

LUB Amendments: 2037 Highway 1, Falmouth (PID 45242112)

Public Hearing and Second Reading
February 24, 2026

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Application

- A completed application was received on November 7, 2025 from Bradley Eaglestone, the owner of the Big FUR Grooming.
- The purpose is to rezone the property from General Commercial (GC) to Highway Commercial (HC) to permit a dog grooming and boarding facility and amend the section 5.20 of the West Hants Land Use By-law.





Orthophoto

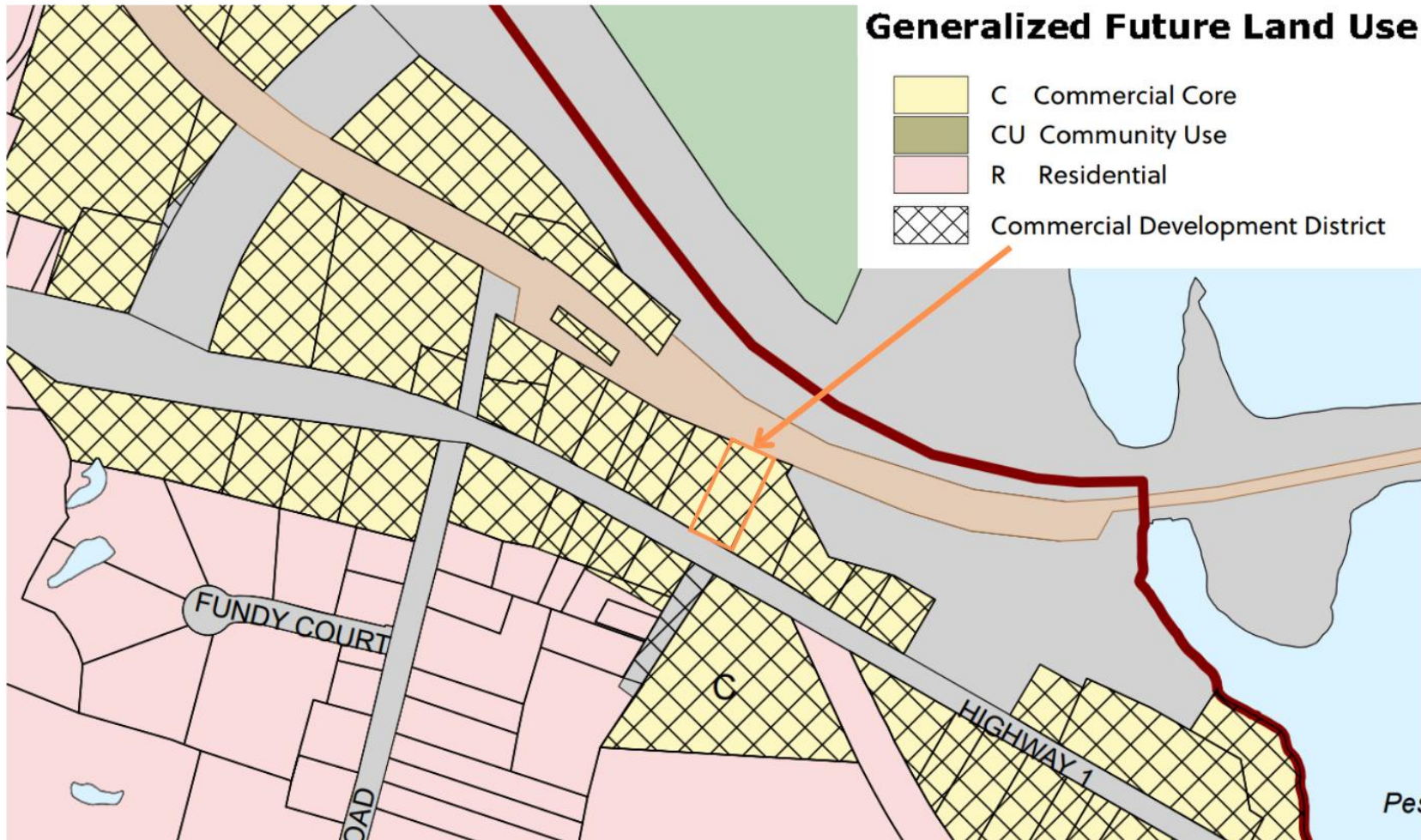
- Subject lot has road frontage on Highway 1
- The surrounding area comprises single-unit residences, commercial uses such as a dental office and a grocery store.





