major issues with the rezoning and proposed nine-lot subdivision at 809 Horne Settlement Road, provided design and safety standards are adhered to. All agencies highlighted the requirements for the private road to support safe, year-round emergency vehicle access, and compliance with the Municipal Standards for Private Roads. Key requirements include maintaining vertical clearance of trees, providing a dedicated turnaround area for emergency vehicles, and installing street lighting in accordance with Municipal policy.

Furthermore, the RCMP and Fire Department emphasized the importance of clear signage and adequate sightlines at the Horne Settlement Road intersection to facilitate efficient emergency response. These comments would be addressed during the subdivision process. There are no concerns with the rezoning of the property.

Nova Scotia Public Works do not anticipate a negative impact of the proposed future subdivision on Horne Settlement Road. The department identified that private road access is obtainable in the vicinity of the existing residential driveway on the property. This may mean the proposed site plan will change when the applicants apply for subdivision.

Staff have reviewed the application based on the policies in the Municipal Planning Strategy. As this application requires an amendment to the Municipal Planning Strategy to proceed, there is no right of appeal to the Nova Scotia Regulatory and Appeals Board.

STRATEGIC ALIGNMENT

The 2025-2029 East Hants Strategic Plan identifies ‘Strong Community’ as one of the four areas of strategic focus. The proposed development provides for additional housing.

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

The rezoning will have tax revenue impact for the Municipality. This application does not include any new public roads, the municipality will not be fiscally responsible for maintaining the new private road. A simple analysis was conducted of the potential tax revenue for the proposed subdivision. Staff made a rough assumption of the assessed value for single-detached dwellings based on comparable units throughout Horne Settlement and Enfield.

The table below shows the approximate total annual tax revenue from the development.

	Rural Use	Established Residential Neighbourhood
	Single-Detached Dwelling	Single-Detached Dwelling
Approximate Value	\$700,000	\$700,000
Waste Management Fee	\$230	\$230
Number of Dwellings	1	8

Tax rate (2026/27)	\$0.9850 per \$100	
Total Annual Tax Revenue	\$7,125	\$57,000

Citizen Engagement

Planning staff have complied 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 was placed in a May 2026 edition of the *Chronicle Herald*. As part of the review process for MPS amendments, a Public Information Meeting (PIM) was required to hear input from the community. A letter was mailed to all property owners and residents within 300m of the subject property indicating the date, time and location of the PIM. The PIM is an opportunity for residents to ask questions and provide comments regarding the application. A notice of the PIM was also placed in the *Chronicle Herald*.

The PIM was held on June 2nd, 2026 at the Municipal office in Elmsdale. Notes from the meeting have been attached as Appendix C. Comments from the public information meeting included zoning change concerns for neighbouring properties. Staff clarified that this application is specific to 809 Horne Settlement Road and the neighbouring properties' zoning will remain as is.

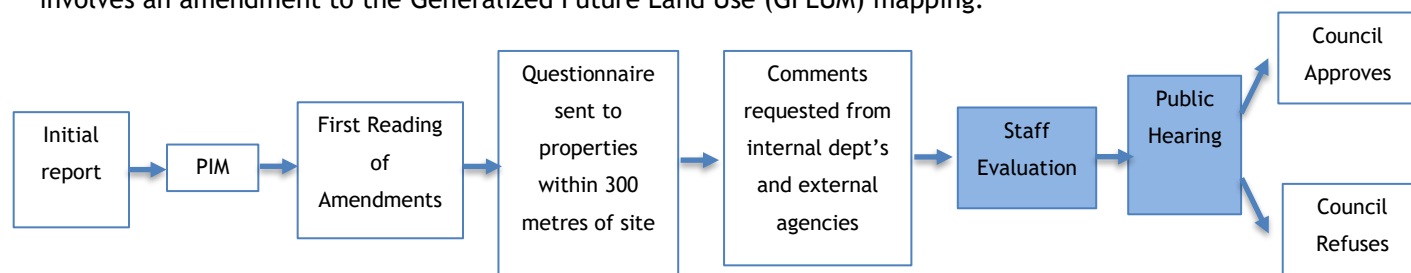
Following the PIM, a letter and questionnaire was mailed to all property owners and residents within 300m of the subject property providing residents another opportunity to express their thoughts on the proposal. 111 letters were mailed out, and six (6) were returned. The responses did not have any concerns with the proposed application. Copies of the responses have been provided for PAC and Council to review.

A letter detailing the date, time, and location of the public hearing was sent to all property owners and residents within 300m of the subject property. A notice of the Public Hearing was also placed in the July 14th and 21st editions of the *Chronicle Herald*.

