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**REVISED**

**April 8, 2026**

Attachments A and B revised to reflect alternative motion passed on March 31, 2026

Attachment C revised to remove unnecessary highlighting

**Item No. 12.2.1**

**Halifax Regional Council**

**March 31, 2026**

**April 28, 2026**

**TO:** Mayor Fillmore and Members of Halifax Regional Council

**FROM:** Bill Moore, Acting Chief Administrative Officer

**DATE:** March 19, 2026

**SUBJECT:** **2025-00728: Amendments to the Eastern Passage/Cow Bay Municipal Planning Strategy and Land Use By-law for Site #1 (PID 00374710) and Site #2 (PIDs 00374728 and 00471698), Main Road, Eastern Passage**

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**ORIGIN**

**On February 11, 2025 Halifax Regional Council passed the following motion (Item 15.1.4):**

MOVED by Councillor Kent, seconded by Councillor Cleary

THAT Halifax Regional Council:

2. Direct the Chief Administrative Officer to consider, following the approval of the Urgent Changes for Housing - Additional Sites, an amendment to the Eastern Passage / Cow Bay Municipal Planning Strategy and its Land Use By-law to enable multiple unit dwelling larger than 12 units on 1407, 1409, and 1497 Main Road, Eastern Passage (PID 00374728, 41472762, 41539628, and 41539636), and follow public participation process set out in Section 6 of the Public Participation Administrative Order.

MOTION AS AMENDED PUT AND PASSED

**On June 10, 2025 Halifax Regional Council passed the following motion (Item 10.1):**

MOVED by Councillor Kent, seconded by Councillor Hartling

THAT Halifax Regional Council direct the Chief Administrative Officer to consider an amendment to the Eastern Passage / Cow Bay Municipal Planning Strategy and its Land Use By-law to enable multiple unit dwelling larger than 12 units on PID 00471698, in addition to the sites moved by Council on February 11, 2025, and follow public participation process set out in Section 6 of the Public Participation Administrative Order.

MOTION PUT AND PASSED UNANIMOUSLY

**RECOMMENDATION ON PAGE 2**

## **EXECUTIVE SUMMARY**

This report recommends that Regional Council approve amendments to the Municipal Planning Strategy and Land Use By-law for Eastern Passage/Cow Bay to allow multiple unit dwellings to a maximum of 24-units on two properties on Main Road, Eastern Passage (Site #1 PID 00374710 and Site #2 PIDs 00374728 and 00471698). Should the proposed amendments be approved, developments on the subject properties would be required to meet all other requirements of the C-2 zone.

The C-2 zone currently permits multiple unit dwellings up to 12 units. This maximum was briefly removed in May 2024 and was reinstated in March 2025. Developments for the two subject sites were proposed during that time but neither obtained permit approval before the 12 unit maximum was reinstated. Site #1 planned for 64-units, while Site #2 planned a 22-unit building with main level commercial space. Staff are recommending the approval of amendments to permit up to 24 units on the two subject properties to reflect the housing policies of the Regional Plan, while right sizing residential density in the context of the community and objectives of the MPS.

## **RECOMMENDATION**

It is recommended that Regional Council:

1. Give First Reading to consider the proposed amendments to the Municipal Planning Strategy and Land Use By-law for Eastern Passage/Cow Bay, as set out in Attachments A and B, to allow multiple unit dwellings to a maximum of 24-units on Site #1 (PID 00374710) and Site #2 (PIDs 00374728 and 00471698), Main Road, Eastern Passage and schedule a public hearing; and
2. Adopt the proposed amendments to the Municipal Planning Strategy and Land Use By-law for Eastern Passage/Cow, as set out in Attachments A and B.

## **BACKGROUND**

At their February 11, 2025 meeting, Regional Council directed staff to consider amending the municipal planning strategy (MPS) and land use by-law (LUB) for Eastern Passage/Cow Bay to enable multiple unit dwellings larger than 12 units on two specific sites on Main Road, Eastern Passage. Details of the two sites are included below, and the boundaries of each site can be viewed on the attached Map 1. This direction was provided in relation to changes approved under the Urgent Changes for Housing process as described in more detail below.

<b>Site #1</b>	
<b>Subject Site</b>	PID 00374710 (1407 Main Rd, Eastern Passage)*
<b>Regional Plan Designation</b>	Halifax Harbour
<b>Community Plan Designation (Map 1)</b>	Community Commercial (CC), Eastern Passage/Cow Bay MPS
<b>Zoning (Map 2)</b>	C-2 (General Business), Eastern Passage/Cow Bay LUB
<b>Size of Site</b>	2741 sq. metres (29,501 sq. feet)
<b>Street Frontage</b>	26 metres (86 feet)
<b>Current Land Use(s)</b>	Small single-storey commercial building, partially vacant
<b>Surrounding Use(s)</b>	Mixed commercial and residential uses, predominately low-density with a few small multi-units in proximity to the east (3-7 units)

*\*On March 20, 2025 a repeal of a previously approved plan of subdivision was completed, resulting in a consolidation of PID 41539628 and 41539636 as listed in the original motion.*

**Site #2**

<b>Subject Site</b>	PIDs 00374728 and 00471698 (1509 Main Rd, Eastern Passage)*
<b>Regional Plan Designation</b>	Halifax Harbour
<b>Community Plan Designation (Map 1)</b>	Community Commercial (CC), Eastern Passage/Cow Bay MPS
<b>Zoning (Map 2)</b>	C-2 (General Business), Eastern Passage/Cow Bay LUB
<b>Size of Site</b>	2582 sq. metres (27,792 sq. feet)
<b>Street Frontage</b>	71 metres (234 feet)
<b>Current Land Use(s)</b>	Vacant
<b>Surrounding Use(s)</b>	Mixed commercial and residential uses, predominately low-density with an 8-unit mixed-use building immediately to the east.

\*On February 6, 2025, a plan of subdivision was approved, resulting in a consolidation of PID 41472762 and 00374728 as listed in the original motion.

**Initiation Background**

On October 12, 2023, the Halifax Regional Municipality and Government of Canada entered a Housing Accelerator Fund (HAF) agreement. Administered by the Canada Mortgage and Housing Corporation (CMHC), the Housing Accelerator Fund is a federal program created to accelerate housing supply. Under the agreement, the Municipality committed to implementing various actions in support of housing<sup>1</sup>.

On [May 23, 2024](#), Regional Council approved the Urgent Changes to Planning Documents for Housing amendments (“**Urgent Changes**”), implementing a number of regulatory changes in support of housing need and HAF commitments.

On [March 18, 2025](#), Regional Council approved **housekeeping amendments** to the Urgent Changes to address various errors in the implementation of the Urgent Changes.

Before the **Urgent Changes**, the C-2 zone of the Eastern Passage/Cow Bay LUB permitted multi-unit dwellings to a maximum of 12 units as-of-right, with larger developments possible by way of development agreement in certain areas. Changes to Eastern Passage/Cow Bay planning documents outlined in the Urgent Changes staff report included increasing the maximum height and reducing the rear yard setback for the C-2 zone to improve development feasibility. Inadvertently, the text amendments to the by-law included in the Urgent Changes package also removed the 12 unit maximum. As this change exceeded the scope outlined in the staff report and conflicted with the policies of the Eastern Passage/Cow Bay Municipal Planning Strategy, the 12 unit maximum was reinstated as part of the **housekeeping amendments**.

During the time that no unit maximum was in place, property owners of 1407 Main Road (“Site #1”) and 1509 Main Road (“Site #2”) had developed proposals for buildings containing more than 12 units. Site #1 planned for 64-units, while Site #2 planned a 22-unit building with main level commercial space. Approval of the proposals would have been granted through issuance of a building permit, subject to meeting all C-2 zone requirements. Neither proposal obtained permit approval before the 12 unit maximum was reinstated and therefore can no longer be permitted.

Having been made aware of this impact prior to giving First Reading to the **housekeeping amendments** on [February 11, 2025](#), Council passed a motion directing staff to consider further amendments to the MPS and LUB to enable multiple unit dwelling larger than 12 units specifically for the two sites.

**DISCUSSION**

Amendments to a municipal planning strategy (MPS) and land use by-law (LUB) are significant undertakings and should only be considered within the broader planning context or when there is reason

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<sup>1</sup> A HAF Halifax action plan summary can be found on the [CMHC webpage](#)

to believe there has been a change to circumstances since the policy was adopted or last reviewed. Although this planning case was initiated in response to the impacts of reinstating a 12-unit maximum, the planning case proceeded through the standard MPS and LUB amendment process and was evaluated on its own merits within the broader planning context.