West Hants

Highway 1, Falmouth PID 45242112



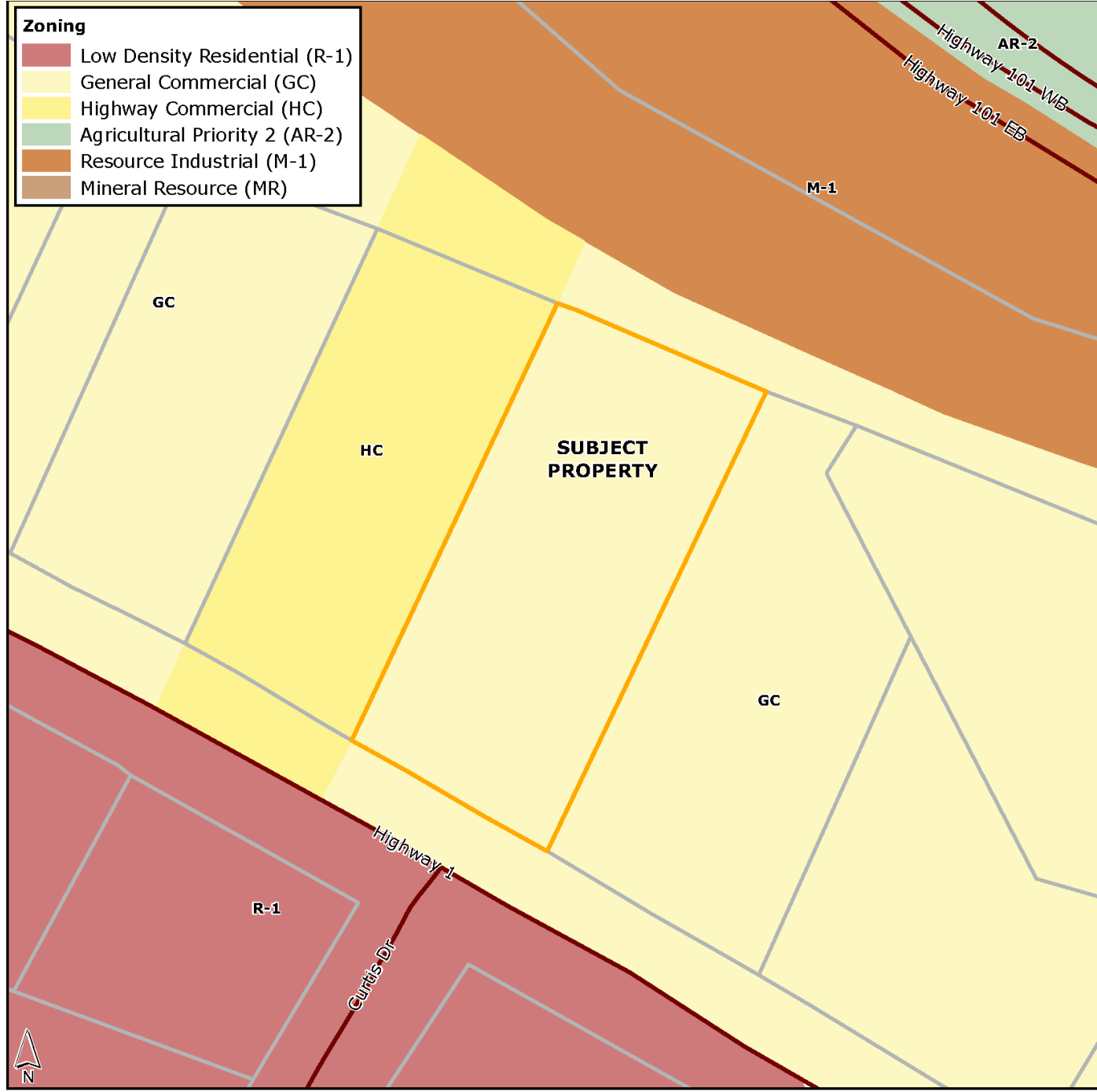
Generalized Future Land Use Map

Current Designation:

- Commercial Core
- Commercial Development District

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Current Zoning

General Commercial (GC)

Permitted uses include:

- Arts and crafts studios
- Banks and financial institutions
- Clubs and community organizations
- Farm markets
- Restaurants, excluding drive-through restaurants, etc

