

**Attachment A-3 Minimum Planning Requirements Summary Table:  
Mandatory Content Related to Housing Supply**

Per the Minimum Planning Requirements Regulations made under subsection 229(4) of the *Halifax Regional Municipality Charter*

**Mandatory content related to housing supply**

4A (2) In addition to the requirements prescribed in subsection 229(1) of the Charter and Section 4, a municipal planning strategy must do all of the following to address the issue of housing supply:

Minimum Planning Requirement	Summary of Proposed Approach and Amendments
<p>4A(2)(a) include a statement of policy that expressly recognizes that the Province and, in particular, the Municipality are experiencing a housing shortage crisis and specifies that the most urgent priority in municipal land-use planning, regulation and development approval is to rapidly increase the supply of housing in the Municipality;</p>	<p><b>Include statement of policy in the Regional Plan</b></p> <ul style="list-style-type: none"> <li>The proposed Regional Plan includes a dedicated chapter to Housing and the plan's policies will encourage and permit a variety of residential forms and uses through the region.</li> <li>Section 5.4 and Policy H-2 specifically reflects the language of (a).</li> </ul>
<p>4A(2)(b) require that priority be given to increasing the supply of safe, sustainable and affordable housing in the Municipality over other interests identified in the municipal planning strategy for the purposes of all processes, approvals and decisions made under the municipal planning strategy;</p>	<p><b>Include statement of policy in the Regional Plan</b></p> <ul style="list-style-type: none"> <li>The proposed Regional Plan responds to this requirement by using the lens of safety, sustainability, and affordability to create an integrated framework for housing and growth in Chapter 1 (Introduction), Chapter 2 (Regional Planning), Chapter 3 (Complete Communities), Chapter 5 (Housing) and Chapter 10 (Implementation).</li> <li>Policies RP-23, HC-3 and H-1 identify the Municipality's intent to increase the supply of safe, sustainable and affordable housing.</li> <li>Policy IM-9, which sets out criteria by which all discretionary applications (such as rezoning and development agreements) must be considered, requires that the Municipality consider "that priority be given to increasing the supply of safe, sustainable, and affordable housing."</li> </ul>
<p>4A(2)(c) permit residential uses in all zones, except for all of the following:</p> <p>(i) areas zoned for industrial, military, park, transportation reserve and utility uses,</p> <p>(ii) zones intended to protect the environment, water supply, floodplains or another similar interest;</p>	<p><b>Include statement of policy in the Regional Plan; minor zoning changes and new transit-oriented suburban development agreement policy</b></p> <ul style="list-style-type: none"> <li>Policy H-1 identifies the Municipality's intent to enable residential in all zones except for those zones identified in the regulations.</li> <li>Residential uses are permitted in the vast majority of the Municipality's existing zones. To determine the extent to which the existing land use by-laws comply with this requirement, an inventory of the types of residential uses and zones was undertaken: <ul style="list-style-type: none"> <li>Residential uses include any type of dwelling use, including single unit dwellings, multi-unit dwellings, secondary and backyard suites, accessory dwelling units, and shared housing.</li> <li>At the time of the analysis (December 2024), there were 157,998 lots in the Municipality, and 152,898 properties are within 303 zones that are required to comply with this requirement. 152,661 of the lots (99.8%) fall under 296 zones which already permit residential uses in some form.</li> <li>The remaining 237 properties that currently do not enable residential in any form fall within 7 commercial-based zones within the suburban area: <ul style="list-style-type: none"> <li>C-3 Zone, Dartmouth</li> <li>C-2 Zone, Halifax Mainland</li> <li>CSC, CHWY and CHC Zones, Bedford</li> <li>DC-1 and DC-2 Zones, Sackville Drive</li> </ul> </li> </ul> </li> <li>Policy H-1 establishes intent to permit residential uses in all zones, except for the zones identified in the regulation, and to update permitted uses through future amendments to the secondary municipal planning strategies and land use by-laws. Minor zoning amendments and a new suburban development agreement policy are also proposed, as described below.