### **MPS and LUB Context**

A MPS is a strategic policy document that sets out the goals, objectives and direction for long term growth and development in a community plan area. The subject sites are in the [Eastern Passage/Cow Bay MPS](#) plan area and within the Community Commercial designation. The Eastern Passage/Cow Bay MPS was originally adopted in 1982, with amendments to the Multiple Unit Dwellings in the Commercial Designation subsection in 2016 ([Case 18599](#)). Sections most relevant to this planning case include:

- **Land Use Intent:** *The Commercial Designation identifies the Plan Area's historic business district at Eastern Passage and includes adjacent lands which could undergo a transition from residential use. The designation is intended to support a broad range of development in terms of goods and services, and of a scale which is in keeping with the character of a small village core. The designation also recognizes that residential use is appropriate within local commercial areas and that higher density dwellings in particular are more suited to these locations when being introduced into an older residential community.*
- **Policy COM-2:** *It shall be the intention of Council to establish a C-2 (General Business) Zone within the Land Use By-Law and apply it to the Community Commercial Designation. The C-2 (General Business) Zone shall permit general commercial uses, as well as residential and community uses. The permitted uses shall reflect the traditional waterfront uses and promote tourist related activities. Development shall be subject to specific size, scale, building placement, building design and construction, landscaping, signage and parking controls, and all commercial uses and multiple residential unit dwellings must have direct access to either Main, Cow Bay or Shore Roads.*
- **Multiple Unit Dwellings in the Commercial Designation:** *Opportunities for multiple unit dwellings are needed to meet the demand for diversified housing in the community and are supported by the Regional MPS which designates the community as a Local Growth Centre. Small scale multiple unit dwellings are to be permitted on an as of right basis within the Commercial Designation and the C-2 Zone shall contain standards that help ensure these developments complement community character. Larger scale development will be considered in the Commercial Designation by development agreement with the goal of increasing housing choice while integrating such projects into the community. Lands on the harbour side of Main and Shore Roads will be excluded from consideration in order to encourage retention of the traditional character of this area.*

The consideration of larger scale development by development agreement discussed in the Multiple Unit Dwellings in the Commercial Designation section is implemented by Policy COM-12. This policy enables Council to consider multiple unit dwellings with more than 12 dwellings units through the discretionary development agreement process. There are several policy considerations listed, including that agreements impose a maximum height of 4 storeys and a penthouse, as well as a maximum density of 36 units per acre. The subject sites are not eligible for this consideration as they are located on the harbour side of Main Road.

The LUB contains regulations for as-of-right development, implementing the direction of the MPS. The subject sites are within the C-2 (General Business) Zone of the [Eastern Passage/Cow Bay LUB](#). The C-2 Zone permits a range of land uses including multiple unit dwellings up to 12 units and provides requirements for building and site design. Attachment C includes a summary of applicable LUB requirements.

### **Regional Plan Context**

The Regional Municipal Planning Strategy ("Regional Plan") sets the direction for where and how growth should occur across the municipality, with a focus on efficient use of existing infrastructure. The Regional Plan designates Eastern Passage as a Local Growth Centre with intended land uses including a mix of low,

medium and high density residential uses. Growth Centres are areas of the Municipality intended to accommodate a certain level of growth while making use of existing infrastructure.

The subject sites are within the Halifax Harbour designation of the Plan. This designation supports an objective to ensure that there are sufficient lands available around the harbour to provide economic opportunities (Section 5.1). Policy EC-12 directs that the designation support a range of development opportunities, inclusive of residential uses. Policy EC-14 includes that “consideration shall be given to the potential for nuisances and compatibility issues and the importance to HRM in protecting the viability of the marine related industrial uses” when considering a MPS or LUB amendment.

On [December 11, 2025](#), Regional Council adopted a number of amendments to planning documents in response to Provincial Minimum Planning Requirement Regulations<sup>2</sup>. The amendments introduced Regional Plan Policy S-0 which includes the following:

- S-0 *Due to the housing shortage crisis the most urgent priority in municipal land-use planning, regulation and development approval is to rapidly increase the supply of housing. It is the intention of this Plan to rapidly increase the supply of housing in the municipality by removing barriers to housing and allowing a variety of residential forms, types and uses. When preparing new secondary planning strategies or amendments to existing secondary planning strategies to allow new developments, the Municipality shall prioritize the increased supply of safe, sustainable, and affordable housing over other interests by:*
- a) *creating opportunities for a mix of housing types within designated growth centres;*
  - b) *and encouraging growth in locations where transit is or will be available;*

...

#### Priorities Plans

In accordance with Policy G-14A of the Regional Plan, staff considered the objectives, policies and actions of the priorities plans, inclusive of the Integrated Mobility Plan, the Halifax Green Network Plan, HalifACT, and Halifax’s Inclusive Economic Strategy 2022-2027 in making its recommendation to Council. In this case, the following policies were identified to be most relevant to this application, and as such were used to inform the recommendation within this report:

1. Only designating areas for high residential density where there is an existing or proposed high level of transit service to support the development of walkable, affordable, transit oriented communities and that the location and size of growth centres be rationalized in relation to designated transit oriented communities (Policy 2.2.5(b) Integrated Mobility Plan).
2. Integrating climate change implications into land use planning policies and process by reducing sprawl and efficiently using transportation systems (Action 23 HalifACT);
3. Increasing housing stock to accommodate the growing population in Halifax (Strategic Objective 1.6 Halifax’s Inclusive Economic Strategy 2022-2027).

#### **Community Feedback**

Public engagement for this planning process took place from May 2025 to the end of October 2025. Significant public engagement was received, which is summarized in the Community Engagement section of this report including how feedback was considered. Key concerns included community character, parking, infrastructure and environmental concerns, but some residents expressed support for additional housing that fits in with community context.

#### **Proposed Amendments**

Staff considered the existing MPS policy context, as well as feedback from internal and external service providers and the public when drafting the proposed MPS and LUB amendments. Based on findings of the

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<sup>2</sup> See [MINORREV-2025-02922 – Updated Approach to Amending Planning Documents for Provincial Minimum Planning Requirements](#)

review process, staff recommend amendments to the MPS and LUB to allow a multiple unit dwelling to a maximum of 24 units on each of the subject sites. Findings central to the recommendation are discussed below.

Attachments A and B contain the proposed MPS and LUB amendments. A summary of the proposed amendments is as follows:

- The MPS is amended to direct that in support of housing need, two site-specific multiple unit dwellings to a maximum of 24-units be permitted as-of-right in the C-2 zone.
- The LUB is amended to include multiple unit dwellings up to 24 units as a permitted use on Site #1 and Site #2 only. A schedule defining the boundaries of the two sites is introduced for implementation purposes. The multiple unit dwellings remain subject to the existing C-2 zone and General Provisions requirements of the LUB, including a maximum 4 storey building height and fifty percent lot coverage. Attachment C includes a summary of applicable LUB requirements.
- The LUB is amended to include the two sites on Schedule D (Developments Subject to Interim Bonus Zoning Requirements) as is required when site specific amendments to a MPS are made to permit additional density (Regional Plan Policy G-16A).

#### Housing Need

The recommendation to increase the maximum units permitted on the subject sites is reflective of the current planning context of the Eastern Passage community and region. The Eastern Passage/Cow Bay MPS presently recognizes that opportunities for multiple unit dwellings are needed to meet the demand for diversified housing in the community. There has been a significant increase in demand for housing on a regional scale, with more housing stock needed to improve availability and a range of types required to accommodate different needs. This is reflected in Regional Plan Policy S-0 which directs the Municipality to prioritize rapidly increasing the supply of housing over other interests. An opportunity to enable additional as-of-right units is in alignment with Regional Plan direction; however, policy also establishes a need to rationalize the scale of such increase in relation to site and community context. Staff also note that this application has emerged out of the Urgent Changes for Housing planning process, but that a more detailed and comprehensive planning process is underway as part of the suburban planning process.

#### Regional Growth Direction

Policy 2.2.5(b) of the [Integrated Mobility Plan](#) directs that areas for high residential density only be designated where there is an existing or proposed high level of transit service to support the development of walkable, affordable, transit oriented communities and that the location and size of growth centres be rationalized in relation to designated transit oriented communities. Eastern Passage is serviced by a single transit route, is not a designated transit oriented community and is not targeted for a rapid transit route. Although the location can accommodate a level of growth, it is staff's opinion that permitting a 64 unit building where previously only 12 units were permitted represents density that does not align with regional growth direction.