Conclusion

Staff have reviewed the proposal to change the subject property to the Established Residential Neighbourhood (ER) Designation and (R1) Zone. The proposed amendments were evaluated using all applicable policies in the Municipal Planning Strategy. Staff are recommending approval of the application.

Council's decision on this application is not appealable to the Nova Scotia Utility and Review Board as it involves an amendment to the Generalized Future Land Use (GFLUM) mapping.



Alternatives

Planning Advisory Committee may recommend that the application be refused.

Appendix

Appendix A - Amendment Sheets

Appendix B - Policy Analysis

Attachments

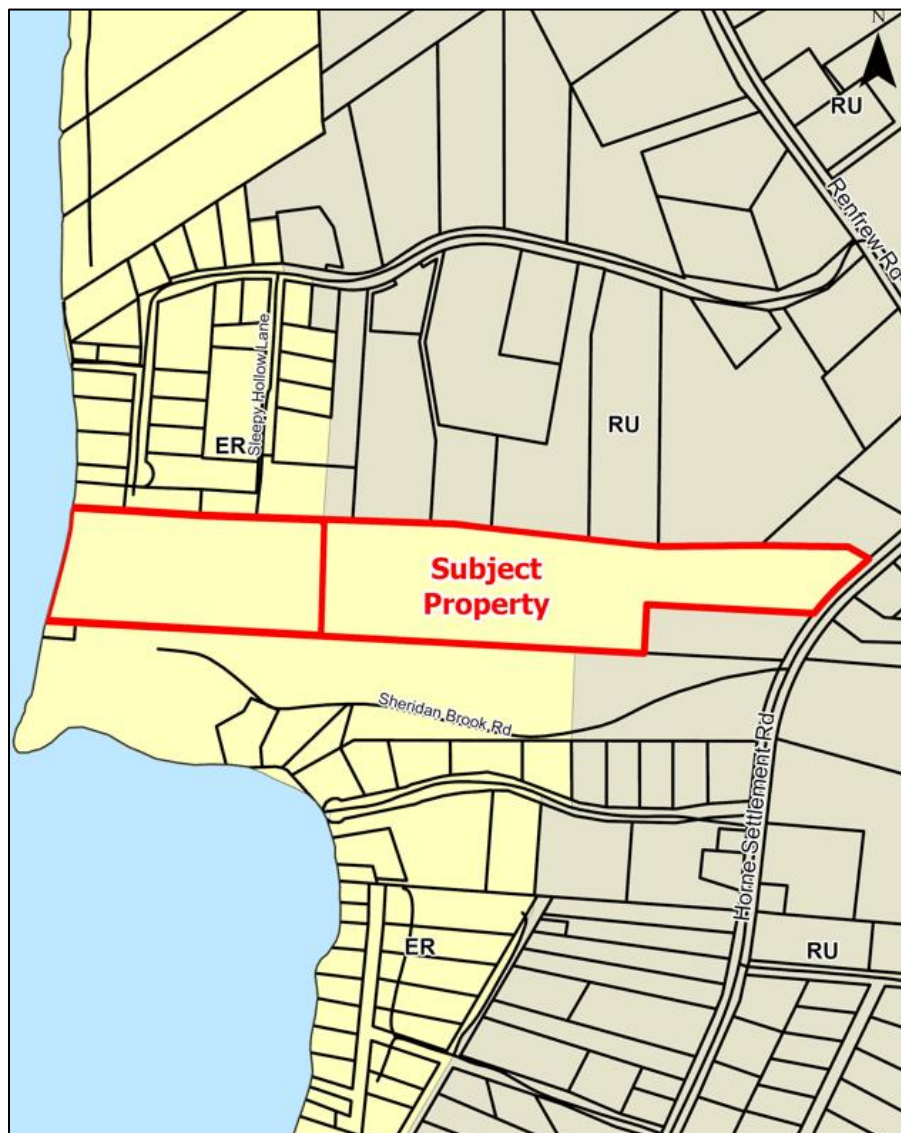
1. Level 1 Groundwater Assessment - prepared by Strum Consulting Ltd.
2. Public Information Meeting Notes
3. Questionnaire Responses - Confidential

Amendment Sheet

The Municipality of East Hants
Official Community Plan
Municipal Planning Strategy

Generalized Future Land Use Maps

The GFLUM designation for a portion of 809 Horne Settlement Road, Enfield (PID 45080801), shown on the Generalized Future Land Use Maps, is changing from Rural Use (RU) Designation to Established Residential Neighbourhood (ER) Designation.

