

# MEMORANDUM

TO: Fred Morley, Chair, and all Members of the Community Design Advisory Committee  
FROM: Ben Sivak, Community Policy Program Manager  
DATE: September 17, 2020  
SUBJECT: **Established Residential Designation and Zoning**

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## Introduction

The Established Residential (ER) Designation is intended to retain the scale and character of existing low-rise residential neighbourhoods while providing opportunities for additional housing units and building forms. The Designation establishes four proposed zones:

- Established Residential - 3 (ER-3) Zone, which is primarily applied along streets that connect neighbourhoods and permits the highest densities and range of uses, including low-rise housing containing up to four units and local commercial uses on the ground level;
- Established Residential - 2 (ER-2) Zone, which is primarily applied to areas that provide transition between ER-3 and ER-1 zones. The ER-2 Zone permits a range of low-rise housing types containing up to three units, and local commercial uses on corner lots;
- Established Residential - 1 (ER-1) Zone, which is primarily applied to areas that predominately contain single-unit dwelling while allowing opportunities for gentle density in the form of secondary suites, backyard suites and internal conversions within identified Special Areas. Local commercial uses are proposed to be permitted on corner lots; and
- Land Leased Community (LLC) Zone, which is applied to existing land leased communities.

The ER Designation and its four zones will impact all low-density areas in the Regional Centre and is the Package B topic that is generating the most public interest and feedback. CDAC reviewed the ER designation and zones in July 2020, and in August 2020, and submitted a detailed set of comments and questions. The following memo provides additional information in response to CDAC's questions and similar questions raised by residents, organized around the following sections:

1. Previous Policy Direction
2. ER Zone Rationale and Placement
3. Existing Low-Density Zone and ER Zone Comparison
4. Development Potential Mapping and Analysis
5. Neighbourhood Impacts
6. Community Engagement; and
7. Maps and Attachments

Staff welcome further feedback from CDAC on how the ER policies and zones should be further reviewed or changed, and look forward to incorporating CDAC's feedback into the next iteration of the Package B documents.

# 1. Previous Policy Direction

## CDAC Questions

- Why was this change so comprehensive?
- Were Package A changes insufficient to meet demand?
- Why target 40% of growth to the regional centre?
- Should HR (ER?) zoning be delayed until it can be applied to all of HRM?
- What is the optimal density for the regional centre? How far from the target?
- The Centre Plan takes its authority from the Integrated Mobility Plan (IMP) for a 40% growth target in the regional centre while the IMP takes its authority from the Centre Plan. Which is it?
- Where was the divergence from the regional plan and the target of 40% of growth in the Regional Centre established? Where was it debated and approved?
- Are the implications of the new target well understood such as increased capital spending requirements of HRM (parks), declining revenue, etc.?
- Where are we with the growth targets? Have we already hit the 25% regional centre growth target of the regional plan?
- Stantec's population projections were based on work done in 2004 and updated in 2009. Given that Halifax has undergone unusually rapid growth, particularly in the regional centre, are these projections and assumptions still valid eleven years later?
- Stantec's analysis assumes benefits from lower commute times to services and jobs with regional centre growth. However, many employers (finance and insurance, business services, etc.) and
- Consumer services (health services, Revenue Canada, RCMP, etc.) have moved or are planning to move outside the regional centre. This substantially reduces the benefits of growth concentration by creating "reverse commute" costs. Are these and other increased costs being tracked?
- Are established residential neighbourhoods being targeted for teardown and infill with townhouse and small condo developments to make up for revenue shortfalls projected by Stantec when concentrating 40% of growth in the regional centre?
- Given current service and employment flows out of the regional centre, should we be retaining the original regional plan targets to avoid reverse commute issues?

Centre Plan Package B builds on the policy direction established by several planning documents, strategies and processes. The following section summarizes the key guiding policies contained in the 2014 Regional Plan, 2017 Centre Plan Purple document, Integrated Mobility Plan (IMP), as well as key information related to demographic changes and housing needs in the Regional Centre.