#### MPS Objectives

The planning framework for Eastern Passage emphasizes maintaining the character of the community. The area, which is described as a "small village core" does have a distinct, quaint feel largely shaped by its fishing village roots and relative isolation from other suburban areas of the Municipality. During public engagement, many residents felt strongly about maintaining this vision for their community (see Attachment D – What We Heard Report).

The MPS establishes that a certain level of growth can be accommodated by keeping new development in scale with the community, with policy considerations and zoning regulations intended to right-size new density and building sizes. Accordingly, the C-2 zone permits new housing in the form of multiple-unit dwellings, to a maximum of 12 units as-of-right, with standards designed to ensure new development aligns with the intent of the MPS.

Presently, larger scale multiple unit dwellings can be considered by Council through the development agreement process in accordance with Policy COM-12. The subject sites are ineligible for this consideration as all lands on the harbour side of Main Road and Shore Road are excluded in order to “encourage retention of the traditional character of this area”. The proposed amendments introduce a site-specific change to this direction by allowing two 24-unit buildings on the harbour side of Main Road as-of-right.

Although allowing more units on the harbour side of Main Road does differ from current policy direction, this change is considered justified given the present housing need and Regional Plan policy direction to prioritize rapidly increasing the supply of housing. It is also noted that the proposed amendments require that the buildings continue to meet C-2 zone regulations, including a maximum height of 4 storeys and lot coverage of 50%. Although it is reasonable to assume a building containing more units will ultimately be larger, when considering that a 12-unit building is presently permitted subject to the same restrictions, the proposed amendments only change how many units can be included within a building and do not change the maximum size of building that is allowed.

#### Site Context

It is noted that the coastal waterfront location of these sites introduces potential land use conflict with marine related industrial uses and flood risks. The Regional Plan directs that consideration shall be given to the potential for nuisances and compatibility issues in relation to marine related industrial uses. The subject sites are within proximity of the active Fisherman’s Cove fishery area, with Site #1 approximately 400 metres north west along the shore and Site #2 directly across the cove inlet. [Flood hazard mapping](#) completed for HRM in 2024 shows areas of flood risk impacting both sites. There are limitations to the modelling, especially when it comes to individual sites, but it is useful for identifying general areas at risk. Although residential uses are presently permitted on these sites, it should be considered that the greater the increase to permitted units, the higher the number of residents that could be impacted by marine uses nuisances or coastal hazards.

Development will continue to be subject to the vertical coastal elevation requirements of the LUB (Section 4.18A), which require residential uses to be a minimum of 3.8 metres above sea level. The watercourse buffer and setback requirements do not apply as the properties are in the Harbour designation (Subsection 4.18(7)).

#### Density Context

When determining the appropriate level of increased density for these sites, staff considered the maximum density that can be considered by development agreement on nearby lands. The development agreement policy for larger scale developments in the community establishes a maximum of 36 units per acre. When applying this established rate to the subject sites, the lot area of Site #1 could accommodate 24 units, while Site #2 could accommodate 23. Where this approach for considering additional density for other sites in the surrounding area is established in policy, it is staff’s opinion that it is a good guide for how increased density could be considered for the subject properties, where they have been identified for consideration for additional units.

#### Current Unit Yield Potential

When determining the appropriate level of increased density for these sites, staff considered the current development potential of each land area. The C-2 Zone permits one 12-unit multiple unit dwelling to be constructed per lot. The minimum lot requirements for a multiple unit dwelling are 4000 square feet of lot area and 50 feet of road frontage. Of the subject sites:

- Site #2 is comprised of two lots which meet the minimum lot dimensions for multiple unit dwellings, meaning that two 12-unit dwellings are presently enabled within the total area of the site. The proposed amendment would allow one 24-unit building to be constructed within the total area of the site. Therefore, the proposed amendment will not increase the total number of enabled units across the site but will permit the units to be constructed within a single building.
- Site #1 is comprised of a single lot. Despite being almost 160 square metres larger than Site #2, the long configuration of the lot results in there not being enough road frontage to meet subdivision

requirements for additional multiple unit dwelling lots. The proposed amendment would increase the enabled number of units within the total site area by 12 units.

### **Conclusion**

Staff have reviewed the application and the existing policy context and recommend that the MPS and LUB should be amended to allow multiple unit dwellings to a maximum of 24 units for these two sites in accordance with the C-2 zone. This responds to a need for more housing supply and a greater variety of housing types in alignment with the Regional Plan, while right sizing residential density in the context of the community and objectives of the MPS. Therefore, staff recommend that the Regional Council approve the proposed MPS and LUB amendments.

### **FINANCIAL IMPLICATIONS**

General administration of the proposed amendments can be carried out within the existing resources and proposed 2025/26 budget. Potential impacts because of changes to land use include:

- Municipal capital and project investments needed to support anticipated growth may increase because of land value changes and development pressures. The financial implications of these projects and programs will be identified through the business planning process or project specific staff reports.
- As HRM continues to face pressure in growth, demand for infrastructure and services will continue to increase in both the short and long term. More work is needed to determine how to identify and distribute the costs associated with growth across the areas impacted, which is expected during the Strategic Growth and Infrastructure Priority Plan process and Development Charges Report.
- Funding constraints in local/area water, wastewater, stormwater and transportation infrastructure are the responsibility of the developer. Halifax Water was circulated this application and advised that applicants may need to prove that capacity exists in the local system at the water permit stage. If capacity issues are determined, the applicant can proceed by creating capacity in the system by undertaking localized upgrades. All associated costs would be the responsibility of the applicant. Staff followed up after public engagement and Halifax Water reiterated that local capacity would need to be verified but indicated there are currently no capacity concerns with the regional system.
- Additional revenue can be expected from the Interim Bonus Zoning requirements for the site, should they proceed to development.

### **RISK CONSIDERATION**

No risk considerations were identified. This application involves proposed MPS amendments. Such amendments are at the discretion of Regional Council and are not subject to appeal to the N.S. Regulatory and Appeals Board. Information concerning risks and other implications of adopting the proposed amendments are contained within the Discussion section of this report.

### **COMMUNITY ENGAGEMENT**

The community engagement process for this file is consistent with the intent of the HRM Community Engagement Strategy, the *HRM Charter*, and the Public Participation Administrative Order (2023-002-ADM). Public engagement took place from May 2025 to the end of October 2025. The level of community engagement was consultation, achieved through signage posted on the subject sites, fact sheets delivered to 62 properties within the notification areas, an in-person open house held on October 20, and an online survey on EngageHalifax open from October 6 to October 27.

The HRM website received a total of 614 unique pageviews over the course of the application, with an average time on page of 3 minutes and 27 seconds. We heard from fourteen people over email, five people

over the phone, 251 contributions on the online survey and thirteen people contributed to a hard copy of the survey.

Attachment D contains a What We Heard report summarizing feedback. The most prevalent concerns included:

<b>Public Comment</b>	<b>Response</b>
Community Character/Compatibility	Retention of community character is a prevalent concern. The Discussion section of this report details how this concern has been considered.
Infrastructure Capacity, including road (traffic) and sewer	This planning case was circulated to relevant municipal agencies who advised that no known capacity concerns have been identified in the area but that property owners may be requested to provide studies demonstrating capacity in the local system at the time of a permit application.
Availability of parking to support new units	Provincial Minimum Planning Requirements Regulations mandate that no requirement for on-site parking shall apply to residential uses within the urban service area. Although no minimum can be imposed, this does not prevent a developer from providing parking. In many cases, developers choose to provide parking to reflect market demands.
Environmental Concerns	<p>Concerns regarding waterfront protection, coastal animal habitat, and flooding risk were shared. Development of the property would remain in alignment with regional direction regarding watercourses and coastal risks in that:</p> <ul style="list-style-type: none"> <li>• The minimum coastal elevation requirement of the LUB would apply, requiring residential space to be a minimum of 3.8 metres above sea level.</li> <li>• The watercourse setback and buffer requirements of the LUB would not apply as the property is within the Harbour designation of the Regional Plan.</li> <li>• Development would be subject to AO 2020-010-OP (Stormwater Management Standards for Development Activities), with conformance confirmed at the time of a building permit application.</li> </ul>

A neighbouring property owner also identified a concern that they have an existing well and heating system located on a shared property line with one of the subject properties. Central piped water is available in this area of Eastern Passage; however, the particular property remains on private on-site services. Staff have reviewed the concern but note that the location of private on-site services and encroachments onto other private properties are not regulated by the Municipality. Nova Scotia Environment does not enforce setbacks from existing wells under current legislation.

