



WEST HANTS REGIONAL MUNICIPALITY REPORT

Information <input type="checkbox"/>	Recommendation <input checked="" type="checkbox"/>	Decision Request <input type="checkbox"/>	Councillor Activity <input type="checkbox"/>
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To: Members of Planning and Heritage Advisory Committee (PAC/HAC)

Submitted by: _____
Will Hong, Planner

Date: 2025-01-09

Subject: WHMPS and WHLUB Amendments: Housing Accelerator Fund Initiatives #1-3;
File #23-21

LEGISLATIVE AUTHORITY

Section 230 of the Municipal Government Act

RECOMMENDATION

To allow the request, staff recommends that the PAC/HAC forward a positive recommendation by passing the following motion:

...that PAC/HAC recommends that Council give First Reading and hold a Public Hearing to consider amending the text and the maps of the West Hants Municipal Planning Strategy and West Hants Land Use By-law to accommodate a wider range of “missing middle” housing forms, create affordable housing policy, and relax parking requirements in a manner substantively the same as the draft set out in Attachment A and B of the Planning and Heritage Advisory Committee report #23-21 dated January 9, 2025.

...that PAC/HAC recommends that Council give First Reading and hold Public Hearing to consider amending the map of the West Hants Land Use By-law to reflect the proposed zoning changes in a manner substantively the same as the draft set out in Figure 1 of the Planning Advisory Committee report #23-21 dated January 9, 2025.

BACKGROUND

Property <input checked="" type="checkbox"/>	Public Opinion <input type="checkbox"/>	Environment <input type="checkbox"/>	Social <input type="checkbox"/>	Economic <input type="checkbox"/>	Councillor Activity <input type="checkbox"/>
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Housing Accelerator Fund

In March 2023, the Canadian Mortgage and Housing Corporation (CMHC) announced the launch of the Housing Accelerator Fund (HAF); a \$4 billion fund to support local governments across Canada to accelerate the development of a diverse range of quality housing, identify critical solutions to increase housing supply, and promote the development of affordable, inclusive, and diverse communities at the local level.

To participate, municipalities were required to develop a Housing Action Plan as part of the application. This Housing Action Plan identified attainable actions Council could take between 2024-2027 to support the development of new housing units by making policy changes that will enable or incentivize new home construction. West Hants Regional Municipality applied to the HAF funding stream and submitted a Housing Action Plan on August 16, 2023.

In January 2024, the Municipality secured funding to participate in the HAF program. On January 30, 2024, Council approved the Housing Action Plan as submitted to CMHC and directed staff to begin implementation. The Municipality signed a contribution agreement with the CMHC and was approved for \$1.08 million for the 3-year HAF term. The Municipality received the first disbursement in February 2024.

The approved Housing Action Plan outlines seven initiatives that the Municipality committed to undertake. Since May 2024, staff have been prioritizing the first three initiatives, which have earlier completion deadlines. The three initiatives include:

1. Allowing greater density as-of-right in serviced areas of the Municipality;
2. Creating affordable housing policy requirements; and
3. Reducing parking requirements for new residential developments.

In July 2024, staff provided an information report to update Council on these three initiatives and the public engagement plan. Staff initiated public engagement with an online survey which collected 320 responses between August 21 and September 30, 2024. Additionally, staff hosted two public open house sessions on September 11 and 19, 2024, to provide other opportunities for the public to give feedback and engage with staff. All the responses received through the

survey and open house sessions have been consolidated and compiled into a What We Heard Report. Staff presented the What We Heard Report to the PAC/HAC on November 14, 2024 to update and discuss the public engagement process and feedback.

The Municipality is required to submit the first annual report by March 2025 to CMHC on the progress of its commitments to implementing the Housing Action Plan and the reminder of HAF disbursement is contingent on whether these commitments are being met.

Housing Challenges in the Municipality

Like many rural municipalities in Nova Scotia, residents of West Hants Regional Municipality are experiencing housing affordability challenges, where it is becoming increasingly difficult for residents to find suitable housing that is affordable and that meets both their lifestyle and financial needs. The recent Municipal housing survey found that more than 41.2% of residents currently live outside of the definition of affordable housing (i.e., need to spend more than 30% of their before-tax income on shelter costs). Furthermore, renters (76% of respondents) in the Municipality are much more likely to experience housing affordability challenges compared to established homeowners (33% of respondents), indicating housing inequality among tenures.

The 2023 Provincial Housing Needs Assessment reveals that the median sale price of single unit dwellings in West Hants Regional Municipality nearly doubled, rising from \$163,000 in 2016 to \$325,000 in 2022. *Table 1* summarizes the percentage share of households, separated by household types, that could afford a home based on their respective income levels versus the median sale prices from 2022. The affordability threshold is the same used by Statistics Canada— 30% of before-tax household income spent on shelter costs.

To afford a home at a median sale price of \$325,000, a household would require an annual income of \$110,000. However, the majority of households in West Hants Regional Municipality earn less than this amount, making it difficult to afford housing or enter homeownership. The latest Census Division data indicates that only about 40% of couple households, 12% of lone-parent households, and 4% of single-person households in the Municipality can afford at this median sale price of \$325,000, highlighting significant challenges in housing affordability for most of households in the Municipality.

To improve housing affordability and respond to increasingly complex housing challenges among residents, the Municipality was selected to participate in HAF and collaborate with other levels of government to be proactive in reducing systemic barriers for housing development, incentivize affordable housing units and encourage missing middle housing developments. Staff recommend a list of proposed amendments to the planning documents to address the key initiatives under both the Housing Action Plan and HAF agreement.

Affordability by Income-level	2022 median sale price:			\$325,000	\$277,500
	% of HHs below income level			Single Detached Dwelling	Semi Detached
	Income level	Couples	Lone parents		
\$50,000	15%	36%	68%	no	no
\$55,000	18%	44%	73%	no	no
\$60,000	20%	51%	78%	no	no
\$65,000	24%	56%	82%	no	no
\$70,000	28%	61%	84%	no	no
\$75,000	32%	66%	87%	no	no
\$80,000	36%	70%	89%	no	no
\$85,000	40%	74%	91%	no	no
\$90,000	44%	79%	92%	no	no
\$95,000	48%	82%	93%	no	yes
\$100,000	53%	84%	94%	no	yes
\$105,000	56%	87%	95%	no	yes
\$110,000	60%	88%	96%	yes	yes

Table 1, Source: 2023 West Hants Regional Municipality Housing Needs Assessment

DISCUSSION

This report presents amendments to the West Hants Municipal Planning Strategy (WHMPS) and West Hants Land Use By-law (WHLUB) in order to meet the goals of Initiative #1-3 in the Housing Action Plan and the commitments made as part of the funding agreement of the Housing Accelerator Fund (HAF). The agreement requires the Municipality to deliver on Initiative #1-3 by meeting the following objectives by March 2025:

- Increase the as-of-right number of permitted dwelling units within fully serviced areas instead of through a rezoning or development agreement process prior to full Plan Review being completed.
- Update the minimum zone requirements to permit development on smaller lots with smaller required setbacks prior to the full Plan Review being completed.
- Create affordable housing policies in the planning documents prior to the full Plan Review being completed.
- Revise minimum parking requirements in serviced areas prior to the full Plan Review being completed.

Section 219 (1) of the Municipal Government Act states that where a council adopts a municipal planning strategy amendment that contains policies about regulating land use and development, the council shall, at the same time, adopt a land-use by-law amendment that shall enable the policies to be carried out. This allows both the amendment to the text and the maps of the Municipal Planning Strategy and the Land Use By-law to happen concurrently.

The following section summarizes key changes and associated objective of the amendments, with full text amendments provided in the accompanying appendixes.

Summary of Key Changes to Planning Documents

- Delineating a revised hierarchy of residential zones to guide the development of inclusive, resilient, and diverse communities.
- Ensuring a diverse range of housing options to support people at all life stages and meet the needs of households of various sizes and incomes.
- Permitting “missing middle” housing on a residential lot serviced with both Municipal water and sewer to promote gentle density and ensure the most efficient use of existing services and protects current and future investments in infrastructure while reducing urban sprawl.
- Updating development standards to accommodate future “missing middle” housing and promote infill development to better align with statement of Provincial Interest on housing.
- Introducing the requirement of lot coverage to residential lots to better manage stormwater runoff.
- Introducing policies and provisions to encourage affordable housing units within a development to improve equity and inclusion in the Municipality.
- Introducing policies to allow Council to identify suitable Municipal-owned surplus properties for the purpose of affordable housing development.
- Relaxing residential parking requirements in Growth Centres to allow developers to provide parking based on market demand and build what is needed.

Provincial Support for Housing

All municipalities in Nova Scotia are required to have specific policies for housing as there is a *Statement of Provincial Interest* regarding housing. The Provincial goal is to provide housing opportunities to meet the needs of all Nova Scotians. Furthermore, the Province requires the Municipality to consider permitting higher densities, smaller lot sizes and reduced yard requirements that encourage a range of housing types. Amendments in this report reflect this Provincial intention and further align the planning documents with the *Statement of Provincial Interest* on housing.

Amendments in relation to Initiative#1- Allowing greater density as-of-right

1. Adding Missing Middle Housing Options to Serviced Areas

Based on staff research, technical analysis, and public engagement feedback, the amendments to the WHMPS and WHLUB include adding missing middle housing options as a permitted use (applicant can proceed as-of-right provided meeting all zoning standards) to residential zones. Proposed amendments to the Windsor and Hantsport Municipal Planning Strategies and Land Use By-laws are similar in nature and as a whole will allow greater density as-of-right within the Municipality's serviced areas (Windsor, Hantsport, Falmouth and Three Mile Plains). To reflect these changes, staff propose to rezone the current Single Unit Residential (R-1) and Two Unit Residential (R-2) zones in the WHLUB to Low Density Residential (R-1) and Medium Density Residential (R-2), which will allow up to four and six dwelling units on a lot, respectively. Additionally, the current Multiple Residential (R-3) will be rezoned to High Density Residential (R-3), allowing up to 12 dwelling units. This revised hierarchy of residential zones standard in West Hants align with planning documents from Hantsport and Windsor, ensuring consistency across the Municipality.

2. Maintaining One Main Building on a Lot and Building Typologies

The amendments propose to allow up to four dwelling units in the R-1 zone. Currently, a maximum of two dwelling units per lot can be considered in the R-1 zone (one main dwelling unit and one secondary suite). Should the amendment be adopted, applicants can build up to four dwelling units on a fully serviced lot in a proposed Low Density Residential (R-1) zone. Section 5.27 of the WHLUB, which limits each lot to a single main building and specifies how a building with up to four dwelling units can be configured on a single lot, remains compliant. For example, the combination of four standalone single-unit dwellings on a single lot and two standalone semi-detached or duplex dwellings on a single lot will not be permitted.