## Regional Plan

- The 2014 Regional Plan targets "*at least 75% of new housing units in the Regional Centre and urban communities, with at least 25% of new housing units within the Regional Centre over the life of this plan (2031)*". These Regional Plan targets are expected to be updated to align with the more recent development trends and the direction contained in the IMP to accommodate 40% of new housing units in the Regional Centre. The Centre Plan Package B aligns with the 40% target.
- Regional Plan Section 3.6 "Housing Diversity and Affordability" contains policies intended to guide updates to the Municipality's various secondary plans, including the Centre Plan. The following highlights the key intent of policy S-30 applicable to the ER Designation, including amendments approved by Regional Council on Sept. 1, 2020:
  - creating opportunities for a mix of housing types within designated growth centres and encouraging growth in locations where transit is or will be available;

- reducing lot frontage, lot size and parking requirements;
- permitting secondary suites and backyard suites in all residential areas;
- permitting homes for special care of more than three residents of a scale compatible with the surrounding neighbourhood;
- permitting small scale homes for special care as single unit dwellings and eliminating additional requirements beyond use as a dwelling;
- allowing infill development and housing densification in areas seeking revitalization; and
- identifying existing affordable housing and development of measures to protect it”<sup>1</sup>
- Policy S-35 includes the following direction: *“HRM shall, through the applicable land use by-laws, permit secondary suites and backyard suites in all zones that permit low density residential uses, including single unit, two-unit, and townhouse dwellings. Land use by-law requirements shall ensure that the secondary suite and backyard suite remain accessory to the main dwelling.”*
- Chapter 6A of the Regional Plan, The Regional Centre, outlines several objectives, principles and concepts that are intended to guide the policies contained in the Regional Centre Secondary Planning Strategy. Key direction related to the ER designation includes:
  - Support for safe, mixed-use, and diverse neighbourhoods including, affordable housing and a variety of tenures;
  - Support for complete communities;
  - Direct change and intensification to areas that will benefit from growth;
  - Distribute growth throughout the Regional Centre in context-sensitive forms

### **Centre Plan Draft 2017 “Purple Document”**

In June of 2017, Regional Council endorsed the policy direction contained in the [Centre Plan](#) strategic planning document, known as the ‘Purple Document’<sup>2</sup>, as framework for amending existing planning documents and developing new planning documents to implement the Centre Plan direction. The 2017 Centre Plan document refined the Regional Plan’s growth target of “at least 25%” to 40% in the Regional Centre based on observed development patterns. The following outlines the document’s key directions related to the ER Designation:

- 16% of all new residents to be accommodated in “residential areas” by 2031, which includes both the ER and HR designations - this translates to 5,300 new residents based on anticipated growth of 33,000 people;
- a variety of housing forms in Established Residential areas including semi-detached, townhomes, duplexes and triplexes<sup>3</sup>, and single room occupancies while exploring limits on the number of bedrooms permitted; and
- ER designation should absorb density in context specific “gentle” ways.

### **Integrated Mobility Plan**

The Integrated Mobility Plan (IMP) was approved in December 2017 and establishes a regional vision for mobility to direct future investment in transportation demand management, transit, active transportation, and the roadway network. The plan identifies the two-way relationship between land development patterns and investment in mobility and personal access, with the objective of better linking people and their communities. Regarding the Regional Centre, the IMP:

- indicates that the urban core of the Municipality has the highest potential to support sustainable transportation choices, including walking, biking and transit, due to predominantly compact nature of development;

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<sup>1</sup> HRM Regional Plan, Chapter 3, Policy S-30, p. 53

<sup>2</sup> See HRM [Staff Report](#) dated May 19, 2017, Centre Plan Adoption Path

<sup>3</sup> Centre Plan, April 2017, p.127

- identifies a number of actions aimed at supporting the development of walkable mixed-use communities, and directing new development to areas near transit and bike-networks;
- focuses proposed investments in the All Ages and Abilities (AAA) bicycle network mostly within the Regional Centre; and
- targets 40% of regional growth to the Regional Centre to support transportation mode share targets and transportation system investments.

### Population Change

Consistent with the IMP, the Centre Plan Package B is intended to accommodate 40% of HRM's growth to 2031. This equates to approximately 33,000 new residents for a total of 130,000 persons in the Regional Centre by 2031. However, population growth between 2015 and 2019 exceeded expectations, meaning that additional residents would need to be accommodated in the Regional Centre to meet the 40% target.

Similar to other regions in Canada, it is well documented that average household size has been decreasing in HRM for several decades. In 1950, the average household size in HRM was more than 4 persons per household and in 2019 it had fallen to an average of 2.3 persons per household. Single parent families, two person households, non-family households and single person households are becoming increasingly common. This means that a higher number of residential units, which are now typically smaller in size, are needed to accommodate the same number of residents.