</li> <li><b>Suburban areas identified for growth in the Regional Plan:</b> Policy HC-9 and Map 3 identifies where growth is to be directed in the Suburban Area aligned with proposed Bus Rapid Transit (BRT) lines. The C-3 Zone in Dartmouth and C-2 Zone in Halifax Mainland will permit residential development as follows: <ul style="list-style-type: none"> <li><b>Dartmouth Plan Area:</b> The General Business (C-3) Zone is applied the existing commercial nodes along Portland Street (including Woodlawn Plaza; all lands on the south side of Portland Street between the Circumferential Highway and Eisener Boulevard, including the Superstore site; as well one commercial property on Portland Street at Bel Ayr Avenue). The proposed Regional Plan (Chapter 3, Map 3) identifies this area as a strategic location for future growth given the Rapid Transit Strategy envisions BRT lines serving the Portland Street corridor (Red Line). Proposed amendments will remove the prohibition of residential uses in the C-3 Zone, and permit apartment buildings by development agreement, consistent with what is permitted in the C-2 Zone in the Dartmouth Plan Area.</li> <li><b>Halifax Mainland Plan Area:</b> The General Business (C-2) Zone is applied to 3 existing commercial nodes developed with existing shopping centres (Spryfield Shopping Centre at Herring Cove Road/ Dentith Road; Kearney Lake Plaza and Chateau Bedford at Kearney Lake Road/ Parkland Drive; and Clayton Park Shopping Centre and Sobeys Clayton Park at Lacewood Drive/ Dunbrack Street) and does not currently permit residential uses. The proposed Regional Plan (Chapter 3, Map 3) identifies all 3 locations as strategic locations for future growth given the Rapid Transit Strategy envisions BRT lines serving these areas (Yellow Line serving Herring Cove Road, Purple Line serving Kearney Lake Rd and Dunbrack St, and Green Line serving Lacewood Dr). It is anticipated that the Suburban Plan process will update the zoning framework in these areas to enable significant mixed-use development, depending on infrastructure capacity. These areas will also be eligible for residential development by development agreement, as described below.</li> <li><b>Suburban Development Policy:</b> To facilitate interim development of shovel ready projects in the Suburban Area while the Suburban Plan is being developed, Policies IM-25, IM-26, and IM-27 of the Regional Plan will enable development to proceed for sites that meet certain criteria including being</li> </ul> </li> </ul>

	<p>located within 800 m walkshed of a planned Bus Rapid Transit (BRT) route or Mill Cove Ferry Terminal. The clusters of parcels mentioned above in the Dartmouth Plan Area and Halifax Mainland Plan Area are located along planned BRT routes and may have an opportunity for interim development options as the Suburban Plan process is happening. See MPR (e) below for more detail.</p> <ul style="list-style-type: none"> <li>• <b>Suburban areas with environmental considerations:</b> There are 5 zones in the Bedford and Sackville Drive Plan Areas applied to existing developed commercial properties that do not currently permit residential development, where further consideration is required due to potential interactions with the Sackville Floodplains, as follows: <ul style="list-style-type: none"> <li>- <b>Bedford Plan Area:</b> The Commercial Shopping Centre (CSC), Highway Oriented Commercial (CHWY), and Cushing Hill Commercial (CHC) Zones are applied to lands on Bedford Highway near Bedford Place Mall and do not currently permit standalone residential uses (the CHC Zone permits multiple unit dwellings in conjunction with and subordinate to hotels). Special consideration is required as part of the Suburban Plan for this area given its proximity to the Sackville River floodplain.</li> <li>- <b>Sackville Drive Plan Area:</b> The Downsview Complex Zones (DC-1 and DC-2) are applied to interior portions of the existing Downsview Shopping Centre complex (developed with parking lots, Sobeys, Canadian Tire, strip mall, etc.). Special consideration is required for this area as part of the Suburban Plan given the complexity of the existing development pattern and infrastructure, as well as its proximity to the Little Sackville River floodplain. Note that the DC-3 Zone, which is applied to street frontage on Sackville Drive within the Downsview Shopping Centre area, permits multiple unit dwellings, and the Sackville Drive policy enables rezoning to DC-3 from DC-1 and DC-2.</li> </ul> </li> </ul>
<p>4A(2)(d) require that the Municipality share with the Province the information used by the Municipality to identify, fund, schedule and deploy the infrastructure to develop an adequate supply of housing to support anticipated population growth;</p>	<p><b>Include statement of policy in the Regional Plan</b></p> <ul style="list-style-type: none"> <li>• Chapter 2 of the proposed Regional Plan establishes the Municipality's intent to develop population projections and growth scenarios to guide and inform plans for housing and infrastructure.</li> <li>• Policies RP-24 and RP-25 identify intent to regularly share this information with all relevant stakeholders, including the Province.</li> <li>• Section 2.5 identifies the Municipality's intent to undertake a Strategic Growth and Infrastructure Plan to guide long-term planning and investment, and to share this publicly. The Municipality will engage closely with the Province as part of this infrastructure planning process.</li> </ul>