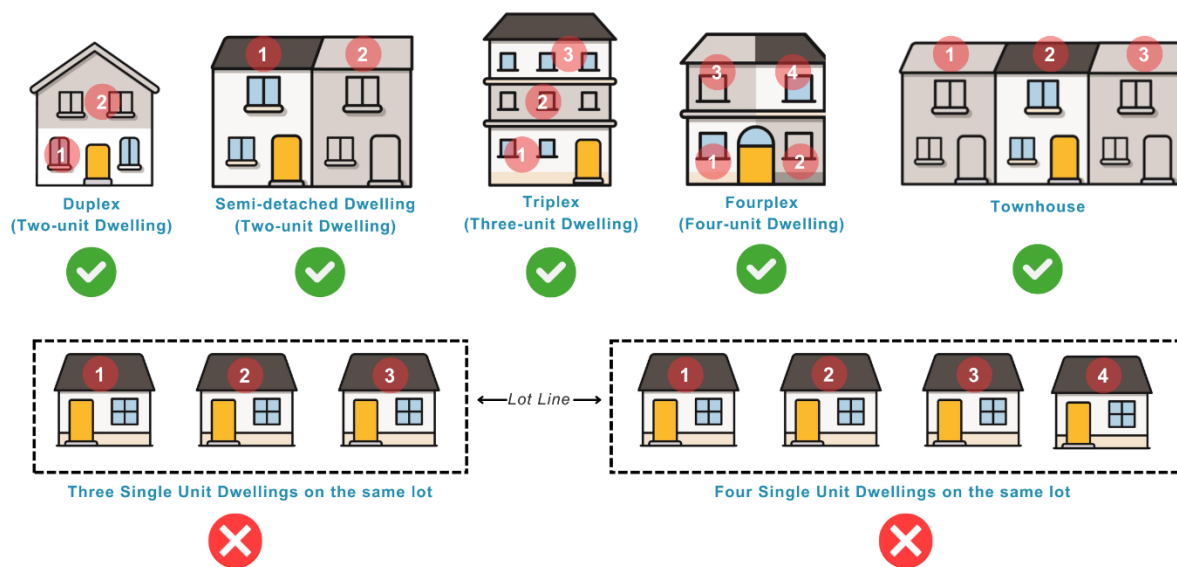


Figure 1

Source: City of St. John's

To be eligible to build up to four dwelling units, the development will be limited to one main building with four units or less (e.g., a fourplex, a triplex, a semi-detached/duplex) or four townhouse units with each unit situated on a sperate lot, as illustrated in Figure 1. In addition, residential lots that are outside of serviced areas can only build single or two-unit dwellings. Each dwelling unit in a single or two-unit dwelling may also include one secondary suite, either attached or detached.

3. Updating development standards and Introducing Lot Coverage Requirements

Residential zones in the Municipality currently have varying regulations for setbacks and lot area. The proposed amendments aim to establish consistent development standards across all three planning documents, which include revised minimum lot sizes and setbacks. To maintain neighborhood compatibility and promote seamless integration in the existing neighborhoods, the proposed amendments will not change the maximum building height in these areas.

Lot coverage is one of the land-use metrics by which the intensity of development on a parcel is regulated. Lot coverage is expressed as a percentage, calculated by dividing the footprint of all buildings on a lot by the size of the lot and multiplying by 100. The current WHLUB doesn't have regulation of lot coverage.

The proposed amendments will require a maximum of 50 percent lot coverage for future residential development in proposed Low Density Residential (R-1) and Medium Density Residential (R-2), and a maximum of 40 percent lot coverage for future residential development in High Density Residential (R-3). The purpose behind regulating lot coverage is to limit the size of buildings, in conjunction with setbacks and other standards, to ensure a consistent and compatible pattern of development with existing neighborhoods and protect the pervious surfaces that support groundwater recharge and effective stormwater management. The lot coverage requirement will apply only to properties zoned R-1, R-2, or R-3 under the WHLUB.

4. Mini and Mobile homes in Three Mile Plains Growth Centre and Brooklyn

The current WHLUB allows mini homes in the Two Unit Residential (R-2) zone and permits mobile homes within the Three Mile Plains Growth Centre in the same zone. Since most residential properties in Three Mile Plains and Brooklyn consist of single or two-unit dwellings, the proposed maps amendment to the WHLUB aims to rezone the existing Two Unit Residential (R-2) zones in these areas to Low Density Residential (R-1). To ensure future new mini homes or mobile homes remain permitted in Three Mile Plains and Brooklyn, staff recommend adding manufactured homes, which include both mini homes and mobile homes, as a permitted use within the Low Density Residential (R-1) zone in the WHLUB.

Amendments in relation to Initiative#2 - Creating affordable housing policy requirements

1. Adding Definition of Affordable Housing Unit

To better guide future development and support the provision of affordable housing units while ensuring their affordability over time, the WHLUB will be amended to add a definition for Affordable Housing Units. The proposed definition is consistent with those defined by the Canada Mortgage and Housing Corporation (CMHC) or the Province of Nova Scotia and requires such units be constructed as part of provincial or federal affordable housing cost-sharing or funding programs. This requirement ensures that proposed developments qualify for funding from the Nova Scotia Department of Municipal Affairs or federal agency (e.g., CMHC), with annual reporting requirements to the respective funding agencies to confirm occupancy and rental rates for affordable rental units to ensure compliance requirements and affordability over the agreement period.

2. Adding Bonus Zoning

Section 220 (5) (k) of the MGA allows municipalities to establish bonus zoning provision in the Land Use By-law. The current WHLUB doesn't include any incentive provisions for affordable housing. Windsor is the only area in the Municipality that has a similar bonus zoning provision for affordable housing. To encourage the provision of affordable housing units across a broader area within the Municipality, the amendments to WHMPS and WHLUB add the option of bonus zoning for Medium Density Residential (R-2) and High Density Residential (R-3). This bonus zoning incentive only applies when the units meet the definition of affordable housing unit in the Land Use By-law. Although the proposed amendments on affordable housing incentive policies may be limited at this time, further options or programs can be explored during the full Plan Review based on feedback received from the public and developers.

3. Surplus Municipal-owned Properties

Section 51 (1) of the MGA allows municipalities to sell or lease property at a price less than market value for any purpose that the council considers to be beneficial to the municipality. To leverage this municipal tool in addressing affordable housing needs, the amendments to WHMPS create policies to allow Council to identify Municipal-owned surplus properties for the purpose of affordable housing development and sell such properties below market value if Council determines that it is in the best interest of the Municipality to do so. Staff recognize that proposed policies represent an initial step toward promoting affordable housing, further studies and discussions with Council are required to establish the specific criteria and conditions for property identification and disposal.

Amendments in relation to Initiative#3

1. Relaxing Parking Regulations

The current WHLUB requires 1.5 parking spaces per dwelling unit for any dwelling with three (3) or more units. In the past, many residential developments have already used a relaxing parking ration of one (1) parking space per unit through the development agreement process. To better

accommodate future development of “missing middle” housing and promote a consistent parking requirement standard, staff originally proposed to reduce parking requirements to one (1) parking space per dwelling unit for all dwelling types. However, the recent housing survey showed that almost half (49%) of the residents opposed this blanket approach to reducing parking requirements across the Municipality. Additionally, feedback from the Municipal Traffic Authority indicated that lowering parking requirements could create operational challenges for street maintenance during weather events. As a result, staff now propose to reduce parking requirements only in the Growth Centres of the Municipality, with a ratio of one (1) parking space per dwelling unit for residential developments. Under the existing WHMPS, Three Mile Plains and Falmouth are designated as Growth Centres. It is important to note that this relaxed standard does not prevent applicants from providing additional parking spaces if desired. In addition, parking requirements for other uses (e.g., commercial or industrial) will remain the same.

Public Engagement

Overview

The public engagement plan was designed to gather both qualitative and quantitative feedback through various tools. Staff initiated public engagement with an online survey which collected 320 responses between August 21 and September 30, 2024. Additionally, staff hosted two public open house sessions on September 11 and 19, 2024 in two different communities to provide other opportunities for the public to give feedback on these three initiatives, with staff available to answer any questions from attendees. These sessions were attended by 20 members of the public. In total, staff received 376 unique comments and written feedback over 41-days engagement period. *Table 2* summarizes the engagement results, the feedback through engagement process was beneficial for staff to help understand the community’s perspective on future housing policy directions.

Channels/Event	# of Touchpoints
Social Media (17 Facebook Posts)	1,200 people per post
HAF Project Webpage	127 visitors
Open House Sessions	20 Attendees
Online Survey	320 Responses
Unique Comments	376 comments

Table 2, Engagement Summary over 41-days engagement period

Feedback received on Initiative #1

Engagement results indicated a strong support from the public for “missing middle” housing development and gentle density in the Municipality, where 77% of surveyed residents agree that the Municipality should have a variety of housing options to meet the needs of diverse demographics. Additionally, 63% support greater housing density in areas within serviced areas of the Municipality. 62% agree with allowing residential property owners more flexibility, and 79% of surveyed residents support regulation of lot coverage requirements.

Residents who supported this initiative highlighted its potential to retain young families and professionals in the Municipality, promote equity for vulnerable groups (e.g., single parents and individuals with support needs), enable multi-generational living, and increase housing options through "missing middle" development. However, some residents expressed concerns about the impact of increased density on infrastructure and its compatibility with the character of existing neighborhoods.

Feedback received on Initiative #2 and #3

Engagement results showed overall support for Initiative #2 for creating affordable housing policies, with 55% of surveyed residents agreeing that Municipality should incentivize large development to provide affordable housing units within proposal. Residents expressed low support for Initiative #3 to reduce parking requirements, with only 27% of residents in favor of this approach.

Residents who supported Initiative #2 emphasized that affordable housing would enable seniors to age in place and foster a more inclusive community. Supporters of Initiative #3 highlighted its potential to promote a more walkable community. However, concerns were raised about both initiatives, with residents questioning for mechanisms to ensure affordable housing remains affordable long-term, noting that most families in the Municipality require two cars for work and the lack of public transit as a challenge to reducing parking requirements.

West Hants Municipal Planning Strategy

Section 4.1, Housing, of the WHMPS outlines the intention for Council to encourage the provision of housing that includes all residents in West Hants and provide flexible residential development standards. The background for this section states the following (underlining emphasis added by staff).

“Council acknowledges it is important to encourage the provision of housing that includes all residents in West Hants regardless of socio-economic status, age or physical or mental disability. Demographic changes, such as an aging population, smaller household size and a growing number of single-parent families mean that a community needs to enable diverse housing types to satisfy the housing needs of its population.

Housing must be available for seniors and individuals in the community with special needs. Housing choices and the affordability of those choices can be increased by providing flexible development standards allowing for smaller lots and setbacks, narrower streets, clustered developments and opportunities for multiple-unit development in appropriate locations. Secondary suites can provide a solution for those wishing to keep elderly or dependent family members nearby and can increase affordable housing options for the greater community. By regulating the size and appearance of these suites, Council can ensure they have minimal effect on the overall built form and are compatible with the neighbourhood.”

Policy 4.11.1 would allow Council to encourage the provision of housing adequate to meet the needs of all residents in West Hants.

Policy 4.11.2 would allow Council to provide for the development of a range of housing types in West Hants.

