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**Minimum Planning Requirements Regulations
made under subsection 214(4) of the
Municipal Government Act
S.N.S. 1998, c. 18
N.S. Reg. 140/2019 (effective December 3, 2019)
amended to N.S. Reg. 51/2025 (effective March 7, 2025)**

Table of Contents

Please note: this table of contents is provided for convenience of reference and does not form part of the regulations.

[Click here to go to the text of the regulations.](#)

[Citation](#)

[Definitions](#)

[Review of planning documents](#)

[Mandatory content](#)

[Matters subject to other enactment of Province](#)

[Discretionary content related to planning tools](#)

[Discretionary content related to engagement](#)

[Discretionary content related to fiscal matters](#)

[Discretionary content related to the natural environment](#)

[Discretionary content related to social aspects](#)

[Discretionary content related to resource lands, infrastructure and economic development](#)

[Discretionary content related to culture, heritage and landscape features](#)

[Discretionary content related to general matters](#)

[Wind turbine setback requirement](#)

[Matters considered before approving wind turbine development](#)

Citation

1 These regulations may be cited as the *Minimum Planning Requirements Regulations*.

Definitions

2 In these regulations,

“Act” means the *Municipal Government Act*;

“residential dwelling” means a permanent structure used for human habitation and includes a house, condominium, apartment building, cottage, mobile home or trailer.

Review of planning documents

- 3**
- (1) A council must include policies in a municipal planning strategy on how it intends to review the municipal planning strategy and land-use by-law that implements the municipal planning strategy.
 - (2) A municipal planning strategy and its implementing land use by-law must be reviewed no later than 10 years after the later of the following dates:
 - (a) the date it was adopted;
 - (b) the date it was last reviewed;
 - (c) the effective date of these regulations.
 - (3) Where a municipality has one or more secondary planning strategies, subsection (2) shall be satisfied if a municipal-wide municipal planning strategy and all the land use by-laws applicable in the municipality are reviewed within the timelines provided in subsection (2).
 - (4) “Review” in relation to a municipal planning strategy, means a municipality’s consideration of the content of a municipal planning strategy to determine if it should be amended or replaced to ensure that it meets the purposes outlined in Section 213 of the Act and the minimum planning requirements.

Mandatory content

- 4** In addition to the requirements prescribed in subsection 214(1) of the Act, a municipal planning strategy must contain all of the following:
- (a) a discussion of the background and contextual information that informed the goals and objectives of the municipal planning strategy;
 - (b) a map of the lands within a municipality that depicts the intended future uses of the lands as contemplated by the municipality’s municipal planning strategy;
 - (c) statements of policy with respect to the lands subject to the municipal planning strategy in relation to all of the following:
 - (i) residential uses,
 - (ii) commercial and industrial uses,

- (iii) institutional uses,
 - (iv) recreational facilities and public open spaces,
 - (v) resource uses, where resources are present within a municipality;
- (d) a statement of policy describing the procedures to be followed when reviewing a municipal planning strategy that must provide for public consultation and notice.

Matters subject to other enactment of Province

- 5** (1) A municipality may include in its municipal planning strategy statements of policy on land use relating to any of the matters set out in Sections 6 to 13 unless the matter is the subject of another enactment of the Province.
- (2) Provided it is not prohibited by another enactment, statements of policy referred to in subsection (1) may be more stringent than another enactment.

Discretionary content related to planning tools

- 6** A municipal planning strategy may include statements of policy on the use, content, development, and administration of the following:
- (a) zoning;
 - (b) development agreements;
 - (c) comprehensive development districts;
 - (d) site-plan approval areas;
 - (e) incentive or bonus zoning;
 - (f) accepting and using cash-in-lieu of required parking;
 - (g) studies to be carried out before undertaking specified developments or developments in specified areas;
 - (h) staging development;
 - (i) non-conforming uses and structures;
 - (j) subdividing land;
 - (k) regulation or prohibition of development in areas based on noise exposure forecast or noise exposure projections.

Discretionary content related to engagement

- 7** A municipal planning strategy may include statements of policy on engaging with provincial and federal departments, First Nations, and non-abutting municipalities.

Discretionary content related to fiscal matters

- 8** A municipal planning strategy may include statements of policy on any of the following:

- (a) municipal investment for public and private development and coordinating public programs relating to the economic, social and physical development of the municipality;
- (b) eligibility criteria for establishing a commercial development district including all of the following:
 - (i) the percentage increase in the taxable assessed value of the eligible properties, as defined in subsection 71C(1) of the Act, within the proposed commercial development district,
 - (ii) the period over which the increase in the taxable assessed value of the properties occurs.

Discretionary content related to the natural environment

9 A municipal planning strategy may include statements of policy on any of the following:

- (a) climate change mitigation and adaptation;
- (b) protecting the natural environment and biodiversity;
- (c) protecting the coast;
- (d) protecting water supplies;
- (e) identifying, preserving and protecting landscape features;
- (f) stormwater management and erosion control;
- (g) excavating or filling of land, the placement of fill or the removal of soil;
- (h) identifying, protecting, using and developing any of the following:
 - (i) lands subject to flooding,
 - (ii) steep slopes,
 - (iii) lands susceptible to subsidence, erosion or other geological hazards,
 - (iv) wetlands or other environmentally sensitive areas.