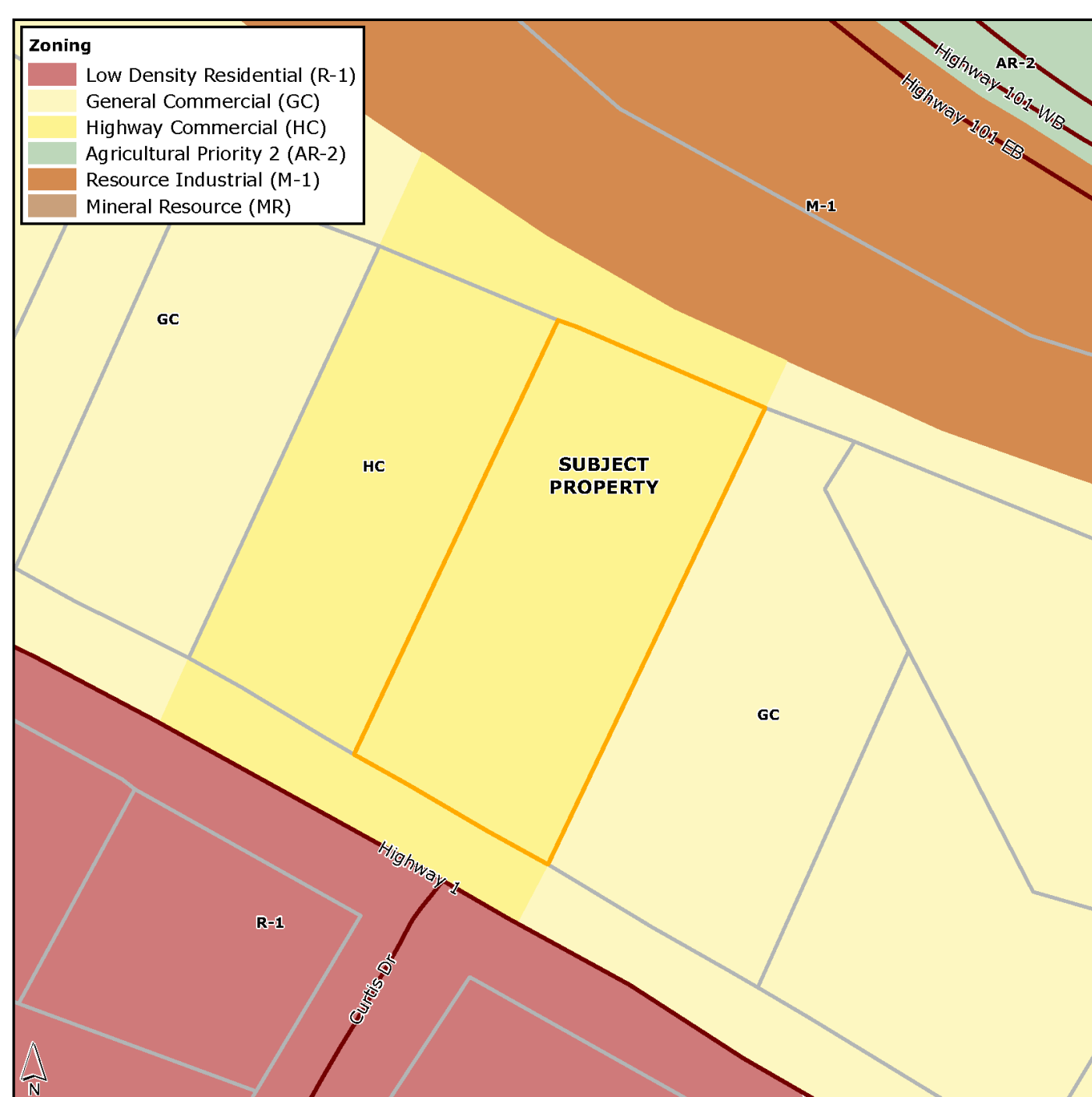


Proposed Zoning

Highway Commercial (HC) zone

Permitted uses include:

- Automobile service stations, car washes and repair centres
- Farm supplies and equipment sales and service
- Hotels, motels and other tourist accommodations
- **Kennels**



West Hants Land Use By-law

- **Section 5.20 outlines special provisions for a Kennel use**

5.20 Where kennels are permitted by this by-law, the following special provisions shall apply:

- (a) no kennel building or structures, including outdoor exercise runs, shall be located closer than:
 - (i) 100 ft (30.48 m) from the front lot line, except in the Highway Commercial (HC) zone where the standard front yard requirement shall apply;
 - (ii) 100 ft (30.48 m) from all water wells and watercourses;
 - (iii) 50 ft (15.24 m) from the rear and side lot lines; and
 - (iv) 300 ft (91.44 m) from a dwelling on an adjacent property
- (b) the use shall include a wholly enclosed building that is properly ventilated and soundproofed to a sound transmission class of at least 50 decibels as prescribed by the National Building Code; and
- (c) no outdoor exercise run shall be occupied between the hours of 9:00 pm and 7:00 am on the following day.





View of Subject Lot fronting Highway 1

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View of the rear yard of the subject lot



Adjacent Dwelling



Surrounding Context

West Hants Municipal Planning Strategy Policy

- **Policy 5.5.11** is the enabling policy for this application and allows Council to consider rezoning lands designated Commercial Core to Highway Commercial (HC), provided the applicable criteria are met.
- In summary, this policy has been considered met as:
 - the proposal has frontage on an arterial road (i.e., Highway 1);
 - no new structures are proposed, except for the outdoor run fences;
 - no concerns were raised regarding traffic flow and safe and efficient roadway access; and
 - adequate on-site parking can be provided.