Policy 4.11.3 would allow Council to include flexible development standards which encourage innovative housing development in the Municipal Planning Strategy and Land Use By-law.

Policy 16.1.1 of the WHMPS states that *“It shall be the policy of Council to review and make amendments to this Strategy: ...(c) when Council deems it necessary because of a change in policy intentions or the development environment.”* With a growing number of residents in the Municipality facing challenges in finding suitable, affordable housing that meets their lifestyle and financial needs, these proposed amendments to WHMPS represent a significant response to the current development environment. The amendments aim to address housing needs and improve housing affordability in the Municipality and would be consistent with Policy 16.1.1 (c), which guides Council in considering amendments to the WHMPS.

WHMPS General Criteria

Staff have reviewed the general criteria for amendments set out in Policy 16.3.1 in considering amendments to the West Hants Land Use by-law. In summary the criteria are met since:

- the Public Works Engineering division have no concerns with regard to the adequacy of sewer and water services;
- the Manager of Building and Fire Inspection Services have no concerns with regard to the adequacy of fire protection;
- the Municipal Traffic Authority have no concerns with regard to the adequacy of road network which the proposed amendments may create within serviced areas.

- no municipal costs related to these amendments, as all associated costs are funded under Housing Accelerator Fund (HAF) provided by the Canadian Mortgage and Housing Corporation (CMHC).

MUNICIPAL CLIMATE CHANGE ACTION PLAN

As these amendments are not related to a specific property, the Municipal Climate Change Action Plan (MCCAP) for West Hants was not reviewed in detail in relation to these amendments. It is the responsibility of a property owner to ensure their site is suitable for any proposed uses.

NEXT STEPS

As noted above, the proposed amendments have been considered within the context of the general policies of the WHMPS and are consistent with the intent, objectives, policies and criteria of the WHMPS. As a result, it is reasonable to amend the text and the maps of the WHMPS and the WHLUB to expand housing options in the serviced areas of the Municipality and create affordable housing policy and relax parking requirements to meet the commitments made as part of funding agreement of the Housing Accelerator Fund (HAF).





Notice of Approval in Local Paper

*anticipated dates; final dates set by Council

FINANCIAL IMPLICATIONS

The Municipality will receive its funding from CMHC under the contribution agreement in four equal installments. The first installment was paid upon signing the agreement in February 2024, while the release of the next two annual installments in 2025 and 2026 will depend on the Municipality's progress in achieving the milestones outlined in the Housing Action Plan. The final installment in 2027 will be contingent on the Municipality's performance in meeting housing supply targets in accordance with the contribution agreement. Any delays or scope changes in implementing these initiatives may have financial implications for the Municipality.

ALTERNATIVES

In response to this application, the PAC/HAC may recommend that Council:

- hold First Reading and authorize a Public Hearing to approve the WHMPS and WHLUB text amendments as drafted or as specifically revised by direction of PAC/HAC;
- provide alternative directions such as requesting further information on a specific topic.

ATTACHMENTS

Figure 1	Proposed WH LUB Schedule A Zoning
Figure 2	Proposed WH LUB Schedule A-GC-1 Falmouth
Figure 3	Proposed WH LUB Schedule A-GC-2 Three Mile Plains
Figure 4	Proposed WH LUB Schedule V-1 Brooklyn
Attachment A	Draft WHMPS
Attachment B	Draft WHLUB
Attachment C	General Criteria for Amendments

