



PUBLIC HEARING
PROPOSED AMENDMENTS TO LAND USE BY-LAW RE:
AGRICULTURAL USES, PERSONAL RECREATIONAL VEHICLE USE AND
SUBDIVISIONS ON COMMON LOT LINES

In accordance with Section 206 (1) of the Municipal Government Act, the Council of the Municipality of the District of Barrington intends to hold a Public Hearing to consider proposed amendments to the Municipal Land Use By-law as indicated below:

1. to clarify and strengthen current regulations relating to agricultural uses such as differentiating between agriculture activity which is accessory to a main residential use verses primary use of land and standards for various types of agricultural activities and structures (barns, pastures, manure storage areas, etc.).
2. to update definitions to include “Personal Recreational Vehicle Use”, allow a maximum of 5 recreational vehicles per lot in certain zones and a maximum occupancy of 180 days per year which may be extended to a maximum of 250 days where NSE on-site septic approval is received.
3. to update definitions to include “Common Lot Line” and “Common Side Yard”, enable a zero (0 ft.) yard setback for Common Lot Lines for semi-detached and other ground oriented multiple unit structures for various zones and amending the minimum lot frontage and lot area requirement per dwelling unit for both serviced and unserved development.

Proposed amendments may be viewed by interested persons between the hours of 8:30 a.m. and 4:30 p.m., Monday to Friday, excluding holidays, at the Municipal Office, in the Administrative Centre, Civic No. 2447, Highway 3, Barrington, NS.

Any representation by interested persons concerning these matters may be made at the Public Hearing of Council to be held in the Council Chambers, in the Administrative Centre, in Barrington, on Tuesday May 24, 2022, at 7:00 p.m.

Lesla Rossetti, Municipal Clerk
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INFORMATION SHEET

PROPOSED AMENDMENT TO THE LAND USE BY-LAW AGRICULTURE USES

ISSUE

- Agricultural uses are permitted broadly within the Municipality
- Regulations are in place for certain agricultural activities – fur farms, piggeries, intensive livestock, cannabis production and processing – but not for others and some of the current regulations lack consistency.
- Growing interest in small scale agricultural activities – “hobby farms” – associated with residential uses.
- Food security, environmental sustainability and land use compatibility concerns are present throughout the Municipality.

CURRENT REGULATIONS

- The Land Use By-law does not contain a definition of “agricultural use” but does have definitions for some of the agricultural uses which are subject to specific regulations (i.e. “Hog Operation”).
- Where permitted in a zone the establishment of new Intensive Livestock, Fur Farms and Cannabis production permitted by Development Agreement.
- No distinction provided between small scale agricultural activities accessory to a primary residential use and commercial agricultural use as the primary use of a property.

PROPOSED CHANGES

- Add definitions for “domestic agriculture” (associated with a residential uses, “hobby farm”) and “intensive agriculture” (where agricultural activity is the main land use, commercial agriculture).
- Clarify the definitions of “Fur Farm”, “Intensive Livestock” and “Hog Operation” and add a definitions for “Kennel”.
- Establish minimum lot standards (lot area, fencing, environmental setbacks and manure storage) for Domestic and Intensive Agriculture uses for the Residential General, Mixed Use and Rural Development Zones.



**Planning
Development
Project Management**

To: Municipality of Barrington Planning Advisory Committee
From: Chris Millier
Date: March 24, 2022
Re: Draft Amendments to the Land Use By-law relating to Agricultural Uses

At its meeting of February 3, 2022 the Committee discussed draft amendments to the Land Use By-law relating to agricultural uses. The Committee considered comments from the public received following the Committee's initial discussions in May 2021.

The following draft amendments incorporate feedback provided by the Committee.

Proposed Amendments to the Municipality of Barrington Land Use By-law

That the Municipality of Barrington Land Use By-law be amended as follows:

1. Part 5.1 Residential General (RG) Zone, Permitted Developments
 - a) Amend permitted use "Agricultural uses except fox, mink farms and piggery operations" to read "Domestic agricultural uses except fox or mink farms and piggery operations".
 - b) Include "Kennel" as a permitted use.