A public hearing must be held by Regional Council before they can consider approval of the proposed MPS and LUB amendments. Should Regional Council decide to proceed with a public hearing on this application, in addition to the advertisement on the HRM webpage, properties within the notification area shown on Map 2 will be notified of the hearing by regular mail.

**ENVIRONMENTAL IMPLICATIONS**

No additional concerns were identified beyond those raised in this report.

## **LEGISLATIVE AUTHORITY**

*Halifax Regional Municipality Charter (HRM Charter)*, Part VIII, Planning & Development

## **ALTERNATIVES**

Regional Council may choose to:

1. Modify the proposed amendments to the MPS and LUB for Eastern Passage/Cow Bay as set out in Attachments A and B of this report. If this alternative is chosen, specific direction regarding the requested modifications is required. Substantive amendments may require another public hearing to be held before approval is granted. A decision of Council to approve or refuse the proposed amendments is not appealable to the N.S. Regulatory and Appeals Board as per Section 262 of the *HRM Charter*.
2. Refuse the proposed amendments to the MPS and LUB for Eastern Passage/Cow Bay. A decision of Council to approve or refuse the proposed amendments is not appealable to the N.S. Regulatory and Appeals Board as per Section 262 of the *HRM Charter*.

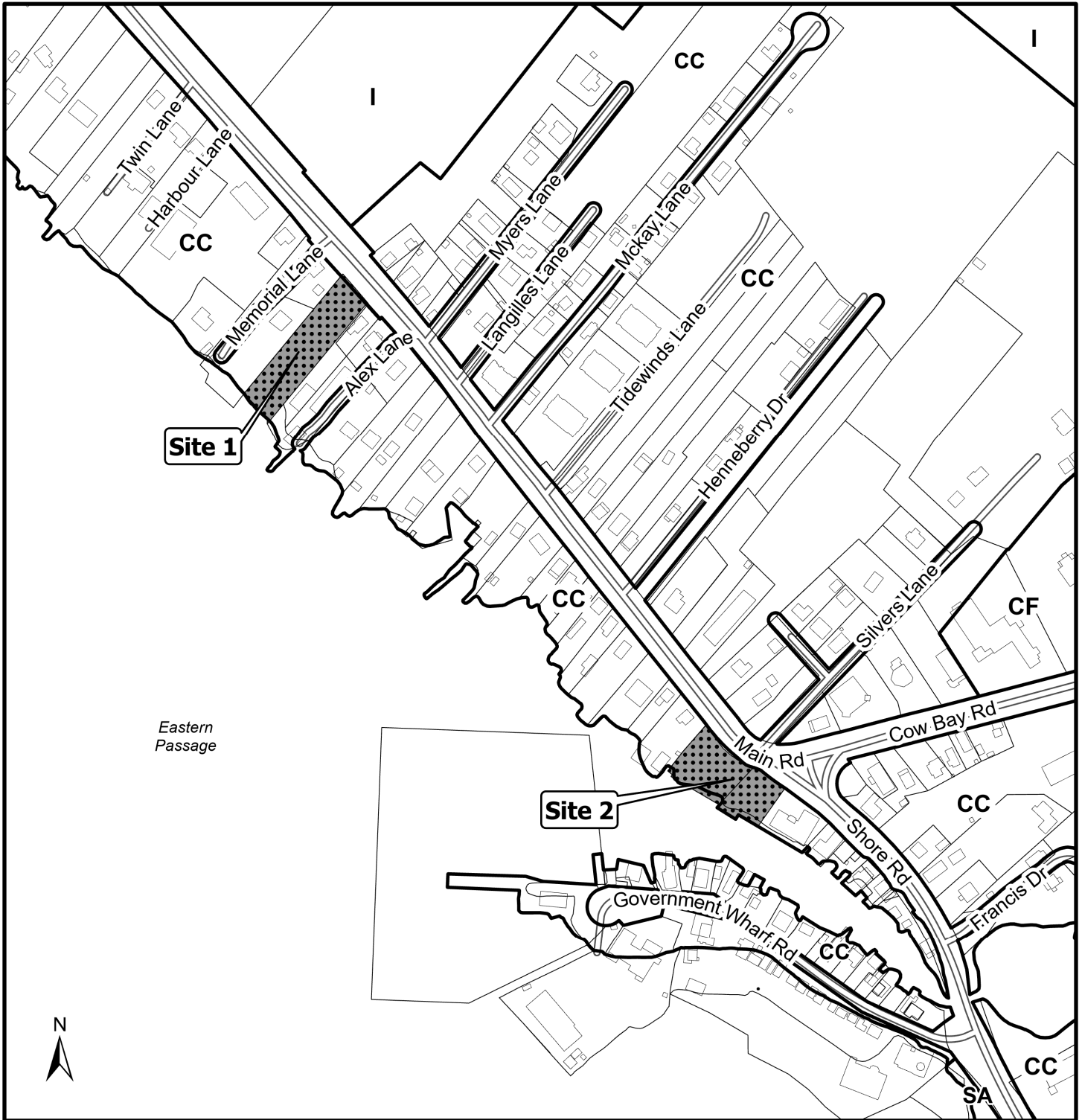
## **ATTACHMENTS**

Map 1:	Generalized Future Land Use
Map 2:	Zoning and Notification Area
Attachment A:	Proposed MPS Amendments
Attachment B:	Proposed LUB Amendments
Attachment C:	Summary of LUB Requirements
Attachment D:	What We Heard (Engagement) Report

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**Map 1 - Generalized Future Land Use**

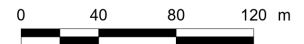
PID: 00374710, 00374728 and 00471698  
 Eastern Passage

**HALIFAX**

 Subject Properties

**Designation**

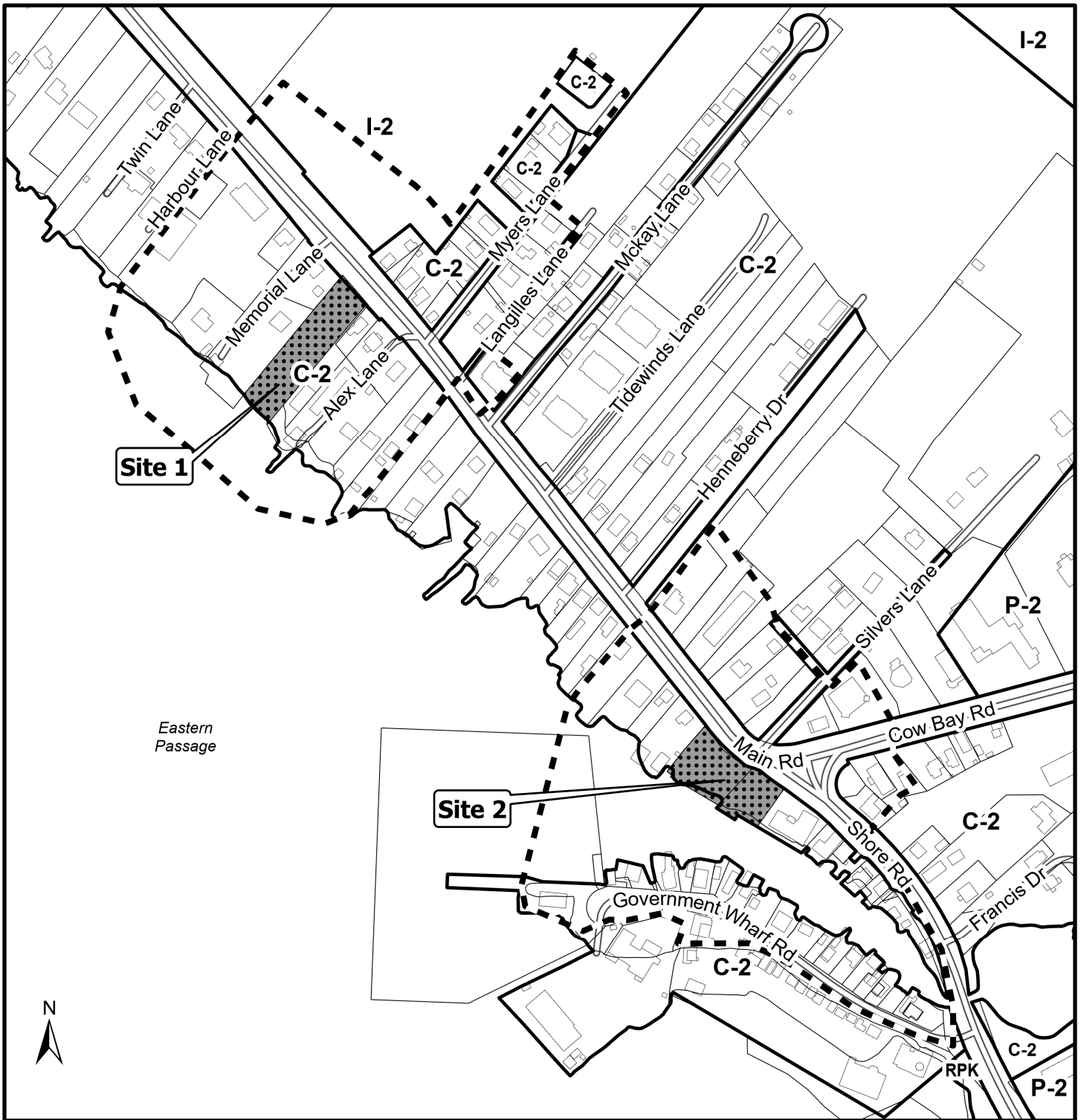
- CC Community Commercial
- CF Community Facility
- I Industrial
- SA Special Area