Table 1, below, summarizes HRM and the Regional Centre's housing development and population change from 2015 to 2019.

Table 1: HRM and Regional housing and population change

HRM/Regional Centre Population Change and Housing Statistics 2015-2019	2015	2016	2017	2018	2019
<b>HRM Population</b> <sup>4</sup>	408,017	414,015	421,939	430,601	440,348
<b>Change</b>	-	5,998	7,924	8,662	9,747
<b>Growth Rate %</b>	-	1.4%	1.8%	2.0%	2.2%
<b>HRM Net New Housing Units</b> <sup>5</sup>	2,819	2,388	2,957	3,004	4,005
<b>Net New Housing Units Regional Centre (% of net new HRM units)</b>	1,219 (43%)	558 (23%)	1,204 (41%)	619 (21%)	1,055 (26%)
<b>HRM New Unit Capacity Minus New Population</b> <sup>6</sup>	-	-510	-1,120	-1,750	-540
<b>HRM Vacancy Rate</b>	3.2%	2.6%	2.1%	1.6%	1.0%

<sup>4</sup> Statistics Canada. [Table 17-10-0135-01 Population estimates, July 1, 2019 by census metropolitan area and census agglomeration, 2016 boundaries](#)

<sup>5</sup> HRM permit data up to December 31, 2019; new units less units demolished.

<sup>6</sup> Difference between new units multiplied by average HRM household size of 2.3 persons and population growth, rounded to the nearest 10. This number demonstrates that population change in HRM is outpacing new housing construction, but is not meant to be an exact figure of the housing deficit.

### **Affordable Housing Needs Assessment**

In 2015, the Municipality completed a housing needs assessment to better understand the opportunities and gaps in ensuring residents have access to suitable and affordable housing. The needs assessment continues to inform HRM's affordable housing initiatives and identified the following gaps in housing in HRM:

- a need for more diverse housing options;
- aging populations will require appropriate housing options;
- smaller household sizes require more units, and smaller ones;
- additional rental housing is needed – especially in areas with low vacancy rates;
- the number of households who own their home is holding relatively steady, but single detached homes are decreasing as a proportion of home ownership and new housing starts;
- affordability challenges are more likely to be experienced by Indigenous people, recent immigrants, youth, seniors, persons with disabilities, and one parent and one person households; and
- housing options are needed for people at risk of homelessness.

The assessment noted that couples with children are decreasing, while couples without children are increasing, which impacts housing needs and types. It also concluded that these needs and demographic shifts will lead to more demand for rental housing over time. Finally, in the Regional Centre, the assessment noted that it is home to more renters than owners, that the proportion of renters will continue to increase and that there is a need for housing for low-income earners.

## **2. ER Zone Rationale and Placement**

### **CDAC Questions**

- Why can't the treatment of established residential areas be sensitive to existing neighbourhoods and existing form and structure as indicated in the MPS?
- Why are mini-corridors being proposed when they would clearly change the nature of neighbourhoods dramatically?
- Why are they being proposed when there are shopping and service areas in nearby centres and corridors?
- Why are extensive townhome developments being proposed when they would dramatically alter the historic character, visual identity and density of existing neighbourhoods?
- If residents don't want or need extra commercial access, why is the plan enabling it?
- Why is residential zoning becoming more complex? For example, there three graduated residential zoning changes within the space of four homes in some neighbourhoods where there was only one zone before?
- Why not limit townhouse and apartment development to HR-2 and HR-1 areas and limit the disruption to established residential neighbourhoods in the regional centre?
- Why can't all existing R-1 areas be transitioned to ER-1 in all cases?
- Why can't R-2 areas be transitioned to ER-2 areas in all cases?
- Why can't areas with apartment and townhouse developments already be transitioned to ER-3?
- If it is not needed, why is ER-3 to ER-2 to ER-1 transitions required along mini-corridors?
- What makes one neighbourhood worth saving through special area designation and another not worth saving?
- Where are the special areas/are they gone?

As outlined in the memo introduction, the proposed ER Designation establishes four zones to retain the existing character or low-density residential neighbourhoods, while providing opportunities for new housing units and building forms. The following sections outline the policy rationale behind establishing and placing the four ER zones.