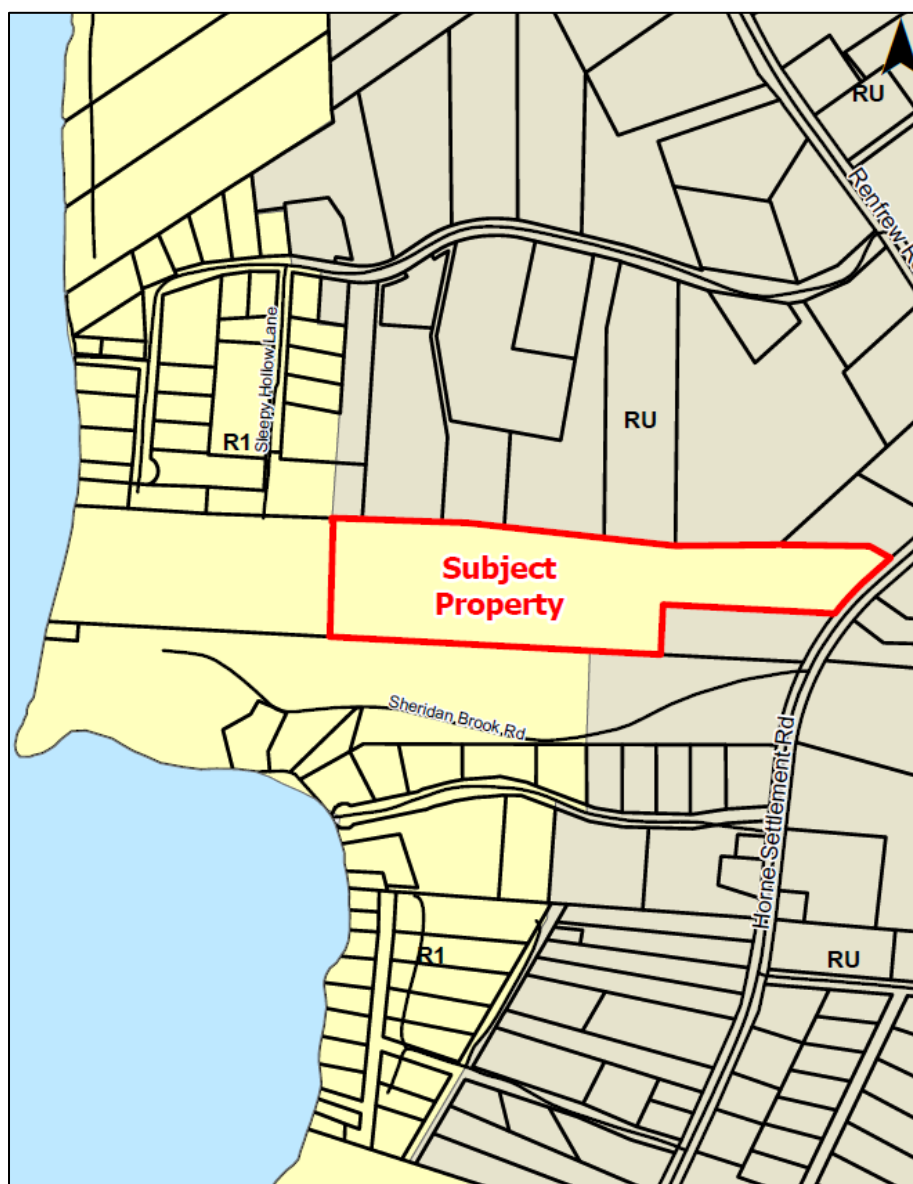


Amendment Sheet

The Municipality of East Hants
Official Community Plan
Land Use Bylaw

Land Use Bylaw Maps

The land use zone for a portion of 809 Horne Settlement Road, Enfield (PID 45080801), shown on the Land Use Bylaw Maps, is changing from Rural Use (RU) Zone to Established Residential Neighbourhood (R1) Zone.