Report Prepared by: _____

Will Hong, Planner

Report Reviewed by: _____

Kari Fougere, Acting Director of Planning and Development

Figure 1
Proposed WH LUB Schedule A Zoning

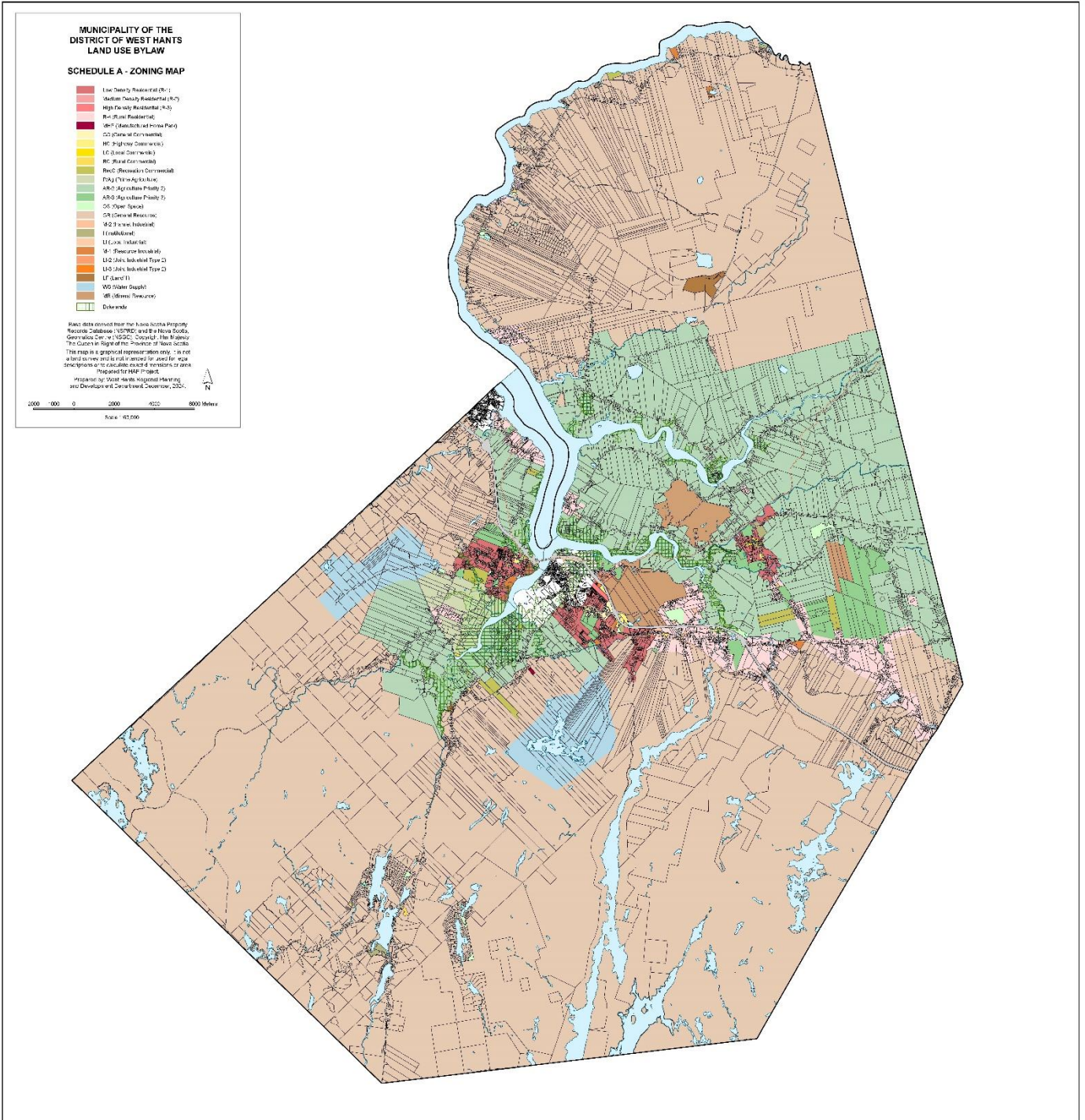


Figure 2
Proposed WH LUB Schedule A-GC-1 Falmouth

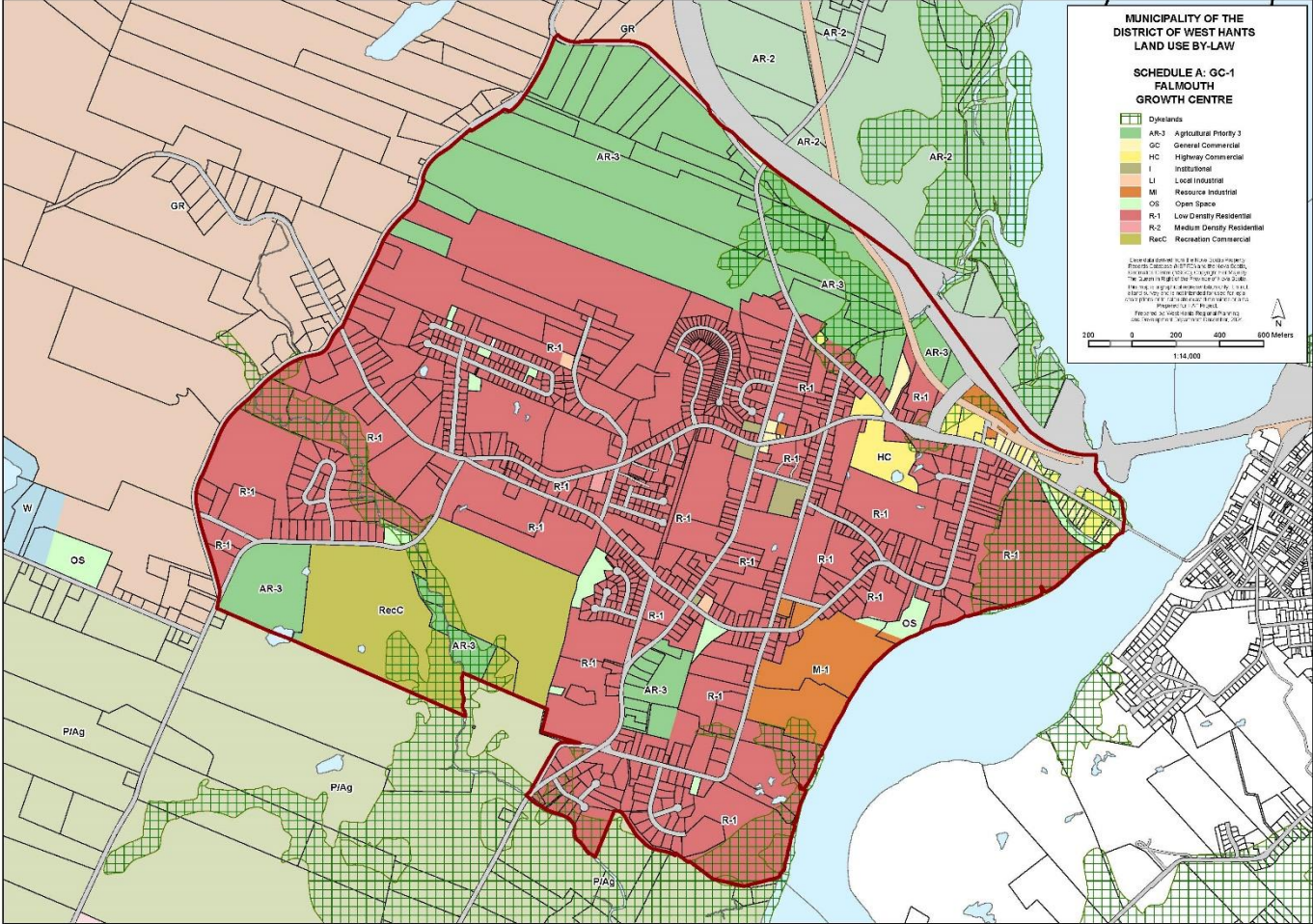


Figure 3
Proposed WH LUB Schedule A-GC-2 Three Mile Plains

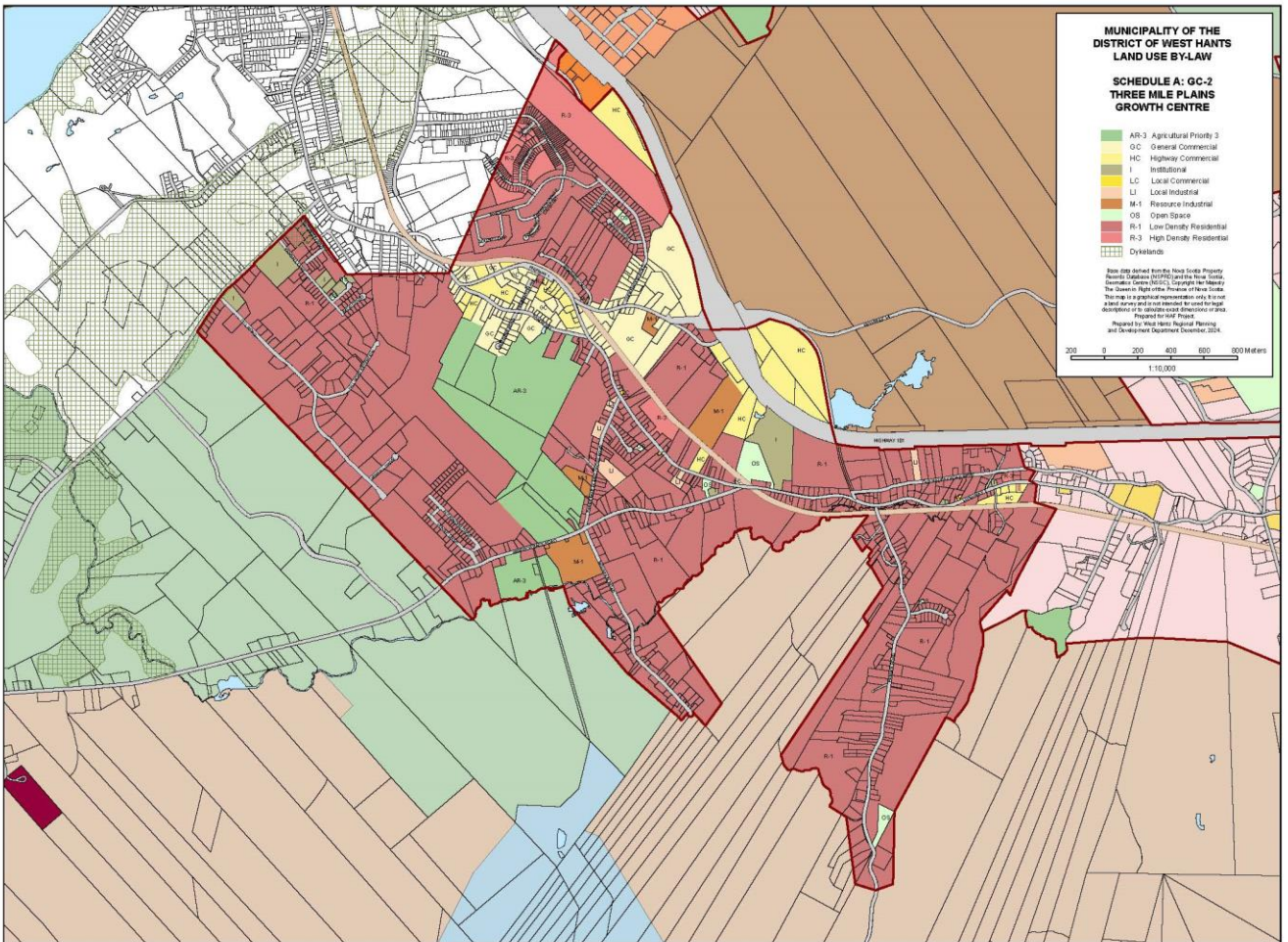
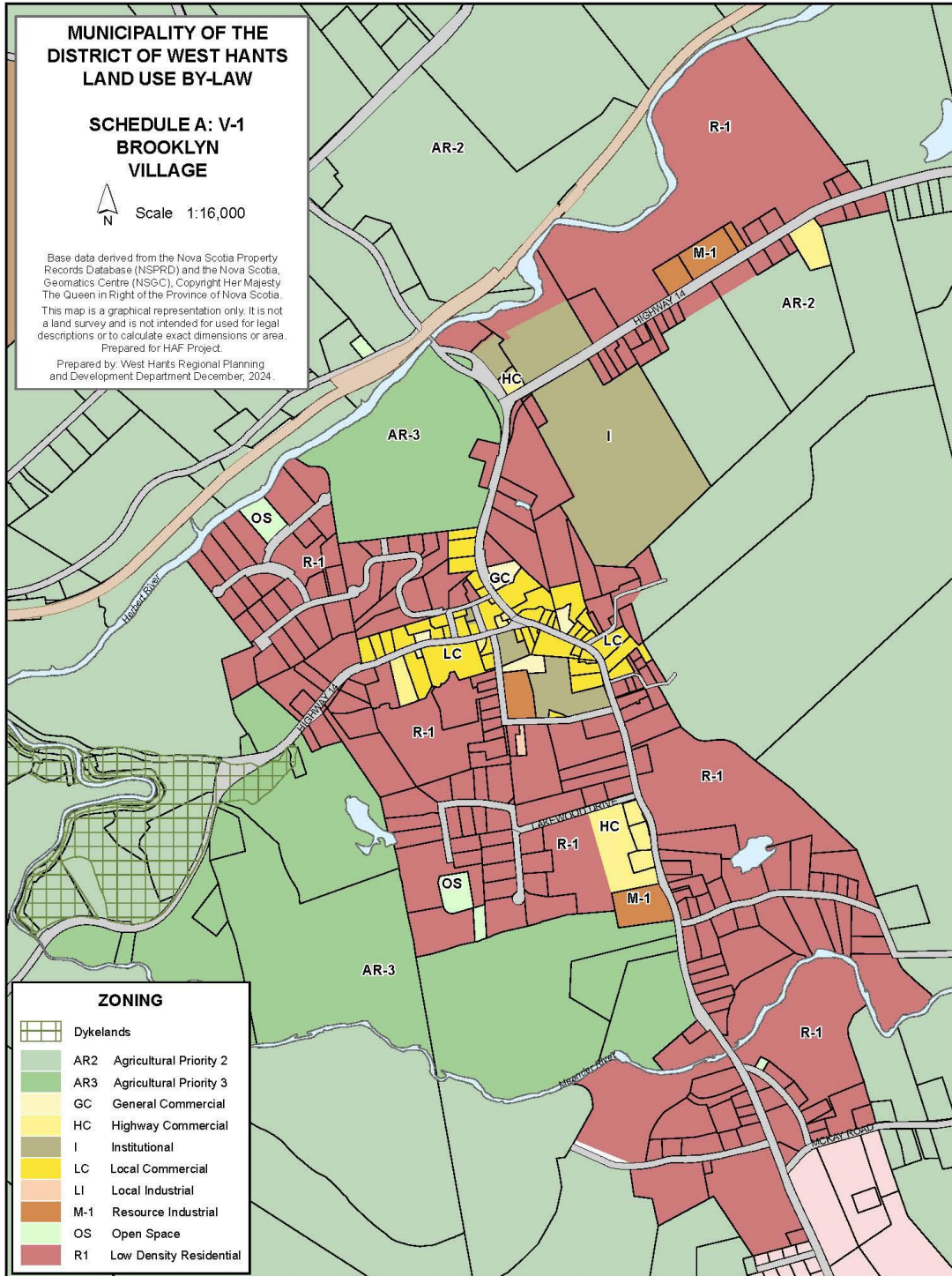


Figure 4
Proposed WH LUB Schedule V-1 Brooklyn



Attachment A

Draft WHMPS and WHLUB Amendments

Note: purple text indicates a change from the present WHMPS or WHLUB and is provided only for the convenience of PAC/HAC and Council.

West Hants Municipal Planning Strategy

- 1. Amend Section 4 Part 4.11, Housing, of the West Hants Municipal Planning Strategy to acknowledge the needs of planning for a range of housing options to support people at all life stages and different households' sizes and incomes in the background material and create policies for affordable housing, so that Part 4.11 reads as follows:**

4.0 GENERAL LAND USE POLICIES

4.11 Housing

Council acknowledges it is important to encourage the provision of housing that includes all residents in West Hants regardless of socio-economic status, age or physical or mental disability. Demographic changes, such as an aging population, smaller household size and a growing number of single-parent families mean that a community needs to enable diverse housing types to satisfy the housing needs of its population. *To achieve the foregoing, the Municipality will continue to plan for a range of housing types, including low density, medium density, and high density housing in appropriate locations.* Housing must be available for seniors and individuals in the community with special needs. Housing choices and the affordability of those choices can be increased by providing flexible development standards allowing for smaller lots and setbacks, narrower streets, clustered developments and opportunities for multiple-unit development in appropriate locations. Secondary suites can provide a solution for those wishing to keep elderly or dependent family members nearby and can increase affordable housing options for the greater community. By regulating the size and appearance of these suites, Council can ensure they have minimal effect on the overall built form and are compatible with the neighbourhood.

Policy

As a result, it shall be the policy of Council to:

- 4.11.1** encourage the provision of housing adequate to meet the needs of all residents in West Hants. Council will encourage affordable housing, special-needs housing and rental accommodation to develop in a manner that is sensitive to the needs of those being served and the entire community.
- 4.11.2** provide for the development of a range of housing types in West Hants.
- 4.11.3** include flexible development standards which encourage innovative housing development in the Municipal Planning Strategy and Land Use By-law.
- 4.11.4** permit secondary suites within and accessory to single and two-unit dwellings in all zones, with regulation regarding the size, location and appearance of secondary suites

to ensure the use remains small-scale and compatible with the neighborhood. (As amended by File #22-13 January 10, 2023)

Affordable Housing

Council acknowledges that affordable housing is needed to ensure a high quality of life for all residents. In order to address housing affordability challenges, the Municipality will encourage the provision of affordable housing units through creating affordable housing policies and develop partnership with local housing providers, agencies, and other levels of government to meet the varying financial needs of current and future residents.

4.11.5 It shall be the policy of Council to incentivize affordable housing through the use of bonus zoning, where additional units will be permitted if the development provides a certain number of dwelling units that meet the definition of Affordable Housing Unit in the Land Use By-law, in the following zones:

- a) Medium Density Residential (R-2); and
- b) High Density Residential (R-3).

4.11.6 It shall be the policy of Council to identify surplus Municipal-owned properties that may be suitable for affordable housing development.