2. Part 9.1 Mixed Use (MU) Zone, Permitted Developments
 - a) Amend permitted use "Agricultural uses except fur farming operations" to read "Domestic and Intensive agricultural uses except fur farms and piggery operations"
 - b) Include "Kennel" as a permitted use.

3. Part 11.1 Rural Development (RD) Zone, Permitted Developments
- a) Amend the preamble text to read:
- “No development permit shall be issued for any use in the Rural Development (RD) Zone except for one or more of the following uses:”
- b) Amend permitted uses “All agricultural uses except fur farms” to read “Domestic and Intensive Agricultural uses except fur farms and piggery operation”.
- c) Amend to include “Kennel” as a permitted use.

4. Part 11.3 Developments Permitted Subject To Development Agreements:
- Amend to include the following use:

➤ “Piggery Operations”

5. Part 18 Zone Standards

- a) Amend to include the following new Part 18.7 and Part 18.8

18.7 Domestic Agriculture uses in the RG, MU and RD Zones

- a) Minimum lot area shall be 15,000 sq. ft., notwithstanding that where any Domestic Agriculture use includes the keeping of horse(s) or cow(s) the minimum lot area shall be 29,000 sq. ft.
- b) Domestic Agricultural use must be contained within the limits of the property by means of fencing, enclosures, or buildings.
- c) No building or structure in association with the Domestic Agricultural uses, except fencing, shall be located within:
- i. 30 ft. of the property line or road right-of-way;
 - ii. 50 ft. of any well.
- d) No manure storage shall be located within:
- i. 30 ft. of the property line or road right-of-way;
 - ii. 50 ft. of a watercourse or wetland;
 - iii. 100 ft. of any well.

18.8 Intensive Agriculture uses in the MU and RD Zone

- a) Minimum lot area shall be 10 acres.
 - b) Intensive Agricultural use must be contained within the limits of the property by means of fencing, enclosures, or buildings.
 - c) No building or structure in association with the Intensive Agricultural uses, except fencing, shall be located within:
 - i. 50 ft. of the property or road right-of-way;
 - ii. 100 ft. of any well.
 - d) No manure storage shall be located within:
 - i. 100 ft. of an adjacent property or road;
 - ii. 100 ft. of a watercourse or wetland;
 - iii. 100 ft. of any well.
- b) Renummer existing Parts 18.7 through 18.11 to Parts 18.9 through 18.13 respectively

6. Part 19 Definitions

- a) Insert the following new definitions:

Agriculture:

Domestic Agriculture, also commonly referred to as "Hobby Farm", means means the use of land and buildings for farming, dairying, the keeping of livestock, fowl, pasturage, floriculture, apiculture and horticulture and the necessary accessory activities for personal use and enjoyment including the sale of produce, but does not include Fur Farm or Piggery Operation, which is accessory to the main residential use on a lot.

Intensive Agriculture means the use of land and buildings for farming, dairying, the keeping of livestock, fowl, pasturage, floriculture, apiculture and horticulture and the necessary accessory activities for feeding, breeding or holding for purposes of processing, and the packing, storing, or treating the produce for sale and does not include Fur Farm or Piggery Operation.

Fur Farm means fox or mink farm

Intensive Livestock means a livestock or fowl operation in which animals are confined to a barn, feedlot or other facility for feeding, breeding, milking, egg laying, processing or eventual sale.

Kennel means a premise used for the keeping of more than two dogs for the purposes of commercial breeding or sale, overnight boarding of dogs, excluding veterinary clinic, commercial training or the shelter of stray or abandoned animals.

