Motion C26(182) - *MPS Amendment: Subdivision of Places of Worship and Cemeteries*

Public Hearing

October 28, 2026

Planning and Development Department

EAST HANTS

Background

- Planning Staff received inquiries from former places of worship in the Rural Use North (RU-2) Zone. The congregations have been contemplating selling their former places of worship and maintaining associated cemeteries
- At many of these sites, headstones are located very close to the buildings, often only separated by a few meters
- In June, Council passed the following motion:

> ***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.*

MPS Amendments

Staff have drafted the following policy changes for the MPS:

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

Subdivision Bylaw Amendments

Staff have drafted the following changes for the SUB:

9.2

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

Policy Analysis

- Policies IM11 and IM12 support Councils consideration of these amendments as they are in the best interest of the Municipality and a need for these policy changes has emerged

- The policy changes allow for reduced setbacks and frontage requirements while maintaining deeded access for the subdivided lots

- The policy changes enables congregations to subdivide their property

- The amendments would encourage the adaptive reuse of former places of worship, which would help protect East Hants built heritage

- Many former places of worship across the province have been converted to residential and commercial uses

Internal & External Agency Comments

- Planning Staff reached out to Nova Scotia Public Works, Municipal Affairs, and Communities, Culture, Tourism and Heritage for comments on the proposed amendments. Their comments included:

- The need to consider whether amendments could inadvertently encourage demolition of registered heritage places of worship
  - Planning staff see similar risk if these amendments do not proceed given the limited options available for congregations

Internal & External Agency Comments (continued)

- Identified that archaeological assessments may be needed if the subdivided building was to be redeveloped or demolished. This is a requirement under the Cemeteries and Monuments Protection Act
  - While it is not the municipality's responsibility to enforce the Act, staff would request applicants to contact the Department of Communities, Culture, Tourism and Heritage for approval before distributing permits

- Safe and appropriate access would need to be maintained for subdivided properties to enable maintenance of the building and cemetery
  - The deeded access required in the amendments may be obtained through private or shared driveways, or a right-of-way easement where the subdivided cemetery may not have road frontage

Citizen Engagement

- A Public Information Meeting (PIM) is required for all amendments to the Municipal Planning Strategy

- An advertisement stating the date and time of the PIM was placed in the August 25th, 2026 edition of the Chronicle Herald

- The PIM was held on September 8th, 2026. 7 residents and 6 Councilors attended
  - One question which asked who maintains the cemeteries if located on their own lot?

Conclusion

- Staff have followed all applicable Citizen Engagement Policies outlined in the Municipal Planning Strategy
- The proposed amendments have been evaluated using all applicable policies in the Municipal Planning Strategy
- Staff are recommending approval of these amendments
- Councils decision on this application is not appealable to the Nova Scotia Regulatory and Appeals Board