This map is an unofficial reproduction of a portion of the Generalized Future Land Use Map for the plan area indicated.

The accuracy of any representation on this plan is not guaranteed.

Eastern Passage / Cow Bay  
 Plan Area



### Map 2 - Zoning and Notification Area

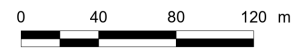
PID: 00374710, 00374728 and 00471698  
 Eastern Passage


**HALIFAX**

 Subject Properties

**Zone**

- C-2 General Business
- I-2 General Industry
- P-2 Community Facility
- RPK Regional Park



 Area of Notification

This map is an unofficial reproduction of a portion of the Zoning Map for the plan area indicated.

Eastern Passage / Cow Bay  
 Land Use By-Law Area

The accuracy of any representation on this plan is not guaranteed.

## REVISED

As amended by Regional Council March 31, 2026

### ATTACHMENT A-1

#### Proposed Amendment to the Municipal Planning Strategy for the Eastern Passage/Cow Bay

BE IT ENACTED by the Halifax Regional Council of the Halifax Regional Municipality that the Municipal Planning Strategy for Eastern Passage/Cow Bay is hereby further amended as follows:

1. Amending the text within Section II, under the Commercial Designation section and Multiple Unit Dwellings in the Commercial Designation subheading, immediately after the text “Lands on the harbour side of Main and Shore Roads will be excluded from consideration in order to encourage retention of the traditional character of the area” and before Policy COM-12, as shown below in **bold**.

#### Multiple Unit Dwellings in the Commercial Designation

Opportunities for multiple unit dwellings are needed to meet the demand for diversified housing in the community and are supported by the Regional MPS which designates the community as a Local Growth Centre. Small scale multiple unit dwellings are to be permitted on an as of right basis within the Commercial Designation and the C-2 Zone shall contain standards that help ensure these developments complement community character. Larger scale development will be considered in the Commercial Designation by development agreement with the goal of increasing housing choice while integrating such projects into the community. Lands on the harbour side of Main and Shore Roads will be excluded from consideration in order to encourage retention of the traditional character of this area.

**Notwithstanding the foregoing, in support of housing need, the following larger scale multiple unit dwellings are to be permitted in the C-2 zone on an as of right basis, and otherwise in accordance with C-2 zone standards:**

- i) **Site #1 (PID 00374710) to a maximum of 32 units and maximum height of 3 storeys; and**
- ii) **Site #2 (PIDs 00374728 and 00471698) to a maximum of 24 units.**

COM-12 Excluding lands on the harbour side of Main and Shore Roads...

I, Iain MacLean, Municipal Clerk for the Halifax Regional Municipality, hereby certify that the above-noted amendment was passed at a meeting of the Halifax Regional Council held on [DATE], 202[#].

---

Iain MacLean

Municipal Clerk

REVISED

As amended by Regional Council March 31, 2026

ATTACHMENT B-1

Proposed Amendment to the Land Use By-law for the Eastern Passage/Cow Bay

BE IT ENACTED by the Halifax Regional Council of the Halifax Regional Municipality that the Land Use By-law for Eastern Passage/Cow Bay is hereby further amended as follows:

1. Amending the Table of Contents to add a reference to Schedule A-3, as shown below in **bold**:

...

Schedule A-2: Wind Energy Zoning

**Schedule A-3: Special Multiple Unit Dwellings Sites in the C-2 Zone**

Schedule B: Areas of Elevated Archaeological Potential

...

2. Amending the text within Section 14.1, under the subheading "Residential Uses", as shown in **bold**:

...

Residential Uses

Single unit dwellings

Two unit dwellings

Townhouse dwellings

Multiple unit dwellings up to a maximum of 12 dwelling units

**Multiple unit dwellings up to a maximum of 32 dwelling units on Site #1 as shown on Schedule A-3**

**Multiple unit dwellings up to a maximum of 24 dwelling units on Site #2 as shown on Schedule A-3**

Shared housing use

Home business uses in conjunction with permitted dwellings

...

3. Amending Section 14.2 as shown in **bold**:

...