- b) Amend "**Fox or Mink Ranch**" to read "**Fox or Mink Farm**"
- c) Amend "**Hog Operation**" to read "**Piggery Operation**"

INFORMATION SHEET

PROPOSED AMENDMENT TO THE LAND USE BY-LAW RECREATIONAL VEHICLE USE

ISSUE

- Three campgrounds located within the Municipality provide short term /overnight and seasonal occupancy for tourist and resident's recreational vehicles as a commercial operation.
- Individuals do locate recreational vehicle for seasonal recreation purposes on lands throughout the Municipality, sometimes in conjunctions with other family/friends
- To date the Municipality, through informal regulation, has enabled but limited groupings of recreational vehicles, other than in campgrounds, to two (2) units per property and limited the use to 180 days without NSE approval for on-site septic.
- As interest in recreational vehicle use for personal recreational purposes on private property continues to grow regulations to define and provide standards for this use would be appropriate.

CURRENT REGULATIONS

- The Land Use By-law contains definition of "Campground", "Resort", "Travel Trailer", "Travel Trailer Park" and Tourist Accommodation", the parking and use of a recreational vehicle outside of a campground is not defined however the use of a recreational vehicle for habitation (full time occupancy) is not permitted.
- Tourist Accommodation uses are permitted with the Rural Development (RD) and Commercial General (CG) zones, campgrounds and travel trailer parks are not explicitly included as permitted uses in any zones.
- No lot standards are established for campground or other recreational vehicle use other than the prohibition on fulltime occupancy as a dwelling.

PROPOSED CHANGES

- Update the definitions to include "Personal Recreational Vehicle Use" and delete "travel trailer" and "travel trailer park" and confirm "Short term rental (Airbnb)" as a tourist accommodation use.
- Allow for a maximum of six (6) recreational vehicles to be placed on a lot in the Residential General (RG), Mixed Use (MU), Residential Restricted (RR) And Rural Development (RD) zones.
- Maximum occupancy for a personal recreational vehicle use to be 180 days per year which may be extend to a maximum of 250 days where NSE approval for onsite septic is received.



To: Chris Frotten
From: Chris Millier
Date: February 23, 2022
Re: Draft Amendments to the Land Use By-law, Personal Recreational Vehicle Use

Chris,

At its meeting of February 3, 2002 the Planning Advisory Committee confirm its support for the following draft amendments to the Land Use By-law.

Draft Amendments to the Municipality of Barrington Land Use By-law

1. Amend Part 4.4, Automobile, Truck, Bus, Coach Body and Beached Vessel to read:

“Other than for seasonal occupancy associated with a Campground or Personal Recreational Vehicle Use no automobile, truck, bus, motor home, travel trailer or coach body, whether or not the same is mounted on wheels or a solid foundation or a beached vessel shall be used for human habitation within the Municipality.”

2. Amend Part 4.20, Temporary Uses Permitted to read:

4.20 Nothing in this By-law shall prevent the following temporary uses:

- (a) The use of a building, structure or portable equipment incidental to a main construction project provided that a development permit has been issued for the main construction project and the temporary use is discontinued and removed 30 days following completion of the main construction project; and no development permit shall be reissued for a temporary use unless the main construction project is substantially in progress;
- (b) The location and use of a recreational vehicle for a maximum of fourteen (14) consecutive days in association of a festival, holiday, reunion or civic event.

3. Amend Part 5.1 Residential General (RG) Zone, Permitted Developments by including the following use:

“Personal Recreational Vehicle Use”

4. Amend Part 9.1 Mixed Use (MU) Zone, Permitted Developments by including the following use:

“Personal Recreational Vehicle Use”

5. Amend Part 10.1 Restricted Residential (RR) Zone, Permitted Developments by including the following use:

“Personal Recreational Vehicle Use”

6. Amend Part 11.1 Rural Development (RD) Zone, Permitted Developments by including the following use:

“Personal Recreational Vehicle Use”

7. Amend Part 18 Zone Standards by adding the following new subsection:

18.12 Personal Recreational Vehicle Uses permitted in the RG, MU, RR and RD Zones:

Lot Area	- 1 Acre
Lot Frontage	- 100 ft.
Front Yard	- 25 ft.
Rear Yard	- 25 ft.
Side Yards	- 10 ft. on both sides
Minimum Separation Between Vehicle	- 40 ft.