West Hants Municipal Planning Strategy Policy (continued)

- **Policy 16.3.1** general criteria have been considered met and are summarized as the following:
 - the proposal is not considered premature or inappropriate for the area;
 - no municipal costs related to the proposal are anticipated; and
 - the Development Officer, Manager of Building and Fire Inspection Services, District Manager of the Nova Scotia Department of Public Works have no concerns which have not been addressed in this report.



Previous PAC/HAC Discussion – January 8

- Committee discussed:
 - the alternative approach for the proposed kennel use, including whether a variance or development agreement could be used. Staff explained that separation distances cannot be varied and there is no supporting policy for a development agreement.
 - the definition of a “dwelling” and how separation distances apply. Staff confirmed the requirement applies only to residential dwellings, not commercial properties.
- Motion approved by PAC/HAC was to consider this development on a site-specific basis and required that permission be obtained from nearby residential dwellings within a 300-foot radius.

Additional Information following the PAC/HAC

- Staff identified six dwellings that would fall within this 300-foot radius



Additional Information following the PAC/HAC

- Development Officer and Manager of Development Control Services determined that the term “adjacent” applies to all nearby dwellings in the context of Section 5.20 of the WHLUB, which is consistent with the intent of PAC/HAC’s motion.
- Staff recognize that the intent of the previous draft amendment was to minimize potential land use impacts on the immediately abutting dwelling. Other nearby dwellings are buffered from the site by Highway 1, existing traffic conditions, and applicable soundproofing requirements, whereas the abutting dwelling is expected to experience the greatest potential impact from the kennel use.
- In response to the concern regarding the scope of amendment, staff refined the amendment to adopt a site-specific approach, thereby limiting potential unintended impacts elsewhere in the Municipality.



Amendment refined by Staff

- Add site-specific flexibility to allow Kennels to be located within 300 ft setback to an abutting dwelling if the owner gives permission, as highlighted in Red

Kennels

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 - (ii) 100 ft (30.48 m) from all water wells and watercourses;
 - (iii) 50 ft (15.24 m) from the rear and side lot lines; and
 - (iv) 300 ft (91.44 m) from a dwelling on an adjacent property.

- (d) exception for PID 45242112 – notwithstanding Section 5.20 (a) (iv), a 300 ft (91.44 m) separation distance shall be maintained from a dwelling on an abutting property unless written permission is given by the owner of property at the time of permitting.



Council 1st Reading Discussion – January 27

- A question was raised about whether the development would meet the 50-foot side yard requirement for kennel use. Staff later confirmed with the Development Officer that the proposal is a change of use within an existing building and may proceed in accordance with Section 5.12 of the WHLUB.
- While the existing building is exempt from the 50-foot side yard requirement, any new structures, including outdoor dog exercise runs, would be required to comply with the 50-foot side lot line for kennel use.
- Council also had question about precedent, and staff confirmed that applications are assessed individually and do not set binding precedent for future decisions.
- There were two motions for Council to choose; Council approved the motion as recommended by staff at the first reading.



Public Engagement Summary

- A Public Information Meeting was held on December 10 and broadcast on the Municipal YouTube page, with approximately eight members of the public in attendance.
- During the public comment period, staff received 23 letters, and the majority expressed support for the application. One letter noted concerns about potential noise impacts.
- In summary, common themes raised for support include:
 - The need for a safe and dependable grooming services in the region;
 - The employment opportunities related to animal services;
 - The lack of dog boarding services in the region;
 - The growing population of pet owners in the municipality; and
 - The applicant's business history and reputation within the community.



Public Information Meeting – December 10

Staff Review

PAC/HAC Review and Recommendation –
January 8

Council First Reading – January 27

**Public Hearing & Second Reading – February
24**

Notice Placed in Paper

14 Day Appeal period

Process

*All statutory requirements have been met



Comments or Questions from Public



Questions from Council



Public Hearing Comment Period

- The Public Hearing was advertised:
 - in the paper January 29th and February 6th;
 - letters were sent to property owners within 500 ft of the subject lot; and
 - a sign was posted on the lot.
- The deadline for comments was Friday, February 20.
- Staff received two letters of correspondence during the public comment period, both of which expressed support for the proposed amendments.



Recommendation

.....that Council gives Second Reading and approves amending the maps of Schedule A of the West Hants Land Use By-law to rezone the lot as identified as PID 45242112 from General Commercial (GC) to Highway Commercial (HC) zone and amending Section 5.20 of the West Hants Land Use By-law in a manner substantively the same as the draft set out in Appendix A of the Council report #25-24A dated January 27, 2026.





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