<p>4A(2)(e) provide for the adoption of a secondary municipal planning strategy and the implementation of a land-use by-law for the area of the Municipality identified as the suburban area on the map attached as Appendix A, or a substantially similar area, no later than January 31, 2025;</p>	<p><b>Include statement of policy in the Regional Plan</b></p> <ul style="list-style-type: none"> <li>• The proposed Regional Plan establishes the Community Planning framework in Chapter 3 (Community Planning), and Policy HC-3 establishes intent to adopt a secondary municipal planning strategy and land use by-law for the Suburban Area, through the Suburban Community Planning process.</li> <li>• To facilitate interim development of shovel ready projects in the Suburban Area while the Suburban Plan is being developed, Policies IM-25 to IM-27 will enable eligible projects to proceed via development agreement option as the Suburban Planning process takes place. This policy is expected to deliver additional housing capacity while providing an opportunity to assess project readiness and local infrastructure capacity. It will build on the capacity delivered by the Urgent Changes for Housing/Housing Accelerator Fund (HAF) and will require sites to meet a list of criteria. Criteria include that the sites must be located within 800 m walkshed of a planned Bus Rapid Transit route or Mill Cove Ferry Terminal, be less than 2 hectares in size, the project must not demolish any existing multi-unit dwelling building, and it must comply with stipulated timelines for commencement and completion of construction. A complete application for a development agreement will need to be on file with the Municipality on or before the first notice of the intention of Council to adopt the Suburban Plan. Land use and built form will be guided by the Housing Accelerator Land Use By-law with consideration for low-rise to tall mid-rise projects.</li> <li>• While the Suburban Plan process is underway, new development in suburban areas will also continue to be permitted under policies established in the existing community plans, such as policies in the Dartmouth, Sackville, and Eastern Passage/ Cow Bay Plan Areas which permit consideration of multi-unit residential buildings by development agreement.</li> </ul>
<p>4A(2)(f) for developments enabled under the Municipality's Conservation Design Development policies in the Regional Municipal Planning Strategy that begin construction before April 1, 2027, determine the maximum density of a development based on a lot's gross area and not on its net area;</p>	<p><b>Include statement of policy in the Regional Plan</b></p> <ul style="list-style-type: none"> <li>• The proposed Regional Plan includes updates to the Conservation Design Development policy in Chapter 10 (Implementation). This policy set this enables this form of rural development to be considered by development agreement.</li> <li>• To address this requirement, Table 10.1 establishes different developable area definitions depending on the date of the application: <ul style="list-style-type: none"> <li>- For developments with a construction permit issued and begin construction before April 1, 2027, Developable Area means Gross Developable Area (the entire lot area).</li> <li>- For all other developments, Developable Area means Net Developable Area (area of a lot excluding watercourse buffers, wetlands, floodplains, and slopes over 30%).</li> </ul> </li> </ul>
<p>4A(2)(g) not impose maximum height restrictions in a manner that negatively affects the density of residential buildings using mass timber or any other construction method;</p>	<p><b>Include statement of policy in the Regional Plan; amend applicable Land Use By-Laws</b></p> <ul style="list-style-type: none"> <li>• In some cases, the definitions of height and application of height maximums in the various land use by-laws has had the unintended consequence of limiting overall building massing (and therefore the achievable residential density), which could still be aligned with community goals.</li> <li>• Policy H-3(b) of the proposed Regional Plan requires establishing height maximums that offer flexibility and support construction of mid and high-density residential developments. This will be implemented through amendments to the land use by-laws to support mass timber construction and other new construction methods, which can be impacted by specific height measurements.</li> <li>• <a href="#">The amendments adopted in support of the Housing Accelerator Fund in Spring 2024</a> included changes to the Regional Centre SMPS and LUB and adopted in</li> </ul>