Discretionary content related to social aspects

10 A municipal planning strategy may include statements of policy on any of the following:

- (a) how social issues must be incorporated into decision making;
- (b) promoting social well-being;
- (c) housing opportunities for a range of social and economic needs and to support aging in place;
- (d) promoting community food security;
- (e) accessibility standards to help prevent and remove barriers that disable people;

- (f) walkability;
- (g) healthy built environments.

Discretionary content related to resource lands, infrastructure and economic development

11 A municipal planning strategy may include statements of policy on any of the following:

- (a) protecting and using resource lands;
- (b) infrastructure including municipal services and facilities and the means of recovering their cost;
- (c) generating, using, and conserving energy;
- (d) transportation services and networks including establishing transportation reserves;
- (e) home occupations and home-based businesses.

Discretionary content related to culture, heritage and landscape features

12 A municipal planning strategy may include statements of policy on any of the following:

- (a) heritage property protection and heritage buildings;
- (b) sites of cultural, historical or archeological interest;
- (c) other significant natural or human-made features.

Discretionary content related to general matters

13 A municipal planning strategy may include statements of policy on any of the following:

- (a) public health and safety;
- (b) land use matters relating to the physical, economic or social environment of the municipality not otherwise prescribed in these regulations;
- (c) the minimum setback required between a residential dwelling and a wind turbine;
- (d) the matters that the council must consider before approving a wind turbine development.

Wind turbine setback requirement

14 (1) Any statement of policy included in a municipal planning strategy in accordance with clause 13(c) on the minimum setback required between a residential dwelling and a wind turbine, that is part of, or located within, an energy-generating facility with a production rating of 2 MW or greater, must not require a minimum setback larger than the greater of the following:

- (a) 4 times the wind turbine height;
- (b) the distance required to ensure that
 - (i) sound levels from the wind turbine do not exceed 40 dBA at the exterior of a residential dwelling, and

- (ii) a residential dwelling receives less than 30 minutes per day or 30 hours per year of shadow flicker.
- (2) For the purposes of subsection (1), wind turbine height is measured as the distance from
 - (a) for a wind turbine other than a roof-mounted wind turbine, the average finished grade of the wind turbine to 1 of the following:
 - (i) the highest point of the wind turbine rotor,
 - (ii) the tip of the wind turbine blade when it reaches its highest elevation;
 - (b) for a roof-mounted wind turbine, the building's average finished grade to 1 of the following:
 - (i) the highest point of the wind turbine rotor,
 - (ii) the tip of the wind turbine blade when it reaches its highest elevation.

Matters considered before approving wind turbine development

- 15** Any statement of policy included in a municipal planning strategy in accordance with clause 13(d) on matters that council must consider before approving a wind turbine development must not include the visual impact or aesthetic appearance of a wind turbine development.

Legislative History

Reference Tables

Minimum Planning Requirements Regulations
Municipal Government Act

N.S. Reg. 140/2019

Note: The information in these tables does not form part of the regulations and is compiled by the Office of the Registrar of Regulations for reference only.

Source Law

The current consolidation of the *Minimum Planning Requirements Regulations* made under the *Municipal Government Act* includes all of the following regulations:

N.S. Regulation	In force date*	How in force	Royal Gazette Part II Issue
140/2019	Dec 3, 2019	date specified (in force date of S.N.S. 2018, c. 39)	Oct 11, 2019
216/2024	Oct 10, 2024	date specified	Mar 21, 2025
229/2024	Oct 24, 2024	date specified	Mar 21, 2025
51/2025	Mar 7, 2025	date specified	Mar 21, 2025

The following regulations are not yet in force and are not included in the current consolidation:

N.S. Regulation	In force date*	How in force	Royal Gazette Part II Issue
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*See subsection 3(6) of the *Regulations Act* for rules about in force dates of regulations.

Amendments by Provision

ad. = added
am. = amended

fc. = fee change
ra. = reassigned

rep. = repealed
rs. = repealed and substituted

Provision affected	How affected
2, defn. of “Act”.....	am. 216/2024, 229/2024, 51/2025
2, defn. of “residential dwelling”.....	ad. 216/2024; rep. 229/2024 ad. 51/2025
3(2)(b).....	am. 51/2025
4(c)(iv).....	am. 216/2024, 229/2024, 51/2025

ad. = added
am. = amended

fc. = fee change
ra. = reassigned

rep. = repealed
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Provision affected	How affected
6(j).....	am. 51/2025
8(b)(i).....	am. 216/2024, 229/2024, 51/2025
9(h)(iii).....	am. 216/2024, 229/2024, 51/2025
10(f).....	am. 216/2024, 229/2024, 51/2025
11(d).....	am. 216/2024, 229/2024, 51/2025
12(b).....	am. 216/2024, 229/2024, 51/2025
13(a).....	am. 216/2024, 229/2024, 51/2025
13(b).....	am. 216/2024, 229/2024, 51/2025
13(c).....	ad. 216/2024; rep. 229/2024 ad. 51/2025
13(d).....	ad. 51/2025
14.....	ad. 216/2024; rep. 229/2024 ad. 51/2025
15.....	ad. 51/2025

Note that changes to headings are not included in the above table.

Editorial Notes and Corrections

Note	Effective date
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Repealed and Superseded

N.S. Regulation	Title	In force date	Repealed date
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Note: Only regulations that are specifically repealed and replaced appear in this table. It may not reflect the entire history of regulations on this subject matter.