Appendix B - Policy Analysis

Policy	Comments
MPS Policy Criteria IM13 Council shall consider map amendments to this Strategy when: a) A request is received for a zoning amendment that is not consistent with this Strategy's maps, but is consistent with the intent of this Strategy. b) Where the boundaries of the comprehensively planning area are altered. c) Where a request for a comprehensive development district is made and it is not already designated as such; and studies show that the intent of the Strategy could be met through said proposal. d) The boundaries of the planning area are altered. e) Housekeeping amendments are warranted.	The applicant has requested a mapping amendment that is not consistent with the GFLUM but is consistent with the intent of the Strategy. The applicant is proposing to change the GFLUM for the eastern portion of PID 45080801, from Rural Use (RU) to Established Residential Neighbourhood (ER) and to rezone the same land from Rural Use (RU) to Established Residential Neighbourhood (R1) Zone. Changing the land use designation and zone will enable the applicant to develop a new private road, and subdivide the property off that private road to achieve a total of 9 lots.
Land Use Bylaw Amendment Criteria IM14 It shall be the policy of Council to consider amendments to the Land Use Bylaw provided the amendment is consistent with the intent of the Municipal Planning Strategy.	The applicant is seeking an amendment to the Municipal Planning Strategy. A request for rezoning is being sought concurrently.
IM15 It shall be the policy of Council to consider an application for an amendment to the Land Use Bylaw only if the application has identified a proposed use for the property. Council shall give consideration to both the proposed use and to the impact of other uses permitted in the requested zone.	The applicant has identified the proposed use of the property. The applicant is proposing to implement the Established Residential Neighbourhood (ER) Designation and the Established Residential Neighbourhood (R1) Zone on the eastern portion of PID 45080801. Although a concept plan has been provided, if the application is approved the applicant does not have to construct what is shown on the plan but does have to meet the requirements of the Subdivision Bylaw and Land Use Bylaw.
IM16 It shall be the policy of Council to consider an application for amendment to the Land Use Bylaw only if the site meets all of the lot size and zone standards for the zone sought.	The area of PID 45080801 exceeds the minimum lot size requirements for Established Residential Neighbourhood (R1) Zone and to permit the development of a new private road. The proposed future lots shall comply with the minimum lot standards as identified in the LUB.
IM17 Council shall consider the Land Use Bylaw Amendments within the applicable Generalized Future Land Use designation as subject to the policies of this Strategy	This LUB amendment is enabled by Policy IM13 as outlined in the Municipal Planning Strategy.
IM18 Council shall, in considering amendments to the Land Use Bylaw, in addition to all other criteria as set out in the policies of this Strategy, have regard for the following matters:	
a) Whether the proposed development is in conformance with the intent of this Strategy and with the	Yes, the application is enabled by Policy IM13 of the Municipal Planning Strategy.

	requirements of all other Municipal Bylaws and regulations as applicable matters.	
	b) Whether Planning Staff have initiated a review of this Strategy, or any of the Official Community Plan documents.	The application was put forward by Andrew and Julie Gilby. Planning Staff did not initiate the review.
IM19	Council shall consider if the proposal is premature or inappropriate by reason of:	
	a) The financial capability of the Municipality to absorb any costs relating to the development.	A fiscal impact analysis was completed for the proposed development. Planning staff have approximated that there may be a financial benefit to the Municipality of \$57,000 annually. The calculations in the analysis are an estimate only based on potential property assessment values as a result of development and current tax rates. Actual property values will not be known until PVSC undertakes an assessment of the future developed land.
	b) The adequacy of municipally approved water and wastewater services or if services are not provided, the adequacy of physical site conditions for private on-site septic and water system. Council shall consider comments from the Municipal Infrastructure and Operations Department or Nova Scotia Environment as applicable.	The applicant retained Strum Consulting to conduct a Level 1 Groundwater Assessment to ensure there is adequate ground water to service the proposed development. The study concluded the proposed development will not impact water supply and quality of neighbouring wells and will sufficiently service the development with conventional water treatment
	c) The adequacy and proximity of school, recreation, and any other community facilities. Council shall consider comments from Municipal departments and the appropriate School Board as applicable.	The Chignecto Central Regional Centre for Education was not contacted as part of the staff review as the proposed development will yield just 9 new single-unit dwellings and is not considered a large development. The subject property abuts Grand Lake on the western side. There are nearby walking trails including Lock 6 Park and Dot Buchanan. The development is within a reasonable distance to Enfield and Elmsdale.
	d) The potential for significantly reducing the continuation of agricultural land uses.	Not applicable.
	e) The adequacy of existing or proposed road networks in, adjacent to, or leading to the development and ability of the proposed development to satisfy applicable stopping sight distances. Council shall consider comments from the appropriate Municipal Engineer and/or Nova Scotia Transportation and Infrastructure Renewal.	Nova Scotia Public Works and the municipal department of Infrastructure and Operations has indicated that they do not have any traffic-related concerns regarding the proposed development. The Municipality will not be responsible for the maintenance of the new private road.
	f) The potential for the contamination of watercourses or the creation of erosion or sedimentation. Council shall consider comments from relevant Provincial Departments as applicable.	A minor watercourse, Uniacke Brook, crosses through the middle of the subject property. There are no major watercourses on the subject lands.
	g) Creating a leap frog, scattered, or ribbon development pattern as opposed to compact and orderly development.	The proposed development will result in infill just outside of the Horne Settlement Growth Reserve Area.