8. Amend Part 19 definition of “Campground” to read:

“**Campground** means an area of land under single ownership used or intended to be used for a commercial purpose through the provision of temporary, seasonal or year round accommodation (rental sites) of motor homes, park model trailers, travel trailers, tents and tent trailers used for travel, recreation and vacation purposes together with accessory commercial services and recreational facilities but does not include a camp, mobile home park or personal recreational vehicle use.”

9. Amend Part 19 definition of “Tourist Accommodation” to read:

“Tourist Accommodation means a building or buildings, structures or use of land which is used to accommodate the travelling public for gain or profit by supplying them with sleeping accommodation (rental units or sites) with or without meals and shall include hotels, motels, guest homes, short term rentals (“Airbnb”), resorts, tourist cabins and hostels.”

10. Amend Part 19 definition of “Recreation Use” to read:

“Recreational Use means the use of land for parks, playgrounds, tennis courts, lawn bowling greens, indoor and outdoor skating rinks, athletic fields, golf courses, picnic areas, swimming pools, day camps, community centres and similar uses but not including a Campground, Personal Recreational Vehicle Use or a track for the racing of animals or any form of motorized vehicles.”

11. Amend Part 19 to include the following new definition:

“Personal Recreation Vehicle Use means:

- a) the placement and occupancy of a maximum of six (6) recreational vehicles on a lot for a period not exceeding 180 days within a calendar year for non-commercial purposes and not available to the travelling public.
- b) the placement of a recreational vehicle may extend beyond a period of 180 days provided that confirmation of Nova Scotia Department of Environment onsite septic approval is received notwithstanding however occupancy shall not exceed 250 days within a calendar year.”

12. Amend Part 19 to include the following new definition:

“Recreational Vehicle means a motor home, trailer or tent trailer intended to be used for short term or seasonal occupancy.”

13. Amend Part 19 by deleting the definition of “Travel Trailer”;

14. Amend Part 19 by deleting the definition of “Travel Trailer Park”.

INFORMATION SHEET

PROPOSED AMENDMENT TO THE LAND USE BY-LAW SUBDIVISION ON A COMMON LOT LINE

ISSUE

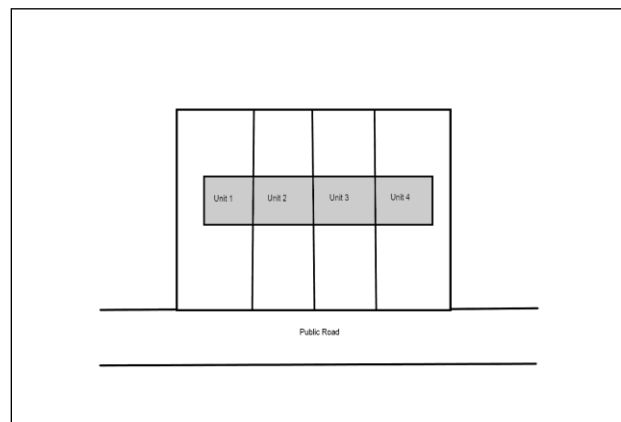
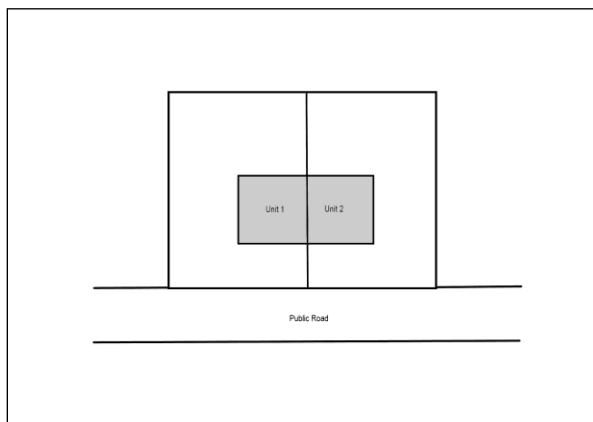
- Interest in the construction of semidetached dwellings has been increasing as it appeals particularly to senior and promotes a more efficient use of land
- Current zone standards do not allow for the subdivision of a lot so that individual units and associated properties of a semidetached structure could be owned separately
- The situation is the same for triplex and townhouse structures

