

**Agriculture Land Use Planning
and Farmland Protection
Antigonish & Kings
Municipal Counties, NS**

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Agricultural Land Protection in NS

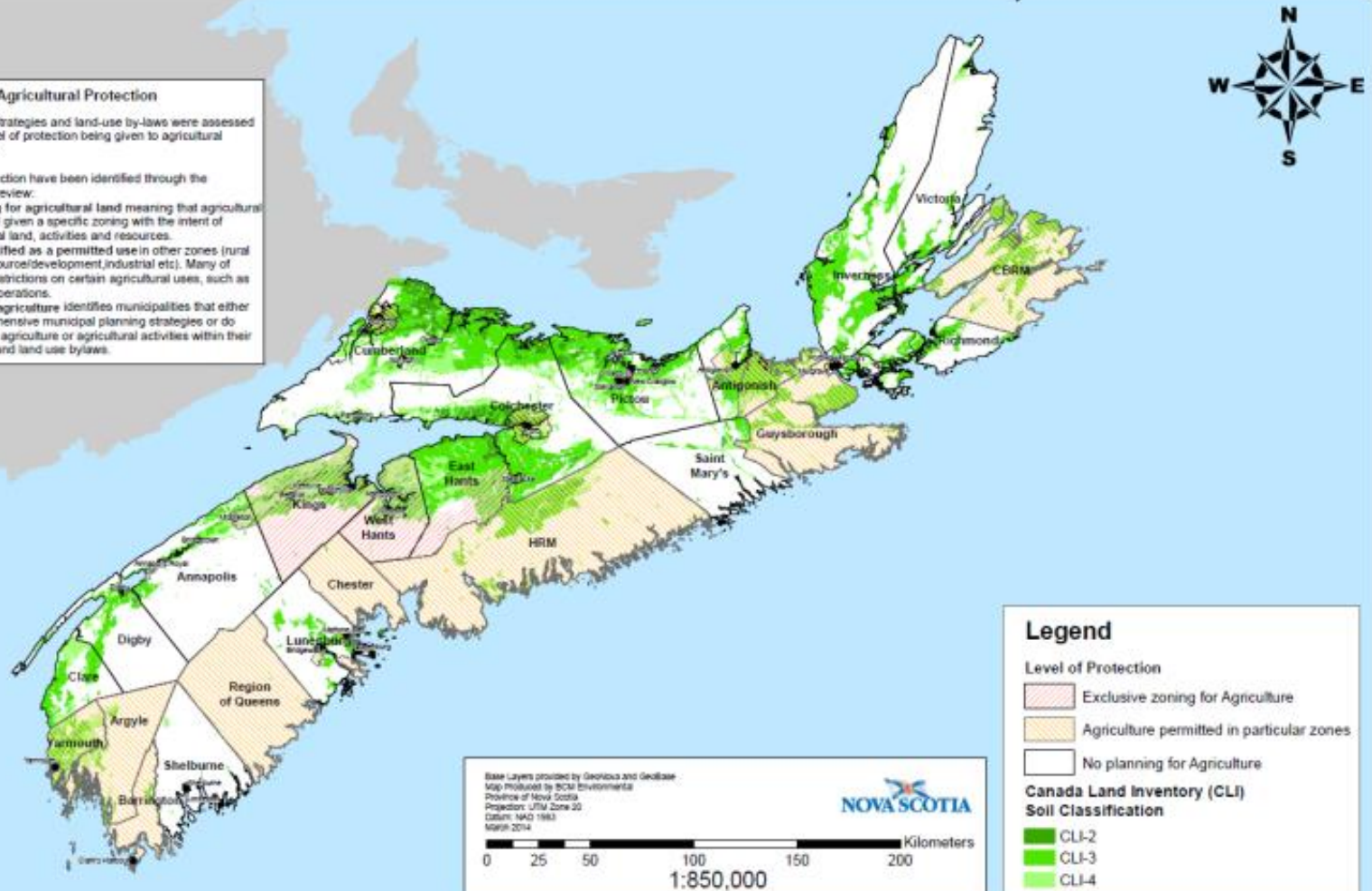
Agricultural Land Protection through Municipal Land Use Planning in Nova Scotia

Assessment of Agricultural Protection

Municipal planning strategies and land-use by-laws were assessed to determine the level of protection being given to agricultural land in the province.

Three levels of protection have been identified through the planning document review:

- 1) Exclusive zoning for agricultural land meaning that agricultural land is identified and given a specific zoning with the intent of protecting agricultural land, activities and resources.
- 2) Agriculture identified as a permitted use in other zones (rural residential, rural resource/development, industrial etc). Many of these zones have restrictions on certain agricultural uses, such as intensive livestock operations.
- 3) No planning for agriculture identifies municipalities that either do not have comprehensive municipal planning strategies or do not explicitly identify agriculture or agricultural activities within their planning strategies and land use bylaws.



NS Provincial Assessment

- The Municipal Government Act (MGA) of 1998 is stable and has stood up to court challenges provincially.
- The MGA 1998 creates a relatively strong legislative framework for the protection of farmland.

NS Provincial Assessment

- However, there appears to be a de-linking between the provincial and municipal levels.
- This pertains in regards to the detailed incorporation of the Statement of Provincial Interest (SPI) on agricultural land into municipal planning documents.

Municipal County of Antigonish

- Overall, the legislative framework for protecting farmland within the MC of Antigonish is weak.
- The Municipal Planning Strategy (MPS) includes several statements relevant to protecting farmland from non-farm development and the use of minimum lot sizes.

Municipal County of Antigonish

- However these statements are supported by very weak language.
- Plus the MPS has statements that promote non-farm developments on agricultural land.

Municipal County of Antigonish

- The Antigonish MPS acknowledges the role of the SPI to protect farmland.
- But is not consistent with the SPI on the protection of agricultural land at the municipal level.

Municipal County of Kings

- Overall, legislative framework for protecting farmland in MCK is strong and clearly identified in MPS & LUB.
- These strengths reflect the dual planning approach by Kings County to direct urban growth to designated growth centres and protect farmland.

Municipal County of Kings

- The integration of public priorities between Kings County and the provincial interest in protecting farmland is moderate.
- The recent development of a regional vision that includes Kings County and the Towns located within its boundaries represents a positive step toward integrating public priorities horizontally.

Municipal County of Kings

- The draft MPS appears weaker:
 - 1. Language protecting farmland less direct;
 - 2. No references to the use of key planning tools:
 - Agricultural impact assessments ;
 - Agricultural suitability reports.

Municipal County of Kings

- Draft MPS also strengthens farmland protection:
 - 1. The A1 zone has seen the elimination of some of the ways non-farm dwellings can be built;
 - 2. Non-farm dwellings have had greater Infill & Large frontage restrictions than current municipal legislation.

Overall Recommendations for NS

- 1. Re-assert provincial interest in agricultural land to re-link with planning municipalities.
- 2. Consider making planning mandatory for all rural municipalities.

Overall Recommendations for NS

- 3. Revised and more clearly worded SPI could strengthen the four planning principles.
- 4. More broadly, agricultural policy should better support & strengthen domestic food systems.