## **ER Zone Placement**

### Established Residential - 3 (ER-3) Zone

The ER-3 Zone is primarily applied along streets that connect neighbourhoods and permits highest densities and range of uses out of the ER zones, including low-rise housing containing up to four units, townhouses, and local commercial uses. The placement of the ER-3 Zone is primarily organized according to the links and nodes identified on [SMPS Map 2](#). The major links shown Map 2 represent roads that contain existing transit or cycling routes or some existing commercial uses. They were also identified based on planned future transit or cycling routes or for their important mobility connections to other parts of the Regional Centre. The ER-3 is placed on these mobility links to provide opportunities for additional housing units and forms in areas that have the physical infrastructure to support increased pedestrian, bike and vehicle traffic.

### Establish Residential 2 (ER-2) Zone

The (ER-2) Zone is primarily applied to areas that provide a transition between ER-3 and ER-1 zones and permits a range of low-rise housing types containing up to three units. The ER-2 zoning is generally placed along on streets that run parallel to the ER-3 zoning, and in areas near major institutions to allow opportunities for additional density and housing forms, but at a lesser scale than the ER-3 Zone. The ER-2 Zone is also placed on areas containing a concentration of existing two and three unit housing types.

### Established Residential - 1 (ER-1) Zone

The ER-1 Zone is primarily applied to areas that predominately contain single-unit dwelling while allowing opportunities for gentle density in the form of secondary suites, backyard suites and internal conversions within identified Special Areas. The zone is applied to areas with strong concentrations of single unit dwellings that are not located along mobility links, or otherwise suitable for the ER-2 or ER-3 Zone.

### The Land Leased Community (LLC) Zone

The LLC Zone is applied to the two existing land leased communities located in the Regional Centre to continue to permit mobile home uses on these sites.

### Existing Zoning and Development Patterns

In establishing and placing the ER zones, staff reviewed existing low-density zoning and development patterns and determined that this information is not an ideal template for which to place the proposed ER zones. There are wide variations in lot size and frontage throughout the regional centre as well as a strong mixing of unit types in most areas. Many streets have a mix of 1-4-unit buildings, which made it impractical to zone most areas based on an identified pattern of density or building typology due to spot re-zonings and development agreement approvals. In addition, matching existing zoning would not represent the actual existing densities and built form of many areas. Consequently, draft Package B attempts to organize built form and permitted density in a more rational manner, with a focus on considering the mobility links and nodes, as shown on Map 2 of the SMPS. The intent is to reduce the number of zones and complexity of planning regulations as part of consolidating four different plans. Care was taken to provide modest development opportunities while avoiding downzoning whenever possible, except for the proposed Heritage Conservation Districts, and providing protection for non-conforming structures and uses.

- **Map 1**, Existing Number of Units per Building in Low-density Areas, shows the existing number of residential units per building and the dispersed nature of existing low-density building forms.

### **Proposed Heritage Conservation Districts**

Package B identifies 9 new proposed Heritage Conservation Districts (HCDs) for future heritage planning and the development of area specific controls through the *Heritage Property Act*. The Proposed HCDs were selected based on the concentration of existing heritage assets and will be considered following the Package B process and added to the Plan when completed. The ER-1 Zone is applied to these proposed HCDs, regardless of existing unit types, to help discourage redevelopment of heritage assets prior to the creation of the HCDs. This approach is intended to reduce the risk of major redevelopment, while still allowing existing uses and the development of secondary and backyard suites.

### **Local Commercial Uses**

The proposed ER zones permit local commercial uses in several areas to support the development of complete communities and access to the goods and services needed by residents. Under draft Package B, local commercial uses are permitted:

- Within the ER-1 and ER-2 Zone – only permitted on corner lots and on the ground floor
- Within the ER-3 – only on the ground floor.

Within all ER-Zones, local commercial uses are limited to 2,000 sq. ft. in size, and include businesses selling personal services and goods (ex: accountant, architect, small grocery, massage therapy, antique store, dentist) but not restaurants, café's, take-outs or drinking establishments to limit potential conflicts with adjacent residential uses. The proposal to allow local commercial uses in ER zones is intended to support the Regional Plan direction to support complete communities and the 2017 Purple Document direction to allow commercial uses within Established Residential neighbourhoods, while ensuring the size, location, scale and intensity of the uses limit impacts to nearby residents<sup>7</sup>.