4.11.7 It shall be the policy of Council to consider the disposal of identified surplus Municipal-owned properties to housing providers at a price less than market value for the purpose of affordable housing development, where Council determines that it is in the best interest of the Municipality to do so.

- 2. Amend the Section 5 Part 5.2, Residential Development – General, of the West Hants Municipal Planning Strategy by replacing the preamble material and Policy 5.2.2, so that Part 5.2 reads as follows:**

5.0 GROWTH CENTRE

5.2 Residential Development – General

The Residential designation in the Growth Centres is intended to accommodate residential development in the immediate future. Figure 4 shows the number of new dwelling units built in the Falmouth and Three Mile Plains Growth Centres during the 10 years between 1997 and 2006. In that time, 168 new units were built in Falmouth and 141 new units were built in the Three Mile Plains area.

Infill development which uses existing water, sewer and streets in both Falmouth and Three Mile Plains will be encouraged. It is the intention of Council to include policies in this Strategy that allow for some flexibility in development standards to promote this type of development. More traditional residential subdivision on new municipal public streets will also be permitted. It is expected that ~~much of~~ the new residential development will consist of ~~single detached dwellings; however,~~ a variety of housing types

will be possible, either as-of-right or by development agreement. To facilitate this, several residential zones will be created which allow for a range of densities within the Residential designation.

Policy 5.2.1 *It shall be the policy of Council to establish a Residential designation within the Growth Centres as shown on the Generalized Future Land Use Map (Map 1) where a variety of residential uses and densities may be considered.*

Policy 5.2.2 ~~*It shall be the policy of Council that single detached dwellings will remain the predominant housing type in Growth Centres.*~~ *It shall be the policy of Council to encourage the development of a variety of low and medium density housing types in Growth Centres.*

Policy 5.2.3 *Notwithstanding Policy 5.2.2, it shall be the policy of Council to allow for higher density residential development, subject to the relevant policies of this Strategy, in areas where such development is compatible with adjacent uses.*

Policy 5.2.4 *It shall be the policy of Council to stack the residential zones, allowing lower density development in the higher density residential zones.*

- 3. Amend the Section 5 Part 5.3, Three Mile Plains Growth Centre – Residential Policies, of the West Hants Municipal Planning Strategy by replacing the preamble material and policies to reflect a revised hierarchy of residential zones, so that Part 5.3 reads as follows:**

5.3 Three Mile Plains Growth Centre – Residential Policies

A range of housing types and densities is considered appropriate for the Three Mile Plains Growth Centre. To allow for this, three residential zones will be applied: ~~Single Unit Residential; Two Unit Residential; and Multiple Residential~~ Low Density Residential; Medium Density Residential; and High Density Residential.

The majority of residential land in the Three Mile Plains Growth Centre will be zoned ~~Two Unit Residential (R-2) which permits one and two unit dwellings and mini-homes~~ Low Density Residential (R-1) which permits a range of low density residential forms. ~~Mobile homes will not be permitted except in manufactured home parks which will be considered by development agreement. As in the previous planning documents, only the Hillcrest Drive and Kendall Lane areas will be zoned solely for single detached dwellings. New multiple residential development will be considered through rezoning.~~

~~Single Unit Low Density Residential~~

The ~~Single Unit Low Density Residential (R-1)~~ zone will apply to ~~limited~~ areas in the Three Mile Plains Growth Centre which were zoned ~~Single Unit Residential (R-1) and Two Unit Residential (R-2)~~ under the previous Land Use By law. In addition, land may be rezoned from resource and other uses to R 1, provided the property can be serviced with municipal water and sewer.

Policy 5.3.1 It shall be the policy of Council to establish a ~~Single Unit Low Density Residential (R-1)~~ zone which will permit ~~single-unit dwellings containing up to four units and existing~~ manufactured homes. (Amendment File # 20-27 effective September 14, 2021)

Policy 5.3.2 It shall be the policy of Council to consider rezoning land within the Three Mile Plains Growth Centre to ~~Single Unit Residential (R-1)~~ subject to the following:

- (a) the area to be rezoned is serviced, or is capable of being serviced, with municipal water and sewer; (Amendment WHMPS 14-01 Effective January 22, 2015)
- (b) the proposed use will not conflict with adjacent existing uses;
- (c) any other matter which may be addressed in a Land Use By-law; and
- (d) Policy 16.3.1.

~~Two Unit Medium Density Residential~~

The ~~Two Unit Medium Density Residential (R 2)~~ zone permits ~~two-unit dwellings, such as duplexes and semi-detached~~ dwellings up to six units, in addition to mini homes and uses permitted in the ~~Low Density Residential (R-1)~~ zone. Council may consider rezoning additional land to ~~Medium Density Residential (R-2)~~ as demand requires.

Policy 5.3.3 It shall be the policy of Council to establish a ~~Two Unit Medium Density Residential (R 2)~~ zone which will permit ~~two-unit dwellings containing up to six units and mini homes, as well as uses permitted in the R-1 zone.~~

Policy 5.3.4 It shall be the policy of Council to consider rezoning land within the Three Mile Plains Growth Centre to R 2 subject to the following:

- (a) the area to be rezoned is serviced, or is capable of being serviced, with municipal water and sewer; (Amendment WHMPS 14-01 Effective January 22, 2015)
- (b) the proposed use will not conflict with adjacent existing uses;
- (c) any other matter which may be addressed in a Land Use By-law; and
- (d) Policy 16.3.1.

~~Multiple Unit High Density Residential~~

~~Multiple-unit High density~~ residential development is to be encouraged in appropriate areas of the Three Mile Plains Growth Centre where municipal services are available. New ~~multiple-unit high density~~ buildings under three storeys in height will be considered through rezoning. Since building height is sometimes an issue for neighbours, multiple unit dwellings with more than three storeys will be considered only by development agreement, allowing Council more control over details of the development. Council also wishes to closely control the development of grouped dwellings; therefore, these projects also will be considered by development agreement.

Policy 5.3.5 It shall be the policy of Council to encourage the efficient use of existing municipal infrastructure such as water, sewer and streets within the Three Mile Plains Growth Centre by allowing for the development of ~~multiple-unit high density~~ dwellings where such development is compatible with adjacent uses.

Policy 5.3.6 It shall be the policy of Council to establish a ~~Multiple-Unit High Density Residential (R 3)~~ zone which will allow for dwellings of ~~three or more units up to twelve units~~, boarding or rooming houses, residential care facilities and uses permitted in the R 1 and R 2 zones. (Amendment WHMPS 14-01 Effective January 22, 2015)

Policy 5.3.7 It shall be the policy of Council to consider rezoning land within the Three Mile Plains Growth Centre to R-3 subject to the following:

- ~~(a)~~ ~~the development has frontage on an arterial or collector street designated on the Transportation Map (Map 2) if it consists of 12 or more units;~~
- ~~(ba)~~ the lot is serviced, or is capable of being serviced, with municipal water and sewer; (Amendment WHMPS 14-01 Effective January 22, 2015)
- ~~(cb)~~ the development is compatible with the character of the area with respect to building scale and design, traffic generation, population density and similar matters;
- ~~(dc)~~ existing and proposed streets are adequate to support the development and existing streets will not require major infrastructure improvements as a result of the development; a traffic impact study may be required in accordance with Section 14.6 of this Strategy;
- ~~(ed)~~ adequate open space or recreational space is provided;
- ~~(fe)~~ adequate on-site parking is provided;
- ~~(gf)~~ any other matter which may be addressed in a Land Use By law; and
- ~~(hg)~~ Policy 16.3.1.

To allow Council more control over the development of ~~multiple-unit high density~~ buildings over three storeys in height ~~or containing more than 12 dwelling units~~, these proposals will be considered only by development agreement.

Policy 5.3.8 It shall be the policy of Council to consider ~~multiple-unit high density~~ residential development greater than three storeys in height ~~or containing more than twelve dwelling units~~ in the Three Mile Plains Growth Centre by development agreement subject to the following:

- ~~(a)~~ ~~the development has frontage on an arterial or collector street designated on the Transportation Map (Map 2) if it consists of more than 12 units;~~

- ~~(ab)~~ the side yards are at least one half the height of the building;
- ~~(bc)~~ adequate landscaping, screening and buffering is provided to minimize the impact of building height on adjacent properties;
- ~~(cd)~~ the specific requirements for multiple unit development set out in Policy 5.3.7;
- ~~(de)~~ any other matter which may be addressed in a development agreement; and
- ~~(ef)~~ Policy 16.3.1.

4. Amend the Section 5 Part 5.4, Falmouth Growth Centre – Residential Policies, of the West Hants Municipal Planning Strategy by replacing the preamble material and policies to reflect a revised hierarchy of residential zones, so that Part 5.4 reads as follows:

5.4 Falmouth Growth Centre – Residential Policies

Falmouth has developed as a significant residential community consisting mainly of single unit dwellings. ~~Proposals for higher density residential development have met with considerable resistance.~~ For this reason, only two residential zones are available for development as-of-right in Falmouth: ~~Single Unit Low Density Residential (R-1)~~ and ~~Two Unit Medium Density Residential (R-2)~~. The ~~Low Density Residential (R-1)~~ zone will apply to the majority of the residential land in Falmouth. Proposals for ~~Medium Density Residential (R-2)~~ development will be considered through rezoning.

~~Single Unit Low Density Residential~~

Policy 5.4.1 It shall be the policy of Council to apply the ~~Single Unit Low Density Residential (R 1)~~ zone, as established by Policy 5.3.1, to the majority of the residential and within the Residential designation of the Falmouth Growth Centre.

Policy 5.4.2 It shall be the policy of Council to consider rezoning land within the Falmouth Growth Centre to ~~Single Unit Low Density Residential (R 1)~~ subject to the following:

- (a) the area to be rezoned is serviced, or is capable of being serviced, with municipal water and sewer; (Amendment WHMPS 14-01 Effective January 22, 2015)
- (b) the proposed use will not conflict with adjacent existing uses;
- (c) any other matter which may be addressed in a Land Use By law; and
- (d) Policy 16.3.1.

~~Two Unit Medium Density Residential~~

~~Some residents of Falmouth are concerned about allowing two-unit dwellings in their community, particularly in established neighbourhoods. As~~ Because most local streets in Falmouth have developed as single unit dwelling neighbourhoods, rezoning to Medium Density Residential (R-2) will be considered only on properties fronting on collector or arterial roads. The Medium Density Residential (R-2) zone permits single ~~and~~, two-unit ~~and multiple-unit~~ dwellings, as well as mini homes.