	<p>the Suburban Housing Accelerator SMPS and LUB to provide greater flexibility for wood and mass timber construction.</p> <ul style="list-style-type: none"> <li>• HAF amendments included measuring height in storeys vs. metres, exemption for streetwalls for buildings up to 6 storeys in HR Zones, and increasing the tall mid-rise built form from 8 to 10 storeys.</li> <li>• Further amendments to applicable land use by-laws are proposed as part of this package to: <ul style="list-style-type: none"> <li>- Provide maximum height measurements in storeys instead of metres or feet in zones that permit residential buildings with more than 4 units; and</li> <li>- Include consistent definitions for 'Storey' and 'Mezzanine'.</li> </ul> </li> <li>• It is noted that low density residential zones that permit up to 4 units typically do not have height maximums as the limiting factor to achievable density and therefore no amendments to those zones are proposed at this time.</li> <li>• Policy H-1(h) further establishes the Municipality's intent to update other built form requirements that may affect height, such as angle controls, through future amendments to secondary planning strategies and land use by-laws, such as through the Suburban Plan process.</li> <li>• Staff received feedback during the Council Budget process from industry regarding potential additional changes to support mass timber construction. Changes proposed to the Downtown Dartmouth Zone to measure height in storeys instead of metres will address some of this feedback. Further requested changes include adjusting the tall mid-rise built form in Centre Plan from 10 storeys to 12 storeys for mass timber buildings. As the built form for tall-mid-rise was increased in 2024 as part of HAF from 8 to 12 storeys and a further amendment would trigger larger changes to the built form framework, this change is not recommended at this time. However, staff will monitor the need for further changes to allow added flexibility.</li> </ul>
<p>4A(2)(h) for residential buildings that begin construction before April 1, 2027, provide that no requirement related to unit mix applies;</p>	<p><b>Include statement of policy in the Regional Plan; amend applicable Land Use By-Laws</b></p> <ul style="list-style-type: none"> <li>• Policy H-3(c) of the proposed Regional Plan requires the Municipality to amend land use by-laws to provide that no unit mix applies for multi-unit residential buildings that begin construction before April 1, 2027.</li> <li>• To implement Policy H-3, amendments are proposed to applicable land use by-laws (Bedford; Dartmouth; Downtown Halifax; Halifax Mainland; Regional Centre; and Suburban Housing Accelerator) to include a 'notwithstanding' clause in applicable zones to remove the requirement for unit mix/bedroom count for new construction that begins on or before April 1, 2027.</li> <li>• Proposed Policy IM-9 sets out criteria to be considered by Council as part of all discretionary planning applications (land use by-law amendments and development agreements). Clause IM-9(2) states that there shall be no requirement for unit mix for multi-unit residential buildings that begin construction on or before April 1, 2027. This clause will enable consideration of new or amendments to existing development agreements where existing policy requires a mix of units.</li> <li>• Due to the time-limited nature of this regulation, it is anticipated that these policies and LUB regulations will be removed from the relevant planning documents once the legislated date (April 1, 2027) has passed.</li> </ul>
<p>4A(2)(i) provide that no requirement for on-site parking applies to residential uses within the urban service area;</p>	<p><b>Include statement of policy in the Regional Plan; amend applicable Land Use By-Laws</b></p> <ul style="list-style-type: none"> <li>• Policy H-10 of the proposed Regional Plan directs that there will be no required parking spaces for residential uses within the Urban Service Area.</li> <li>• To implement Policy H-10, amendments are proposed to applicable land use by-laws to include a 'notwithstanding' clause that specifies that no vehicular parking is required for residential uses in the Urban Service Area.</li> <li>• Where a development proposes to include parking, standards related to parking provision will continue to apply (parking lot location and landscaping, loading requirements, electric vehicle charging, etc.).</li> </ul>