Maximum Height for Multiple Unit dwellings with more than 4 units: 4 storeys

**Maximum Height for Multiple Unit dwellings with more than 12 units on Site #1 as shown on Schedule A-3: 3 storeys**

Maximum Building Height (all other uses): 46 feet

4. By adding Schedule A-3 attached hereto, immediately after Schedule A-2 and immediately before Schedule B.

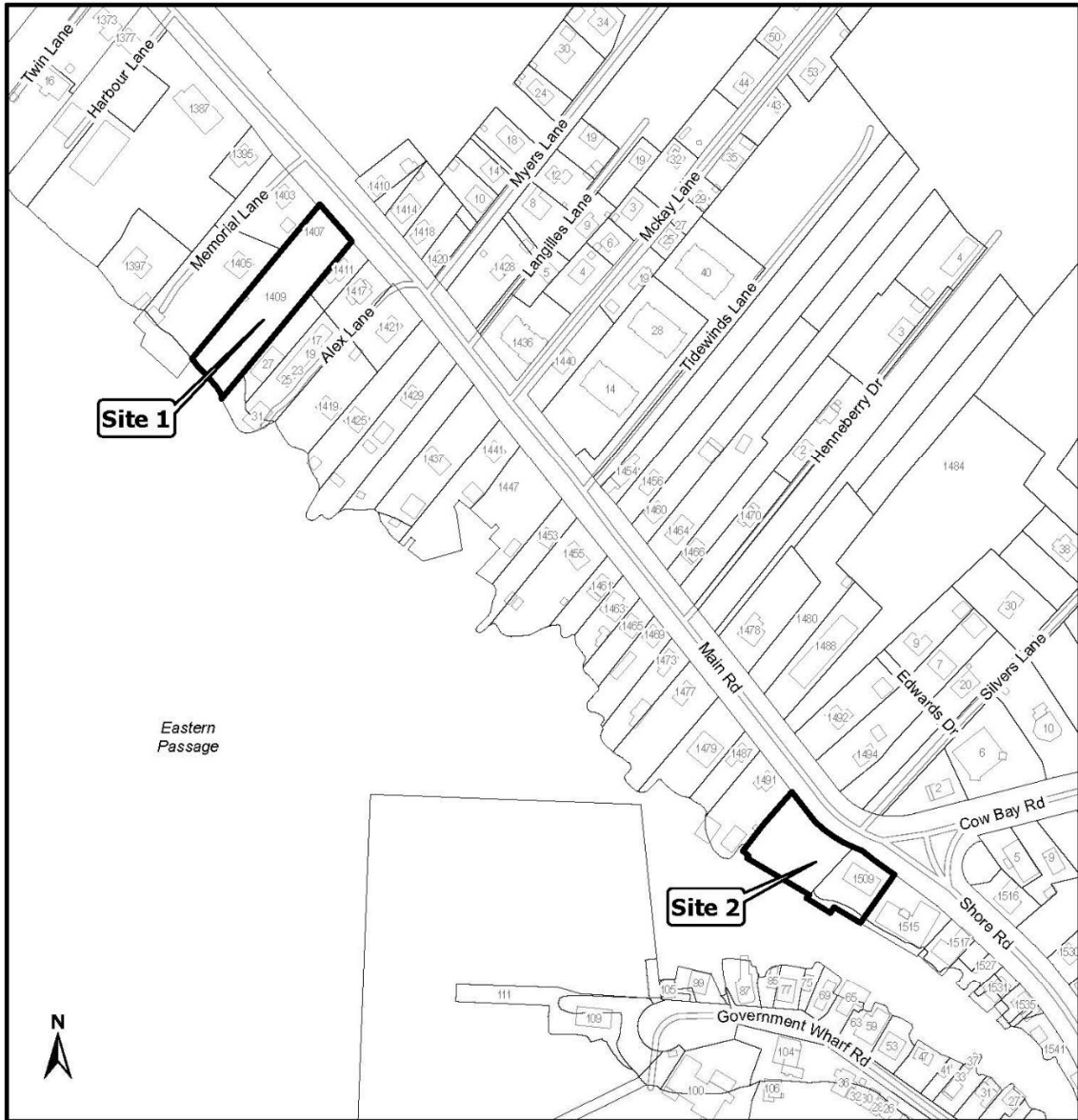
## REVISED

5. Schedule D “Developments Subject to Interim Bonus Zoning Requirements” is amended by adding a new row and adding the text as shown below in **bold**.

Ref. #	Case #	PIDs
SS112	2023-01065 (HAF)	40081176, 00373167, 00373142
<b>1</b>	<b>MINORREV-2025-00728</b>	<b>00374710, 00374728 and 00471698 (as shown on Schedule A-3)</b>

REVISED

Schedule A-3: Special Multiple Unit Dwellings Sites in the C-2 Zone



Schedule A-3 : Special Multiple Unit Dwelling Sites in the C-2 Zone

Main Road  
Eastern Passage

HALIFAX



Special Multiple Unit Dwelling Sites - See Section 14.1 (C-2 Uses Permitted) and Section 14.2 (Lot and Yard Requirements: Commercial and Institutional Uses, Multiple Unit Dwellings, and Shared Housing Uses)



Eastern Passage/Cow Bay Land Use By-Law

The accuracy of any representation on this plan is not guaranteed.

Effective:

MINORREV-2025-00278

T:\work\planning\SER\_Group\Official Plan Maps\LUB\Eastern Passage\_Cow Bay

**REVISED**

I, Iain MacLean, Municipal Clerk for the Halifax Regional Municipality, hereby certify that the above-noted amendment was passed at a meeting of the Halifax Regional Council held on [DATE], 202[#].

---

Iain MacLean  
Municipal Clerk

**REVISED**  
**ATTACHMENT C**

Summary of Applicable LUB Requirements

*This summary is intended as a quick reference to identify requirements that would be applicable to a multiple unit dwelling, should the proposed amendment be approved. See the Eastern Passage/Cow Bay Land Use By-law (LUB) for complete legal regulations.*

Part 4: General Provisions

- **Watercourse Setback and Buffer** (Section 4.18) – These requirements do not apply as the lands are within the Harbour designation of the Regional Municipal Planning Strategy – see subsection 4.18(7).
- **Coastal Areas** (Section 4.18A) – All dwellings must be constructed above a minimum vertical distance from sea level.
- **Parking Requirements** (Section 4.25) – No parking minimum applies to multiple unit dwellings (recently reduced from 0.33 spaces per dwelling unit in response to Provincial Minimum Planning Requirements). Minimum parking requirements do apply if commercial space is included in the building, the rate of which depends on the size and type of commercial use.
- **Bicycle Parking Facilities** (Section 4.27A) – A minimum number of bicycle parking spaces are required to be provided on site.

Part 14: C-2 (General Business) Zone

- **Lot and Yard Requirements** (Section 14.2):
  - Minimum distance to front property line: 20 feet
  - Minimum distance to rear property line: 20 feet
  - Minimum distance to side property lines: 4 feet on one side, 20 feet on the other
  - Maximum lot coverage: 50%
  - Maximum building height: 4 storeys (recently changed from 46 feet in response to provincial Minimum Planning Standards). Height is determined in accordance with the LUB definition of storey.
- **Parking Lots and Driveway Access Requirements for Commercial Uses and Multiple Residential Unit Dwellings** (Section 14.12)- Where parking for more than 4 vehicles is required, parking and access location requirements apply.
- **Building Design/Construction Requirements** (Section 14.13) – New buildings are subject to cladding material, window design, and minimum roof slope requirements.
- **Landscaping Requirements** (Section 13.13) – Front yards, a minimum 4-foot side yard must be landscaped, except where driveway or pedestrian access is required. A minimum number of shrubs and trees must be maintained.
- **Screening** (Section 14.15) – New multiple unit dwellings must provide screening when adjacent to property zoned or used for residential or community uses.

## Attachment D WHAT WE HEARD

### Summary of Feedback for MINORREV 2025-00728

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Public engagement took place from May 2025 to October 27, 2025. The engagement consisted of public notification signs, fact sheet mailed out to properties, in-person open house, and online survey from October 6 to October 27, 2025. Additionally, a webpage created on EngageHalifax provided information regarding the project, status, and survey for feedback. We heard from fourteen people over email, five people over the phone, 251 contributions on the online survey and thirteen people contributed to a hard copy of the survey.

#### What We Heard

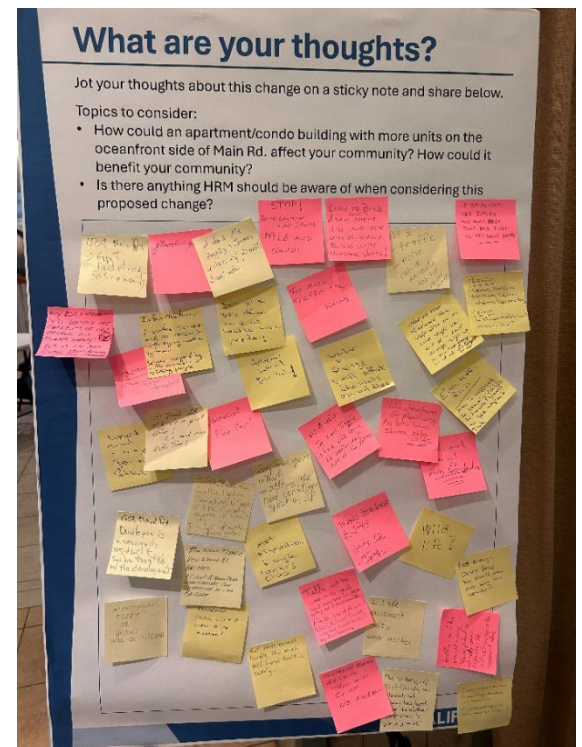
Members of the public were asked their thoughts on the numbers of units proposed by each property owner, including 64-units for Site #1 and 22-units for Site #2. Majority of the feedback heard from people involved in the engagement process were opposed to both sites. Those in support of the sites highlighted the need for housing as the benefit. Those opposed to the site expressed concerns for loss of privacy, ruining the community character, increasing traffic, environmental concerns and infrastructure capacity. The following is a breakdown of the emails and phone calls received during the engagement period.

- 3 phone calls opposed to the sites.
- 2 phone calls asking questions about the process.
- 3 emails in support of both sites.
- 12 emails opposed of both sites.
- 1 email with questions about the sites.
- 1 email in support of Site #2 only.

The open house had a board for the public to leave comments on the sites. The comments left on the board pictured to the right. Majority of the feedback left on the stickie notes were opposed to the sites. There were four supportive comments to Site #2.

#### Survey

Questions asked on the survey form:



1. Which option best describes your relationship to these properties?
2. How supportive are you of allowing a 64 unit building on site #1?
3. How could allowing 64 units on Site #1 affect your community?
4. How could allowing 64 units on Site #1 benefit your community?
5. Any other feedback regarding permitting up to 64 units on Site #1?
6. How supportive are you of allowing a 22 unit building on site #2?
7. How could allowing 22 units on Site #2 affect your community?
8. How could allowing 22 units on Site #2 benefit your community?
9. Any other feedback regarding permitting up to 22 units on Site #2?

All questions besides additional feedback regarding the two sites were mandatory in the online survey.