Going forward, staff recognize that the approach to local commercial uses in established residential areas will need to be balanced with home-based business opportunities, and the proximity of COR, CEN and HR zoning, which also provide opportunities for businesses to locate in walking distance of many residential neighbourhoods. Since publishing draft Package B, staff have further analyzed the proximity of established residential neighbourhoods to commercial and mixed-use area and found that most areas are already in walking distance of commercial areas.

- **Map 2**, Distance to Commercial and Mixed-use Zones, shows the distance to Package A commercial and mixed-use zones and how most low-density areas are already within a reasonable walking distance of shops and services.

### **Townhouses**

As outlined above, townhouse uses are proposed to be permitted within the ER-2 Zone, to a maximum of 4 units per townhouse block, and the ER-3 Zone, to a maximum of 8 units per townhouse block. Similar to other building forms, townhouses are permitted in these zones to support additional low-density housing options with built form controls that are intended to ensure that building heights and sizes are compatible with surrounding low-density uses.

As a building form, townhouses are generally more efficient to heat and construct, given the use of shared walls on one or both sides of units. But unlike multi-storey apartment buildings, townhouses can provide

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<sup>7</sup> Centre Plan Draft, April 2017, p.127

affordable housing options that allow residents to directly access yards and streets. Regarding affordability, while each townhouse development is unique, townhouse units are on average more affordable than single-unit and semi-detached dwellings, as shown in Table 2, below.

Table 2: Average value of owner-occupied dwellings by dwelling type in the HRM.

Average Value of Dwelling by Dwelling Type, HRM <sup>8</sup>	
Dwelling Type	Average Value
Single Detached House	\$326,325
Semi-detached	\$271,724
Row House (Townhouse)	\$223,800
Duplex	\$350,848

### Special Areas

In developing the ER zone policies and regulations, staff studied all low-density residential areas to understand and catalogue character defining elements. The geographies studied were based on existing secondary plan policies and neighbourhood boundaries. Items reviewed by the study included block pattern and layout, area and configuration of lots, massing and scale of buildings (height, lot coverage, area of buildings), setbacks, landscaping (particularly in the front yard), and the location and scale of garages. This study of character defining elements used a combination of GIS tools and in-person site visits.

The analysis identified [five precincts](#) with unique development history and built form. These precincts are identified in the proposed ER Designation policies.

These precincts establish [13 Special Areas](#) to maintain the unique character and history of each geography by tailoring LUB regulations related to minimum lot area, minimum lot frontage, setback, lot coverage, and maximum footprints. The overall intent of these special areas is to allow all uses permitted in the applicable ER zones, while maintaining the “look and feel” of existing neighbourhoods.

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<sup>8</sup> CMHC, Housing Geodata Portal. Accessed August 2020.



### 3. Existing Low-Density Zone and ER Zone Comparison

#### CDAC Questions

- Do Package B ER zoning proposals represent a dramatic expansion of development at the expense of the form, structure, history and family relationships present in established neighbourhoods?
- Also, regarding the townhouse photograph above, best practice densification approaches would indicate that townhome structures where the bulk of the first floor is a garage should not be allowed.
- Why is this happening in the regulations in Package B if it is not a best practice?
- Why this dramatic change in the scale and intent of the use of townhomes?
- The proposed height and spacing limits for townhomes would seem to allow structures of significant mass and height that are very much out of character with existing neighbourhoods. Best practice approaches suggest 2.5 stories as a maximum height...not a third higher.
- Why do the proposed regulations vastly exceed this?
- Are greenhouse structures (see diagram) permitted in addition to the 11-metre height allowance for new structures?
- How are townhome and apartment special requirements different from existing and proposed regulations for single family homes?

CDAC members and residents have raised a number of questions aimed at better understanding the difference between existing low-density zoning, and the proposed ER zoning. In response, staff have prepared a series of fact sheets that compare and highlight key differences between existing and proposed zoning.

- **Attachment 1** contains three user friendly fact sheets comparing existing and proposed low-density zoning for the Halifax Peninsula, Dartmouth, and Downtown Dartmouth.

The following sections discuss the key similarities and differences between existing and proposed ER zoning.

#### Built Form

Built form refers to size and shape of buildings, including setbacks from property lines and building height. The following highlights the key similarities and differences between existing and proposed zoning in terms of built form controls. Please see the attached fact sheets for more detailed built form information.