<p>4A(2)(j) for multi-unit residential buildings that begin construction before April 1, 2027, not require that the ground floor consist of more than 20% commercial space;</p>	<p><b>Include statement of policy in the Regional Plan; amend applicable Secondary Municipal Planning Strategies and Land Use By-Laws</b></p> <ul style="list-style-type: none"> <li>• Policy H-3(d) of the proposed Regional Plan requires the Municipality to amend land use by-laws to provide that no requirement for more than 20% ground floor commercial space applies to multi-unit residential buildings that begin construction on or before April 1, 2027.</li> <li>• To implement Policy H-3(d), where commercial ground-floor uses are currently required in excess of 20%, amendments are proposed to applicable secondary municipal planning strategies and land use by-laws (Regional Centre SMPS and LUB, Bedford SMPS and LUB, Sackville Drive LUB) for any multi-unit residential building that begins construction on or before April 1, 2027 to: <ul style="list-style-type: none"> <li>- Permit ground-floor residential uses; and</li> <li>- Require a minimum of 20% commercial space on the ground floor, which may not include non-commercial space such as lobbies, elevators and vestibules. Commercial space will be required to abut the streetline.</li> </ul> </li> <li>• Proposed Policy IM-9 sets out criteria to be considered by Council as part of all discretionary planning applications (land use by-law amendments and development agreements). Clause IM-9(2) states that there shall be no requirement for more than 20% ground floor commercial space for multi-unit residential buildings that begin construction on or before April 1, 2027, provided that all other relevant policies are met. This clause will enable consideration of new or proposed amendments to existing development agreements where existing policy requires commercial ground floors.</li> <li>• Due to the time-limited nature of this regulation, it is anticipated that these policies and LUB regulations will be removed from the relevant planning documents once the legislated date (April 1, 2027) has passed.</li> </ul>
<p>4A(2)(k) permit temporary housing in non-permanent structures as a use in all zones where it can be safely established to allow employees to live on or near their worksite during a work assignment for a period of time that can be reasonably tied to the duration of the</p>	<p><b>Include statement of policy in the Regional Plan; amend applicable Land Use By-Laws</b></p> <ul style="list-style-type: none"> <li>• Policy H-2 of the proposed Regional Plan identifies the Municipality's intent to remove barriers to housing, "including temporary housing in non-permanent structures" throughout the region.</li> </ul>

<p>project and that is explicitly set out in the development permit;</p>	<ul style="list-style-type: none"> <li>All existing Land Use By-Laws currently permit temporary housing associated with construction projects as Temporary Construction Uses, which generally meets the intent of this regulation. Amendments to all land use by-laws (except for Regional Centre, Suburban Housing Accelerator and Downtown Halifax, which already include the provisions) are proposed to clarify that temporary buildings or structure are permitted near a worksite where a development permit has been issued.</li> </ul>
<p>4A(2)(l) permit manufactured housing, including modified shipping containers converted into housing, in all residential zones.</p>	<p><b>Include statement of policy in the Regional Plan; amend applicable Land Use By-Laws</b></p> <ul style="list-style-type: none"> <li>Policy H-3(a) of the proposed Regional Plan identifies the intent to permit manufactured housing as a residential use (“tiny homes, inclusive of mobile dwellings, converted shipping containers and manufactured housing”). This is a modification of existing Regional Plan Policy S-41.</li> <li>Amendments to the Regional Plan (the addition of S-41) and applicable LUBs to remove barriers to tiny homes and converted shipping container dwellings were approved as part of Phase 3 of the Regional Plan Review in October 2022. However, staff have since identified that there are still provisions in some LUBs limiting this form of dwelling.</li> <li>Policy H-3(a) will be implemented by amending applicable land use by-laws to remove remaining barriers to converted shipping container dwellings by clarifying they are buildings not “vehicle bodies”, and removing restrictions on converted shipping containers used as accessory or secondary/backyard suites. The Regional Centre’s Corridor (COR) Zone is also proposed to be amended to permit converted shipping container housing.</li> <li>Converted shipping containers, like all residential dwelling types, must meet Building Code requirements for dwellings, as well as all other LUB requirements including setbacks, lot coverage, height, etc.</li> </ul>