**Survey Summary**

There were individual questions for the sites in case there were different views on the properties. However, the written responses in the surveys were similar for both sites, with people referencing their previous answer for site #2 so the summary combines the questions for simplicity.

*Which option best describes your relationship to these properties?*

The responses were generally from people that live, work or own property near the general area of the sites. Chart 1 has a breakdown of all the survey responses.

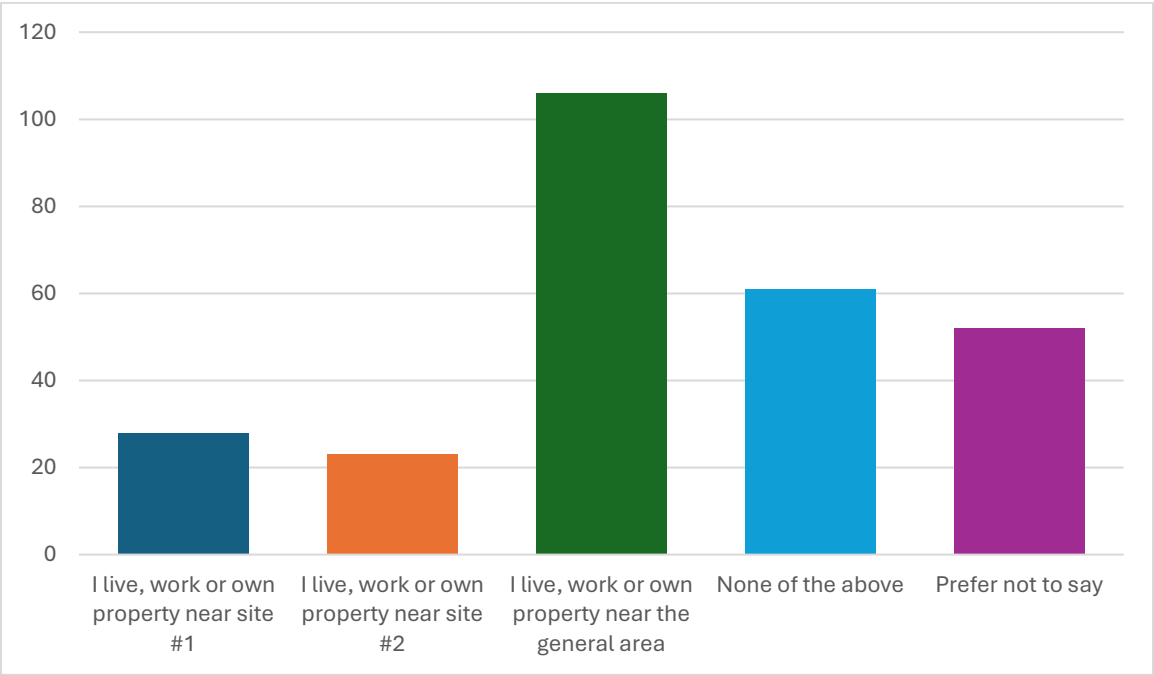


Chart 1 – Responses to Question One on relationship to the building

*How supportive are you of allowing 64 unit building on Site #1 and 22 unit building on Site #2?*

The responses to question two and question six were similar on how supportive people were of the allowing 64-unit building and 22-unit building on the sites. Majority of the respondents were strongly opposed to both developments. Site #1 had 86% of respondents strongly opposed or opposed and 9% of respondents support or strongly support the development. Site #2 had 82% of respondents were strongly opposed or opposed and 8% support or strongly support the development. Chart 2 provides a breakdown of all survey responses.

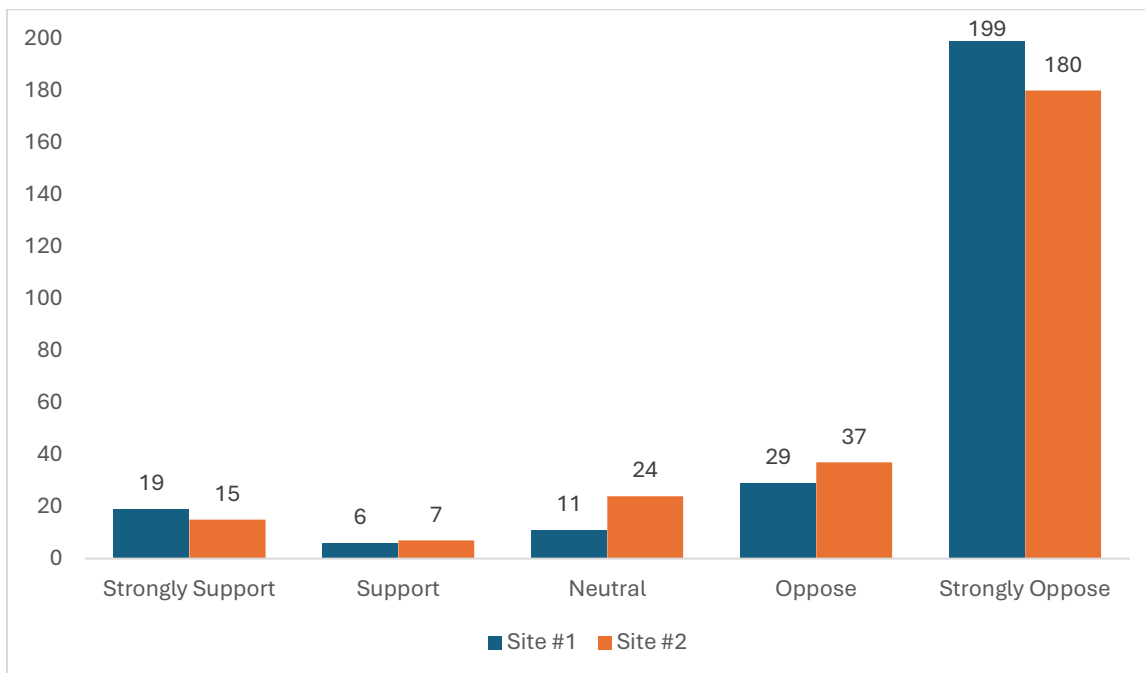


Chart 2 – Responses to Question Two and Six on how supportive they are of allowing the buildings.

*How could allowing 64 units on Site #1 and 22 units on Site #2 affect your community?*

The responses to questions on how the site will affect your community were similar for both sites, with majority of the respondents having a negative response on the effect the buildings will have on the community. Chart 3 details the responses view towards both sites.

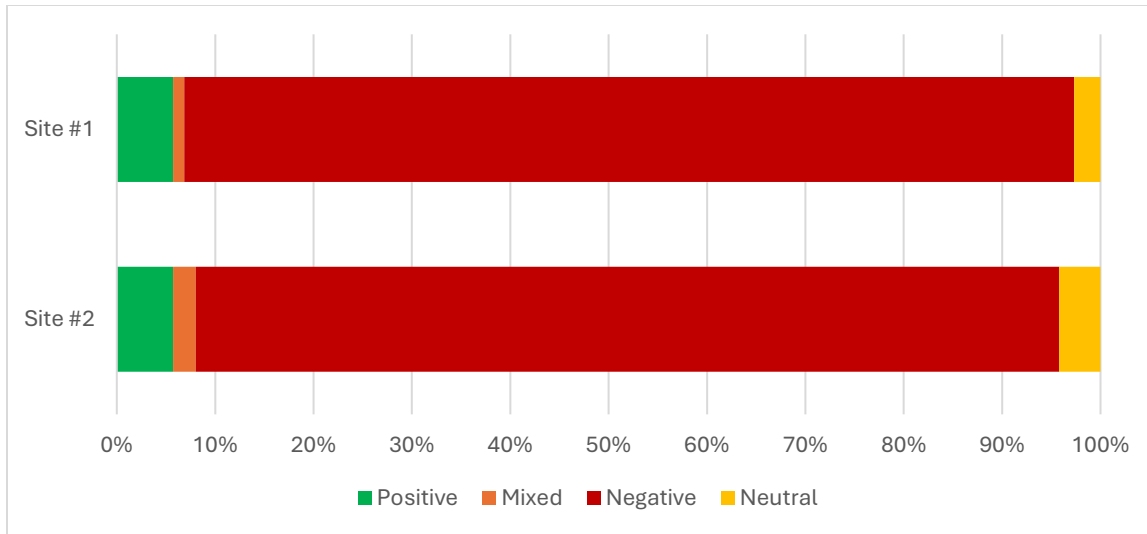


Chart 3 – Responses to Question Three and Seven on the affect the buildings will have on the community.