Policy 5.4.3 *It shall be the policy of Council to consider rezoning land within the Falmouth Growth Centre to ~~Two-Unit-Medium Density Residential (R-2)~~ subject to the following:*

- (a) the area to be rezoned has frontage on a collector or arterial street;*
- (b) the area to be rezoned is serviced, or is capable of being serviced, by municipal water and sewer; (Amendment WHMPS 14-01 Effective January 22, 2015)*
- (c) the proposed use will not conflict with adjacent existing uses;*
- (d) any other matter which may be addressed in a Land Use By law; and*
- (e) Policy 16.3.1.*

~~Multiple-Unit High Density Residential~~

~~According to the information gathered from surveys and public meetings during the Plan Review process, some Falmouth residents are greatly concerned about the effect multiple residential development could have on their community. Council acknowledges this concern, but also recognizes that Falmouth is one of only two serviced areas in West Hants, the cost of providing and maintaining water, sewer, streets and other services is high, and a certain density of development is necessary to help make these costs feasible. With or without new development, upgrades to the Falmouth sewage treatment facility are required to meet provincial guidelines. As of 2006, the cost of replacing the plant was estimated at about \$4.7 million. Furthermore, according to a 2002 study, the Falmouth Water Utility will not meet projected demand past 2016 without upgrades to the dam and reservoir. This cost was estimated at about \$1.5 million. Higher density development will allow the capital cost of these service upgrades to be shared among more users, thus making the individual household=s cost more affordable. In addition, by concentrating development, the Municipality=s ability to maintain these services is more efficient and operational costs are kept lower.~~

~~Council believes an extremely careful and controlled approach to multiple residential development will help ease residents= concern. For this reason, Council will consider limited multiple unit residential development in Falmouth by development agreement. The location will be restricted to large properties on arterial or collector streets which are serviced by both municipal water and sewer. Developments must contain a mix of housing types, although apartment buildings will not be permitted. The number of units per attached dwelling will be limited to four. Only proposals exhibiting comprehensive site planning and design will be considered.~~

Currently, there are no properties in Falmouth Growth Centre zoned High Density Residential (R-3). Council acknowledges that higher density residential fosters a more affordable and energy efficient housing choice for a diversity of residents. Therefore, future high density residential development will

be considered only in appropriate areas of the Falmouth Growth Centre where properties fronting on collector or arterial roads and municipal services are available. Future high density residential dwellings under three storeys in height will be considered through rezoning. To provide additional housing options for the residents of Falmouth, proposals for multiple unit dwellings with more than twelve dwelling units will be considered only by development agreement, subject to comprehensive site planning and design requirements, which will allow Council more control over details of the development.

Policy 5.4.4 *It shall be the policy of Council to encourage the efficient use of existing municipal infrastructure such as water, sewer and streets within the Falmouth Growth Centre by allowing for the development of high density dwellings where such development is compatible with adjacent uses.*

Policy 5.4.5 *It shall be the policy of Council to establish a High Density Residential (R 3) zone which will allow for dwellings of up to twelve units, boarding or rooming houses, residential care facilities and uses permitted in the R 1 and R 2 zones.*

Policy 5.4.6 *It shall be the policy of Council to consider rezoning land within the Falmouth Growth Centre to High Density residential (R-3) subject to the following:*

- (a) the area to be rezoned has frontage on an arterial or collector street designated on the Transportation Map (Map 2);*
- (b) the area to be rezoned is serviced, or is capable of being serviced, by municipal water and sewer;*
- (c) the development is compatible with the character of the area with respect to building scale and design, traffic generation, population density and similar matters;*
- (d) existing and proposed streets are adequate to support the development and existing streets will not require major infrastructure improvements as a result of the development; a traffic impact study may be required in accordance with Section 14.6 of this Strategy;*
- (e) adequate open space or recreational space is provided;*
- (f) adequate on-site parking is provided;*
- (g) any other matter which may be addressed in a Land Use By law; and*
- (h) Policy 16.3.1.*

Policy 5.4.47 *It shall be the policy of Council to consider proposals for comprehensively designed multiple residential developments of containing more than 12 units in the Falmouth Growth Centre by development agreement subject to the following:*

- (a) the development consists of a mix of housing types where:*

- (i) *a minimum of 30 percent of the total number of dwelling units shall be single unit dwellings; and*
 - (ii) *the remaining dwelling units may include any combination of townhouse dwellings along with semi-detached or duplex dwellings, provided that not more than four dwelling units shall be permitted per building or attached structure;*
- (b) *the property:*
 - (i) *is at least 25 acres (10.12 ha) in size;*
 - (ii) *is serviced, or is capable of being serviced, by both municipal water and sewer; and (Amendment WHMPS 14-01 Effective January 22, 2015)*
 - (iii) *has frontage on an arterial or collector street designated on the Transportation Map (Map 2);*
- (c) *the development exhibits comprehensive site planning and design with an emphasis on the conservation of significant natural features of the site, provision of open space and recreational areas, and landscaping and buffering to screen views of the development from existing developed properties;*
- (d) *the gross density of the development shall not exceed 4.5 dwelling units per acre; where the gross density exceeds 3 dwelling units per acre, at least 10 percent of the total area of the property shall be dedicated to the Municipality for parkland or open space purposes;*
- (e) *the High Density Residential (R-3) zone standards are used as a guide for minimum lot area, frontage and yards; however, Council may consider reduced lot requirements where the proposed development is a planned compact community that makes efficient use of streets and municipal infrastructure;*
- (f) *existing and proposed streets are adequate to support the development and existing streets will not require major infrastructure improvements as a result of the development; a traffic impact study may be required in accordance with Section 14.6 of this Strategy;*
- (g) *the development is compatible with the surrounding area in terms of building height, scale and architectural design;*
- (h) *a stormwater management plan shall be submitted, satisfactory to the Municipal Engineer, that shows the development will not adversely affect receiving watercourses and downstream properties;*
- (i) *the application is accompanied by:*
 - (i) *a site plan showing the proposed number, location and type of buildings, lot coverage, parking areas, vehicular and pedestrian circulation systems*

within the development, access to the site and open space and recreational areas;

(ii) other supporting maps showing the topography of the lot including contours at five meter intervals, and significant natural features such as watercourses, wetlands and unique habitat or vegetation; and

(iii) photo examples, plans or drawings showing the exterior design of the proposed buildings;

(j) any other matter which may be addressed by development agreement; and

(k) Policy 16.3.1.

- 5. Amend the Section 6 Part 6.2, Residential Development, of the West Hants Municipal Planning Strategy by replacing the preamble material and removing Policy 6.2.2, so that Part 5.4 reads as follows:**

6.0 VILLAGE

6.2 Residential Development

Single family dwellings are the most common type of housing in Brooklyn, although there are a few buildings containing apartments in the core area. Between 1997 and 2006, 28 new dwelling units were created in Brooklyn. Figure 5 shows the breakdown of new residential construction by year.

It is the feeling of Council, based in part on the 2002 Plan Review Survey, that one and two unit dwellings should remain the most common type of housing in Brooklyn. In the previous Area One Municipal Planning Strategy and Land Use By law, only the Hazelwood Drive and Lakewood Drive areas were zoned Single Unit Residential (R-1) *under the previous Land Use By-law*. The new Low Density Residential (R-1) zoning will be maintained for these areas- *and applied to t*he remainder of residential land outside the core area *will be that were* zoned Two Unit Residential (R-2) *under the previous Land Use By-law*. Although the Low Density Residential (R-1) zone permits up to four units, dwellings with three or more units will not be permitted as-of-right in Brooklyn due to the lack of municipal sewer and water.

Policy 6.2.1 *It shall be the policy of Council to apply ~~Single Unit Low Density Residential (R 1) zoning to limited areas of~~ Brooklyn which were zoned R-1 and R-2 in the former Area One Land Use By-law.*

~~**Policy 6.2.2** — It shall be the policy of Council to apply Two Unit Residential (R 2) zoning to the majority of residential land outside the Village Core area of Brooklyn. Within the Village designation, the R 2 zone will permit one and two unit dwellings and mini homes; however, mobile homes will not be permitted.~~

Policy 6.2.32 It shall be the policy of Council to consider rezoning land within the Village designation to ~~Single Unit Low Density Residential (R-1) or Two Unit Residential (R-2)~~ subject to the following:

- (a) the proposed use will not conflict with adjacent existing uses;
- (b) any other matter which may be addressed in a Land Use By law; and
- (c) Policy 16.3.1.

6. Amend Section 16 Part 16.2, Land Use By-law, of the West Hants Municipal Planning Strategy to reflect the renaming of the residential zones and their symbols, so that Section 16.2 reads as follows:

16.2 Land Use By-law

Policy 16.2.2 The following zones shall be established in the Land Use By-law:

Zones	Symbol
Single Unit Low Density Residential	R-1
Two Unit Medium Density Residential	R-2
Multiple High Density Residential	R-3
Rural Residential	R4
Manufactured Home Park	MHP
General Commercial	GC
Highway Commercial	HC
Local Commercial	LC
Rural Commercial	RC
Recreation Commercial	RecC
Prime Agriculture	P/Ag
Agricultural Priority Two	AR2
Agricultural Priority Three	AR3
General Resource	GR
Mineral Resource	MR
Water Supply	W
Landfill	LF
Resource Industrial	M1
Hamlet Industrial	M2
Local Industrial	LI

Light Industrial	LI-1
Joint Industrial Type Two	LI2
Joint Industrial Type Three	LI3
Institutional	I
Open Space	OS
Special Overlay Zones	
Dykeland Overlay	

Attachment B

West Hants Land Use By-law

Text amendments to the West Hants Land Use By-law to meet the goals of Initiative #1-3 in the Housing Action Plan and the commitments made as part of funding agreement of the Housing Accelerator Fund (HAF) to enable a diverse range of housing options, create affordable housing provisions and relax parking requirements for residential developments.

- 1. Amend Section 3.0, ZONES AND ZONING MAP(S), of the West Hants Land Use By-law to reflect the revised zone symbol, so that Section 5.24 reads as follows:**

Zones

- 3.2** For the purpose of this By-law, the Municipality is divided into the following zones, the boundaries of which are shown on the attached Schedule 'A'. Such zones may be referred to by the corresponding symbols shown below.