IM20	Council shall consider if the proposed development is shown on a professionally drawn site plan as being in compliance with the applicable sections of the Subdivision Bylaw, with the following matters of the Land Use Bylaw:	The applicant has provided a concept plan for the proposed development. It should be noted that if the mapping amendments are approved, the applicant does not have to construct what is shown on the concept plan and may instead change the layout of the subject site. Although the developer has limited design options due to the constraints of the property.
a)	Type of use.	Single-unit dwellings.
b)	Number of buildings.	9 Single-unit lots (9 dwellings).
c)	Yard setbacks.	Yard setbacks will have to comply with the Land Use Bylaw.
d)	Height, bulk, stepback requirements, and lot coverage of any proposed structures.	The height, bulk, setback, and lot coverage requirements will have to comply with the Land Use Bylaw regulations.
e)	External appearance of any structures where design standards are in effect.	Not applicable.
f)	Street layout and design.	The proposed street will have to comply with the Land Use Bylaw.
g)	Access to and egress from the site, parking.	The new private road will be accessed from Horne Settlement Road.
h)	Open storage and outdoor display.	No commercial open storage or outdoor display is proposed as part of the application.
i)	Signage.	No signage is proposed as part of the development.
j)	Similar matters of planning concern.	N/A
IM21	Council shall consider the suitability of the proposed site in terms of the environmental features of the site, particularly susceptibility to flooding and other nuisance factors, and where applicable, comments from relevant Provincial Departments concerning the suitability of the site for development.	The subject property has frontage on Grand Lake. The municipality currently does not have flood zoning for the area. If the application is approved, the Developer will have to identify locations of watercourses, wetlands, and areas subject to flooding as part of tentative subdivision approval.
IM22	Council shall consider the provision of buffering, screening, and access control to minimize potential incompatibility with adjacent and nearby land uses, rail lines and traffic arteries.	The R1 Zone does not have any buffering or screening provisions.
IM23	Council shall consider the extent to which the proposed development, where applicable, provides for efficient pedestrian circulation and integrates pedestrian walkways and sidewalks within adjacent developments.	Based on the number of units proposed for the development and the construction of a private road, sidewalks are not required.
IM24	Council shall consider the proposed development is shown to manage stormwater on-site in a manner which does not negatively impact on other properties.	A stormwater management plan may be provided during the time of tentative subdivision approval; however, it is not required.

IM25	Council shall consider massing, and compatibility of the proposed development's external appearance with adjacent buildings by means of design features, roof type, exterior cladding materials, and overall architectural style that is reasonably consistent with the style and character of the community or compliments the character of the community.	The R1 Zone does not have design requirements.
IM26	Council shall consider the following matters in Growth Management Areas and other areas where applicable to determine if the proposed development contributes to a favourable community form, and the proposed development's ability to:	
a)	Provide for efficient pedestrian movement into, out of, and within the development, especially between commercial and residential neighbourhoods, as well as the ability for pedestrian routes to link with existing sidewalks, active transportation routes and walking trails on abutting lands to provide for a cohesive network of same.	The private road would not be required to have a sidewalk. There are no adjacent pedestrian routes for the development to connect to.
b)	Council shall consider, where appropriate, the impact of the development on the comfort and design of proposed streets and existing street users. This shall include whether the proposed development is humanscaled, is easily accessible to active transportation users, and if it promotes visual variety and interest for active transportation users.	The area the development is proposed in is not suitable for the development of active transportation connections. The proposed zoning change allows for the development of either single or two-unit dwellings, which are considered human scaled.

Policy Analysis for the Established Residential Neighbourhood (ER) Designation

RD14.	Council shall permit single unit dwellings, accessory uses, open space uses and a limited range of home based business uses in the Established Residential Neighbourhood (R1) Zone.	The proposed development consists of 9 single unit dwellings
RD15.	Council shall maintain a single unit dwelling residential character in existing and potential single unit residential neighbourhoods in the Established Residential Neighbourhood (R1) Zone through minimum lot sizes, frontage requirements, setback requirements, maximum lot coverages, and height restrictions	The setback, frontage, lot size, and lot coverage requirements will have to comply with the Land Use Bylaw and Subdivision Bylaw regulations.