The responses to question three highlighted traffic, community character, infrastructure and environment as the main effect the 64-unit building will have on the community. Image 1 provides a word cloud of the common themes from the responses to question three.

A quote from one of the respondents about Site #1: “It’s a massive building being built in a single family home neighbourhood, and the construction for the next few years will cause lots of traffic considering it’s only a one lane road access. It also sets a bad precedent that buildings with more than 12 units can be built next to the ocean.”



Image 1 – Common themes from responses to question three on Site #1 affect on their community

Similar to Site #1, the responses to question three highlighted traffic, community character, infrastructure and environment as the main effect the 22-unit building will have on the community. Image 2 provides a word cloud of the common themes from the responses to question seven.

A quote from one of the respondents about Site #2: “More traffic congestion on an already busy intersection, more units on an already delicate waterfront area. Construction nightmares on a very very busy thoroughfare. This is the main way out of town. It just feels, again, like this nice, small area with views and sea air and freedom is being turned into yet another suburb.”



Image 2 – Common themes from responses to question seven on Site #2 affect on their community

*How could allowing 64 units on Site #1 and 22 units on Site #2 benefit your community?*

The responses to questions on how the site will benefit your community were similar for both sites, with majority of the respondents having a negative response on the benefit the buildings will have on the community. There were a lot of responses that said N/A or no benefit as a response to both sites. The positive feedback to both sites’ respondents highlighted increased housing and more business and opportunities for shops and services as the benefits to the community. Chart 4 details the responses view towards both sites.

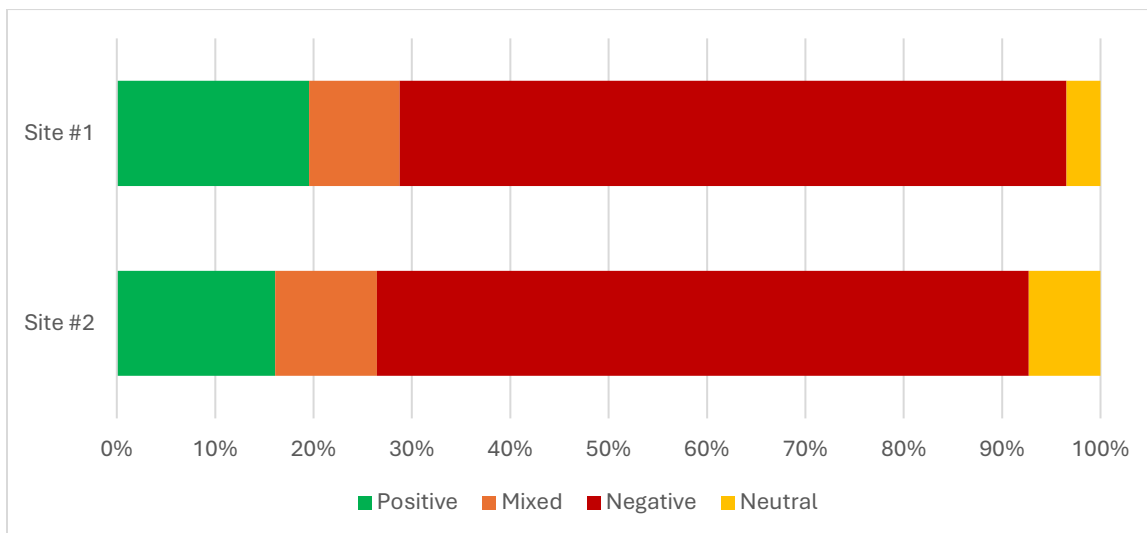


Chart 4 – Response to Question Four and Eight on the benefits the buildings will have on the community.

A quote from one of the respondents about Site #1: “Would benefit more opportunity for business and allow people to look and live in this community.”

A quote from one of the respondents about Site #2: “This would benefit our community by allowing us to be a more diverse place to live. It would bring more revenue into our community as these new residents are more apt to acquire their essentials here in our community. Change is a necessary step for there to be progress in development.”

*Do you have any other feedback regarding permitting up to 64 units on Site #1 and 22 units on Site #2?*

The optional question for respondents to submit additional feedback regarding both sites were similar. Majority of the respondents having additional negative feedback on the sites. Chart 5 details the responses view towards both sites.

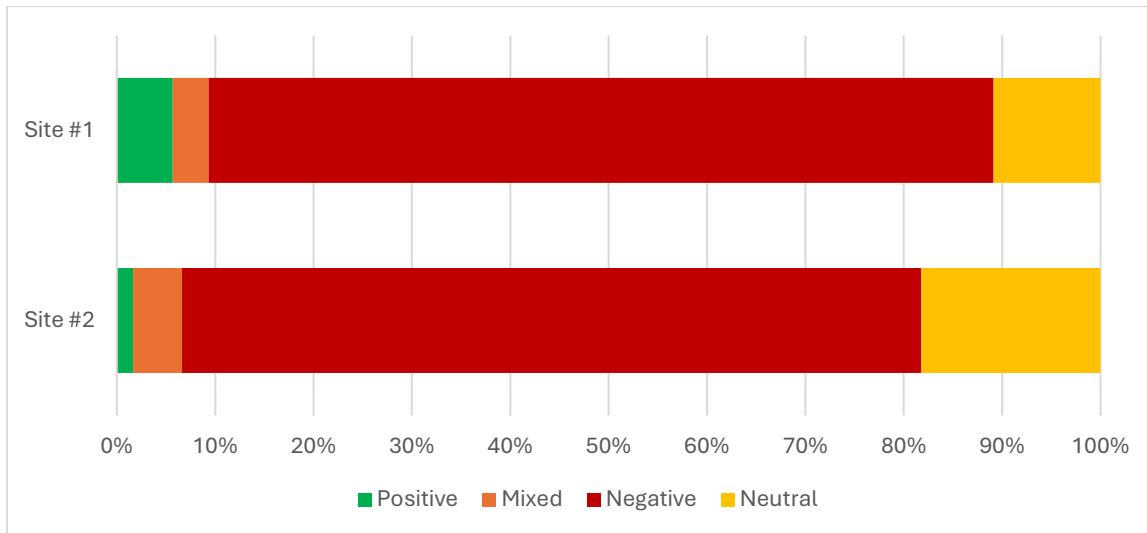


Chart 5 – Response to Question Five and Nine on the additional feedback on the buildings

The additional feedback highlighted further on the negative impact the 64-unit building will have on the community character and the environment. Image 3 provides a word cloud of the common themes from the responses to question three.

A quote from one of the respondents about Site #1: “That is insane considering it is a single family home neighborhood on a beach area with otters living there.”



Image 3 – Common themes from responses to question five on Site #1 additional feedback

Similar to Site #1, additional feedback highlighted further on the negative impact the 22-unit building will have on the community character and the environment. Image 4 provides a word cloud of the common themes from the responses to question three.

A quote from one of the respondents about Site #1: “I would like the design of the site to blend in with the surroundings. This is a scenic and touristy area and I don’t want a new building to stick out like a sore thumb. However I fully support having a building here as opposed to a parking lot.”



Image 4 – Common themes from responses to question nine on Site #2 additional feedback

Attachment A: Feedback from public throughout the engagement process

Source	Summary of Comments	Date
Phone	<ul style="list-style-type: none"> <li>- Requesting more information on 1407 Main Road. [REDACTED], concerned by number of units.</li> <li>- Concerned with notice (advised a neighbour, did not receive any) and being asked to provide notice to tenants.</li> <li>- impacts on water treatment, past flooding.</li> <li>- understand need for growth but believe there are better opportunities where infrastructure can be provided.</li> <li>- traffic, getting out of driveway takes 10min+, left turn only usually.</li> <li>- 12 units were not financially viable.</li> </ul> <p>(also emailed)</p> <p>Left voicemail 10/17/2025 confirming comments were received and wondering if there was anything else they was hoping to discuss.</p>	8/15/2025
Phone	<ul style="list-style-type: none"> <li>- Lives [REDACTED] – does not support on the harbour side on Main to Shore, recks the image of the place</li> </ul>	8/14/2025
Phone	<ul style="list-style-type: none"> <li>- A few questions</li> <li>- Interested in the process. More interested in options for a property nearby they are looking to develop.</li> </ul>	8/14/2025
Phone	<ul style="list-style-type: none"> <li>- Responded to request to call to discuss – left voicemail</li> </ul>	10/17/2025