Zones	Symbol
Single Unit Low Density Residential	R-1
Two Unit Medium Density Residential	R-2
Multiple High Density Residential	R-3
Rural Residential	R-4
Manufactured Home Park	MHP
General Commercial	GC
Highway Commercial	HC
Local Commercial	LC
Rural Commercial	RC
Recreation Commercial	RecC
Prime Agriculture	P/Ag
Agricultural Priority Two	AR-2
Agricultural Priority Three	AR-3
General Resource	GR
Mineral Resource	MR
Water Supply	W
Landfill	LF
Resource Industrial	M-1
Hamlet Industrial	M-2
Local Industrial	LI
Light Industrial	LI-1
Joint Industrial Type Two	LI-2
Joint Industrial Type Three	LI-3
Institutional	I
Open Space	OS

Zones	Symbol
Special Overlay Zones	
Dykeland Overlay	

2. Amend Section 5 Part 5.31(a) and Part 5.41 of the West Hants Land Use By-law to reduce parking requirements and update setback for flanking yard, so that Section 5.24 reads as follows:

5.0 GENERAL PROVISIONS FOR ALL ZONES

Parking Requirements

- 5.31 (a) For every building or structure to be erected or enlarged, off-street parking shall be provided within the same lot as the use, in accordance with the following chart:

Type of Building	Parking Spaces Required
a dwelling containing fewer than 3 dwelling units	1 parking space for each dwelling unit
all other dwellings	1 parking space for each dwelling unit within the Falmouth or Three Mile Plains Growth Centre 1.5 parking spaces for each dwelling unit in all other areas
boarding and rooming houses	1 parking space for the dwelling unit plus 1 parking space for every room available for rent
senior citizen housing	1 parking space for every 2 dwelling units
hospitals and nursing homes	1.25 parking spaces for every bed
funeral homes	1 parking space for every 5 seat capacity of the chapel with a minimum of 10 parking spaces
churches, halls, auditoria, restaurants, theatres, arenas, stadiums, private clubs and other places of assembly	where there are fixed seats, 1 parking space for every 5 seats, or 10 ft (3.05 m) of bench space; where there are no fixed seats, 1 parking space for every 100 ft ² (9.29 m ²) of floor area devoted to public use
bowling alleys and curling rinks	4 parking spaces for each bowling lane or curling sheet plus 1 parking space for every 100 ft ² (9.29 m ²) of other public floor space
hotels, motels, country inns and other tourist accommodations	1 parking space for every suite or rental unit plus 1 parking space for every 50 ft ² (4.64 m ²) of floor space devoted to public use exclusive of lobbies or halls
offices, financial institutions	1 parking space for every 300 ft ² (27.87 m ²) of floor area
regional shopping centres	5 parking spaces for every 1,000 ft ² (92.90 m ²) of commercial floor area

Type of Building	Parking Spaces Required
drive-through or take-out restaurants	4 parking spaces up to first 200 ft ² (18.58 m ²) of useable floor area plus 1 parking space for each additional 200 ft ² (18.58 m ²) of useable floor area
all other commercial uses	1 parking space for every 300 ft ² (27.87 m ²) of commercial floor area
elementary schools	1.5 parking spaces for each classroom
secondary schools	4 parking spaces for each classroom
industrial	1 parking space for every 700 ft ² (65.03 m ²) of manufacturing space and 1 parking space for every 1,000 ft ² (92.90 m ²) of warehouse space and all other industrial uses
riding stables	1 parking space for every 4 stalls

Setback for Flanking Yard

- 5.41 (a) Notwithstanding anything else in this By-law, on a corner lot in any residential zone, the minimum yard requirement for the flanking yard shall be ~~25-15~~ ft (7.62 4.57 m).
- (b) No accessory building or structure shall be permitted within the required flanking yard.

3. Amend Section 6 Part 6.1 of the West Hants Land Use By-law to allow Council to consider multiple unit residential developments in excess of three storeys in height or containing more than twelve units in a new or an existing building in the residential designation by development agreement, so that Section 6 reads as follows:

6.0 DEVELOPMENT AGREEMENTS

Developments to be considered by Development Agreement

- 6.1 The following developments may be considered only by development agreement in accordance with the *Municipal Government Act* and the Municipal Planning Strategy:

Growth Centres

- (a) ~~multiple unit high density~~ residential development greater than three storeys in height in the Three Mile Plains Growth Centre in accordance with Policy 5.3.8 of the Municipal Planning Strategy;
- (b) new manufactured home parks in the Three Mile Plains and Falmouth Growth Centres in accordance with Policy 5.3.9 of the Municipal Planning Strategy;
- (c) grouped dwellings consisting of six or more dwelling units in the Three Mile Plains Growth Centre in accordance with Policy 5.3.10 of the Municipal Planning Strategy;

- (d) comprehensively designed multiple residential developments containing more than 12 units and consisting of a mix of single unit, semi-detached, duplex and townhouse dwellings in the Falmouth Growth Centre in accordance with Policy 5.4.4-7 of the Municipal Planning Strategy;
- (e) grouped single and two-unit dwellings consisting of six or more units in the Falmouth Growth Centre in accordance with Policy 5.4.5 of the Municipal Planning Strategy;

4. Amend Section 8.0 of the West Hants Land Use By-law which outlines the new permitted uses and a revised zone requirement to allow a diverse range of housing options, so that Section 8.0 reads as follows:

8.0 SINGLE UNIT RESIDENTIAL LOW DENSITY RESIDENTIAL (R-1)

Permitted Uses

8.1 The following uses shall be permitted in the ~~Single Unit Residential~~ Low Density Residential Zone (R-1) zone:

- ~~• Single unit dwellings~~
- Dwellings containing up to 4 units
- Converted dwellings containing up to 4 units
- ~~• Accessory apartments (removed by amendment 20-27 effective September 14, 2021)~~
- Existing Manufactured homes in Three Mile Plains Growth Centre and Brooklyn

R-1 Zone General Requirements

8.2 (a) In the R-1 zone, no development permit shall be issued except in conformity with the following:

		with municipal services	with on-site services
Minimum lot area		6,000 ft ² (557.40 m ²) 7,000 ft ² (650.30 m ²) for corner lots	29,000 ft ² (2,694.10 m ²)
Minimum lot frontage		60 ft (18.29 m)	100 ft (30.48 m)
Minimum front yard		25 ft (7.62 m)	
Minimum rear yard		25 ft (7.62 m)	
Minimum side yard	one side	6 ft (1.83 m)	
	other side	10 ft (3.05 m)	
Maximum height of main building		35 ft (10.67 m)	

	Single unit Dwelling, Dwelling with two units and more units, Manufactured homes	
Service type	with municipal services	with on-site services*
Minimum lot area	5,005 ft ² (465 m ²)	29,000 ft ² (2,694.10 m ²)*
Minimum lot frontage	50 ft (15.24 m)	100 ft (36.58 m)
Minimum front yard	15 ft (4.57 m)	
Minimum rear yard	20 ft (6.1 m)	
Minimum side yard	6 ft (1.83 m)	
Maximum height of main building	35 ft (10.67 m)	
Maximum height of accessory building	20 ft (6.10 m)	
Maximum Lot Coverage	50%	

* subject to Nova Scotia Department of Environment & Labour requirements

(b) A development permit shall not be issued for a new residential dwelling of three or more units in the R-1 zone where the proposed development is not serviced with Municipal water and sewer.

~~Accessory Apartments – Special Requirements (removed by amendment File #20-27 effective September 14, 2021)~~

(bc) Exception for PID 45190386 and 45366457– Notwithstanding Section 8.2 (a), the lot specifications for PID 45190386 and 45366457 (owned by J.D. Irving Limited in 2022) shall be:

Minimum lot area	4,000 ft ² (371.60 m ²) 5,000 ft ² (464.5 m ²) for corner lots
Minimum lot frontage	40 ft (12.19 m)
Minimum front yard	15 ft (4.57 m)
Minimum flankage yard	15 ft (4.57 m)
Minimum rear yard	25 ft (7.62 m)
Minimum side yard	4 ft (1.22 m)
Maximum height of main building	35 ft (10.67 m)
Maximum height of accessory building	15 ft (4.57 m)

(amendment 22-17 effective December 13, 2022)

Converted Dwellings – Special Requirements

8.3 In addition to all other regulations, the following provisions shall apply to converted dwellings in the R-1 zone:

- (a) a converted building shall be limited to a maximum of four dwelling units;
- (b) no alterations shall change the roof line or increase the height of the existing dwelling except for the addition of dormers or structures necessary for public safety;
- (c) no alteration shall be undertaken which will extend into the front or side yard of the lot;
- (d) lot coverage of the entire structure shall be limited to 50 percent; and
- (e) parking shall be provided as required in Section 5.31 in the side or rear yard of the lot.

Subdivision of Semi-detached and Townhouse Units

8.4 Notwithstanding the specifications in 8.2, semi-detached and townhouse dwellings located on an approved water and sewer serviced lot may be subdivided into lots provided each dwelling unit has separate service connections and provided all applicable provisions of the Hantsport Subdivision By-law and this By-law are met. No side yard shall be required along the common lot boundary dividing a semi-detached or townhouse dwelling, and the following reduced specifications apply:

	Semi-detached Dwelling	Townhouse Dwelling
Minimum Lot Area	2500 ft ² (232.26 m ²) / unit	2000 ft ² (185.8 m ²) / unit
Minimum Lot Frontage	25 ft (7.62m) / unit	20 ft (6.1m) / unit
Minimum Side Yard	6 ft (1.83m) for one side and zero along the common wall	6 ft (1.83m) for one side of the end unit and Zero for the other side of the end units or interior units

- 5. Amend Section 9.0 of the West Hants Land Use By-law which outlines the new permitted uses and a revised zone requirement to allow a diverse range of housing options with affordable housing incentive provision, so that Section 9.0 reads as follows:

9.0 ~~TWO UNIT RESIDENTIAL~~ MEDIUM DENSITY RESIDENTIAL (R-2)

Permitted Uses

9.1 The following uses shall be permitted in the ~~Two-Unit Residential Medium Density Zone (R-2)~~ zone:

- ~~• Two-unit dwellings~~
- Dwellings containing 5 or 6 units
- ~~• Mini homes~~
- Uses permitted in the R-1 zone subject to the R-1 zone requirements
- ~~• Mobile homes in the Three Mile Plains Growth Centre (Amendment 20-28 Effective June 15, 2021)~~

R-2 Zone General Requirements

9.2 (a) In the R-2 zone, no development permit shall be issued except in conformity with the following:

		Mobile homes and Mini homes Manufactured homes		Two-unit Dwellings with 5 or 6 units	
Service type		with municipal services	with on-site services	with municipal services	with on-site services
Minimum lot area		6,000 ft ² (557.40 m ²); 7,000 ft ² (650.30 m ²) for corner lots	29,000 ft ² (2,694.10 m ²)	3,500 ft ² (325.15 m ²)/unit 6,500 ft ² (603.87 m ²)	29,000 ft ² (2,694.10 m ²)/unit
Minimum lot frontage		50 ft (15.24 m)	100 ft (30.48 m)	30 ft (9.14 m)/unit 82 ft (25 m)	100 ft (30.48 m)/unit
Minimum front yard		15 ft (4.57 m)			
Minimum rear yard		25 ft (7.62 m)			
Minimum side yard	one-side	6 ft (1.83 m)		10 ft (3.05 m)	
	other-side	6 ft (3.05 m)			
Max. height of main building		35 ft (10.67 m)		35 ft (10.67 m)*	
Max. height of accessory building		20 ft (6.1 m)			
Maximum lot coverage		50%*			

*Bonus zoning subject to 9.6

~~(Amendment 20-28 Effective June 15, 2021) (Amendment GC2LUB 17-01 Effective March 7, 2018)~~

(b) **Exception for PID 45190386 and 45366457** – Notwithstanding Section 9.2 (a), the lot specifications for PID 45190386 and 45366457 (owned by J.D.Irving Limited in 2022) shall be:

Minimum lot area	2,000 ft ² (185.80 m ²) / unit 3,000 ft ² (278.7 m ²) / unit for corner lots
Minimum lot frontage	20 ft (6.1 m) / unit
Minimum front yard	15 ft (4.57 m)
Minimum flankage yard	15 ft (4.57 m)
Minimum rear yard	25 ft (7.62 m)
Minimum side yard	4 ft (1.22 m)
Maximum height of main building	35 ft (10.67 m)
Maximum height of accessory building	15 ft (4.57 m)

(amendment 22-17 effective December 13, 2022)

Subdivision of Semi-detached Units

~~9.3 — Semi-detached dwelling units located on an approved water and sewer serviced lot may be subdivided into lots provided each dwelling unit has separate service connections and provided all applicable provisions of the West Hants Subdivision By-law and this By-law are met. No side yard shall be required along the common lot boundary dividing a semi-detached dwelling.~~

Subdivision of Townhouse Units

9.3 A lot containing townhouse dwelling shall comply with Section 8.4.

Landscaping

9.4 In the case of a building containing more than four units, outdoor parking and service areas shall be screened from the street and adjacent residential properties through the use of a landscaping or opaque fencing.