CURRENT REGULATIONS

- Interest in the construction of semidetached dwellings has been increasing as it appeals particularly to senior and promotes a more efficient use of land
- Current zone standards do not allow for the subdivision of a lot so that individual units and associated properties of a semidetached structure could be owned separately
- The situation is the same for triplex and townhouse structures

PROPOSED CHANGES

- Add a definition for a “Common Lot Line” and a Common Side Yard”
- Enable a zero (0 ft.) yard setback for Common Lot lines for semi-detached and other ground oriented multiple unit structures for various zones
- Amend the minimum lot frontage and lot area requirement per dwelling unit for both serviced and unserved development.





To: Municipality of Barrington Planning Advisory Committee
From: Chris Millier
Date: March 24, 2022
**Re: Draft Amendments to the Land Use By-law relating to Subdivision
on Common Lot Lines**

At its meeting of February 3, 2022 the Committee received information relating to the Municipality's Land Use By-law and the potential for the subdivision of semi-detached and townhouse type dwellings.

The Committee discussed issues relating to zone standards, implications for serviced and unserviced areas and the opportunity for the real estate market in terms of introduced flexibility and increased housing options.

In accordance with the Committee's discussions the following amendments to the Land Use By-law have been drafted for consideration. The effect of the draft amendments would be to enable, subject to meeting minimum lot frontage and lot area requirements, semi-detached and townhouse dwellings to be subdivided into individual units/lots in serviced area and to enable semi-detached dwellings to be subdivided into individual units/lots in unserviced areas.

1. Part 19 Definitions

a) Amend the following definitions to read:

Dwelling, Semi-Detached means a building that is divided vertically into two (2) dwelling units each of which has an independent entrance and each of which is designed to, if subdivided, exist as one (1) independently owned dwelling unit on its own lot.

Dwelling, Townhouse means a building that is divided vertically into three (3) or more dwelling units, each of which has independent entrances, to a front and rear yard immediately abutting the front and rear walls of each dwelling unit and each of which is designed to, if subdivided, exist as one independently owned dwelling unit on its own lot.

b) Insert the following new definitions:

Lot Line, Common means a lot line other than a front or rear or side lot line which bisects and travels through a common wall between two (2) dwelling units.

Yard, Common Side means a yard extending from the front yard to the rear yard of a lot which bisects and travels through a common wall between two (2) dwelling units and includes a common side yard for semi-detached and townhouse dwellings.

2. Part 18 Zone Standards

a) Amend Part 18.1 b) to read:

18.1 Residential uses permitted in the RG, RR, RI, MU, RD and CG Zones where connecting to on-site sewage disposal systems:

b) Semi-Detached Dwellings:

Lot Area*	- 29,063 sq. ft. per dwelling unit - 40,000 sq. ft. per dwelling unit where the on-site sewage disposal system is located within 197 ft. of a lake, river, stream, or ocean
Lot Frontage	- 121 ft. per unit
Front Yard	- 25 ft.
Rear Yard	- 25 ft.
Side Yards	- Outside 10 ft. - Common 0 ft.

Maximum height of main building is 35 feet.

b) Amend Part 18.2 b) to read:

18.2 Residential uses permitted in the RG, RR, RI, MU and CG Zones where connecting to municipal sewer:

b) Semi-Detached Dwellings:

Lot Area	- 7,500 sq. ft. per dwelling unit
Lot Frontage	- 40 ft. per unit
Front Yard	- 25 ft.
Rear Yard	- 25 ft.
Side Yards	- Outside 10 ft. - Common 0 ft.

Maximum height of main building is 35 feet.

c) Townhouses, Triplexes:

- Lot Area - 3,300 sq. ft. per unit
 - Lot Frontage - 20 ft. per unit for Interior Units
- 35 ft. per unit for Exterior Units
 - Front Yard - 25 ft.
 - Rear Yard - 25 ft.
 - Side Yards - Outside 15 ft.
- Common 0 ft.
- Maximum height of main building is 35 feet.