Recreational Space

9.5 Notwithstanding anything else in this By-law, no development permit shall be issued for a dwelling with more than four units unless useable space for recreational uses is provided on the same lot according to the following schedule:

- (a) bachelor unit - 150 ft² (13.94 m²) per unit
- (b) 1 bedroom unit - 200 ft² (18.58 m²) per unit

- (c) 2 bedroom unit - 250 ft² (23.22 m²) per unit
- (d) 3 bedroom unit - 270 ft² (25.08 m²) per unit
- (e) 4 bedroom unit - 400 ft² (37.16 m²) per unit.

Bonus Zoning for Affordable Housing Units

9.6 Notwithstanding Section 9.2, the following bonus zoning shall be permitted if the proposal provides a minimum of five dwelling units that meet the definition of Affordable Housing Unit under this By-law, by way of subsidization through written agreement between the applicant and the Province and/or Federal Government(s) for a specified period of time:

- (a) Maximum number of dwelling units: increased by up to 35%; and
- (b) Lot coverage: increased to a maximum of 60%.

6. Amend Section 10.0 of the West Hants Land Use By-law which outlines the new permitted uses and a revised zone requirement to allow a diverse range of housing options with affordable housing incentive provision, so that Section 10.0 reads as follows:

10.0 ~~MULTIPLE RESIDENTIAL~~ HIGH DENSITY RESIDENTIAL (R-3)

Permitted Uses

10.1 The following uses shall be permitted in the ~~Multiple Residential~~ High Density Residential Zone (R-3) zone:

- Dwellings with more than ~~two~~ six and to a maximum twelve units ~~in accordance with Sections 10.2 and 10.7 below;~~
- Boarding or rooming houses ~~in accordance with Sections 10.2 and 10.7 below;~~ (Amendment WHLUB 14-01 Effective January 22, 2015)
- Residential care facilities providing care for five or fewer persons ~~in accordance with Sections 10.2 and 10.7 below;~~
- Uses permitted in the R-1 and R-2 zone subject to the R-1 and R-2 zone requirements, with side yard requirements in accordance with Sections 10.2 and 10.7 below;
- ~~Uses permitted in the R-2 zone subject to the R-2 zone requirements with side yard requirements in accordance with Sections 10.2 and 10.7 below. (Amendment GC2LUB 17-01 Effective March 7, 2018)~~

R-3 Zone General Requirements

10.2 In the R-3 zone, no development permit shall be issued except in conformity with the following:

		Townhouse and triplex dwellings	Apartment buildings, residential care facilities
Minimum lot area		3,000 ft ² (278.70 m ²)/unit	10,000 ft ² (929.00 m ²) for the first 4 units; plus 1,500 ft ² (139.35 m ²) for each additional unit
Minimum lot frontage		30 ft (9.14 m)/unit	100 ft (30.48 m)
Minimum front yard		15 ft (4.57 m)	15 ft (4.57 m)
Minimum rear yard		25 ft (7.62 m)	35 ft (10.67 m)
Minimum side yard	one side	6 ft (1.83 m)	
	other side	5 ft (1.52 m)	
Maximum height of main building		35 ft (10.67 m)	3 storeys*
Maximum number of units per building		8	20

*an apartment building or greater than 3 storeys may be considered by Development Agreement (Amendment GC2LUB 17-01 Effective March 7, 2018)

	Dwellings with more than 6 units, Boarding Houses, Residential Care Facilities
Minimum lot area	9,000 ft ² (836.13 m ²)
Minimum lot frontage	100 ft (30.48 m)
Minimum front yard	20 ft (6.1 m)
Minimum rear yard	20 ft (6.1 m)
Minimum side yard	10 ft (3.05 m)
Maximum height of main building	35 ft (10.67 m)*
Maximum height of accessory building	20 ft (6.1 m)
Maximum lot coverage	40%*

*Bonus zoning subject to 10.6

(b) A development permit shall not be issued for a new residential dwelling of six or more units in the R-3 zone where the proposed development is not serviced with Municipal water and sewer.

Landscaping

- 10.3 ~~In the case of a building containing three or more units, outdoor parking and service areas shall be screened from the street and adjacent residential properties through the use of a landscaping or opaque fencing.~~
Landscaping shall be provided as required in Section 9.4

Recreational Space

- 10.4 ~~Notwithstanding anything else in this By-law, no development permit shall be issued for a dwelling with three or more units unless useable space for recreational uses is provided on the same lot according to the following schedule:~~
- ~~(a) bachelor unit - 150 ft² (13.94 m²) per unit~~
 - ~~(b) 1 bedroom unit - 200 ft² (18.58 m²) per unit~~
 - ~~(c) 2 bedroom unit - 250 ft² (23.22 m²) per unit~~
 - ~~(d) 3 bedroom unit - 270 ft² (25.08 m²) per unit~~
 - ~~(e) 4 bedroom unit - 400 ft² (37.16 m²) per unit~~

Recreational space shall be provided as required in Section 9.5

Subdivision of Townhouse Units

- 10.5 ~~Townhouse dwelling units located on an approved water and sewer serviced lot may be subdivided into lots provided each dwelling unit has separate service connections and provided all applicable provision of the West Hants Subdivision By-law and this By-law are met. No side yard shall be required along the common lot boundary dividing a townhouse dwelling.~~
A lot containing townhouse dwelling shall comply with Section 8.4.

Underwood Road Area

10.7—~~Development in the entire area where traffic must exit through Irvn Drive to Underwood Road is limited to the following uses until such time as a left turning lane onto Trunk 14 is constructed on Underwood Road:~~

- ~~• 345 dwelling units; and~~
- ~~• one Community Use/Local Commercial Building a maximum of 5,000 sq. ft. in gross floor area.~~

~~(Amendment GC2LUB-17-01 Effective March 7, 2018)~~

Bonus Zoning for Affordable Housing Units

- 10.6 Notwithstanding the Section 10.2, the following bonus zoning shall be permitted if the proposal provides a minimum of five dwelling units that meet the definition of Affordable

Housing Unit under this By-law, by way of subsidization through written agreement between the applicant and the Province and/or Federal Government(s) for a specified period of time:

- (a) Height of the main building: increased to a maximum of 4 storeys (45 feet);
- (b) Maximum number of dwelling units: increased by up to 40%; and
- (c) Lot coverage: increased to a maximum of 50%.

- 7. Amend Section 35.0 to insert a definition of “Affordable Housing Unit” after the definition “Accessory Use” to guide future development and support the provision of affordable housing units, so that Section 32.0 reads as follows:**

35.0 DEFINITIONS

35.1 In this By-law, all words carry their customary meaning except for those words and phrases defined as follows:

Affordable Housing Unit means

- (a) housing that costs less than 30% of before-tax household income or as otherwise defined by the Canada Mortgage and Housing Corporation (CMHC) or the Province of Nova Scotia; and
- (b) dwellings constructed under the Province of Nova Scotia and/or Federal Affordable Housing cost sharing or funding program.

Attachment C
General Criteria for Amendments

West Hants Municipal Planning Strategy

Policy 16.3.1 In considering development agreements and amendments to the West Hants Land Use By-law, in addition to the criteria set out in various policies of this Strategy, Council shall consider:

CRITERIA	COMMENT
(a) whether the proposal is considered premature or inappropriate in terms of:	
(i) the adequacy of sewer and water services;	In response to questions from Planning staff, the Public Works Engineering Division commented that they had no concerns regarding the adequacy of Municipal sewer and water services for the proposed amendments.
(ii) the adequacy of school facilities;	Generally, Annapolis Valley Regional Centre for Education (AVRCE) does not provide individual responses on projects or applications. In the past, we have received a general response from the AVRSB stating that they will accommodate educational needs for all students within the appropriate catchment areas.
(iii) the adequacy of fire protection;	In response to an inquiry, the Manager of Building and Fire Inspection Services noted that "I don't see any issues with Fire Safety, they will need to meet Building & Fire codes."
(iv) the adequacy of road networks adjacent to, or leading to the development; and	In response to questions from Planning staff on whether the proposed amendments are premature or inappropriate in terms of adequate of road networks which the proposed amendments may create within serviced areas, the Municipal Traffic Authority commented that they had no concerns. In relation to reduce parking requirements, the Municipal Traffic Authority stated,

	<p>“Parking on streets as an alternative has proven to create an operational hurdles for street maintenance as well as a safety concern in the winter months.” And they further stated that “On street parking should not be considered to be residential full time parking. This is not only an operational and safety issue we are seeing tenants realizing they don’t have parking after the fact during weather events”.</p>
<p>(v) the financial capacity of the Town to absorb any costs relating to the development.</p>	<p>All costs to the Municipality regarding these amendments and associated public engagement events are covered by the Housing Accelerator Fund (HAF) provided by the Canadian Mortgage and Housing Corporation (CMHC).</p>
<p>(b) the suitability with any aspect relative to the movement of auto, rail and pedestrian traffic;</p>	<p>Not applicable, as these amendments are not site-specific.</p>
<p>(c) the adequacy of the dimensions and shape of the lot for the intended use;</p>	<p>Not applicable, as these amendments are not site-specific.</p>
<p>(d) the pattern of development which the proposal might create;</p>	<p>The Development Officer commented that they did not have any concerns regarding the pattern of development that the proposal may create.</p> <p>The proposed HMPS and HLUB amendments change the zoning from Single Unit Residential (R-1) to Low Density Residential (R-1), Two Unit Residential (R-2) to Medium Density Residential (R-2), and Multiple Unit Residential (R-3) to High Density Residential (R-3). These new zones will allow a variety of housing types as-of-right including but not limited to semi-detached/duplex, triplex, townhouse/rowhouse.</p>

	It is important to note that these amendments are not site-specific, nor do they directly create housing supply. Instead, proposed amendments aim to create the opportunity for more small-scale housing options.
(e) the suitability of the area in terms of steepness of grade, soil and geological conditions, location of water courses, marshes or bogs and susceptibility of flooding;	Not applicable, as these amendments are not site-specific.
(f) whether the proposal meets the requirements of the appropriate provincial or federal agencies as well as whether it conforms to all other relevant municipal by-laws and regulations; and	All Municipal, Provincial and Federal regulations will have to be met.
(g) any other matter required by relevant policies of this Strategy.	There are no other relevant policies of this Strategy.