- Minimum lot sizes and side setbacks to adjacent properties are generally made slightly smaller to provide flexibility to develop a variety of building types, to accommodate backyard and secondary suites and to permit more lots to develop their permitted uses versus the previous plans.
- Front and rear yard setbacks are simplified and standardized. Under the previous plan lot areas and frontages were different from zone to zone and from use to use. Centre Plan sets a single minimum lot area and frontage for the ER zones (with exceptions in the Special Areas) to simplify regulations and reduce barriers to new development.
- Lot coverage, the total area of a lot that may be covered by buildings, is proposed to increase from 35% to 40% to provide increased flexibility for expansions for secondary suites or backyard suites, excluding some Special Areas where the lot coverage is maintained at 35% and one special area where the lot coverage is maintained at 50%, consistent with existing regulations.
- More opportunities are provided for semi-detached, townhouse, and three and four-unit dwellings in the proposed ER-2 and ER-3 zones.

- The introduction of secondary and backyard suites across all ER zones is consistent with the region wide Council directed project, and implemented in Package B with built form rules which are suited for the urban environment of the area.

### **Building Height**

The permitted heights of main buildings reflect both existing built form and existing zoning. The following outlines the building height requirements in Package B in comparison to existing controls.

- The maximum building height in all ER zones is generally 11 metres (36 feet). This is an increase in height of 1 foot from the current 35 feet (10.6 metres) permitted in most Halifax Peninsula R-1 and R-2 zones. This small increase is simply to allow for the imperial to metric conversion to be an even number.
- Some special areas have a lower height of 9.2 metres (30 feet) because the areas previously had this height limit – such as the Downtown Dartmouth area - or because this height more closely fits the surrounding context.
- In Dartmouth, the R-1 and R-2 zones currently have no height limit and the 11 metre height limit proposed in Package B will be the first time that height will be regulated for low-density residential areas.
- Package B identifies features that may protrude up to 3 metres above the rooftop of low-density dwellings: chimneys and stovepipes, antennas, flag poles, rooftop greenhouses, and vents.

### **Townhouses**

Townhouse developments are currently prevalent throughout the Regional Centre, particularly in the North End of Halifax, and throughout South and East Dartmouth. The proposed ER-2 Zone allows townhouses to a maximum of 4 units per townhouse block, and proposed ER-3 Zone allows townhouses to a maximum of 8 units per townhouse block. The following outlines the key controls related to the townhouse building form in comparison to existing land use controls.

- Under existing plans, townhouse developments are only permitted as-of-right in the R-2T Townhouse Zone, in Halifax, and the TH Townhouses Zone, in Dartmouth, which are both applied to limited areas. In addition, both the existing Halifax and Dartmouth plans also permit townhouses by development agreement. In comparison, the proposal to allow townhouse uses in the ER-2 and ER-3 Zones would increase as-of-right development opportunities in strategic locations, and simplify the development approvals process by not requiring the use of the development agreement tool.
- Controls related to building size and scale are very similar to existing townhome regulations. As seen on the attached fact sheets, the minimum lot size for townhomes is proposed to increase slightly from 1,800 sq. ft. to 1991 sq. ft., the frontage is increasing from 18 ft. to 20 ft. and side yards remain unchanged.
- Townhouse development must follow the same built form regulations as all other housing types, with the exceptions of minimum lot area, frontage, lot coverage and side yards.
- Package B introduces new landscaped buffer requirements in the rear yard with fence and trees to provide separation between new townhouse developments and lower density residential uses.

### **Garages**

New regulations are introduced concerning garage doors to reduce visual impacts, including limits on the number and width of doors to prevent garage doors from dominating the streetscape. While some jurisdictions prohibit garages on the ground floor of townhomes, this is usually only required for dense townhome developments that front onto main streets. Similarly, townhomes and stacked townhomes located in the HR or COR zones would not permit a continuous row of garages along the ground floor.

## Accessory Buildings

The proposed built form rules around accessory buildings (e.g. garages, sheds, backyard suites) are intended to ensure a consistent approach to height, setbacks and floor area across the Regional Centre. The changes in floor area and height are not significant compared to the existing rules under the Dartmouth LUB, but is the first time that floor area of an accessory structure will be regulated in Halifax, outside of Westmount. Table 3, below, compares the proposed Package B requirements to existing LUB controls.

Table 3: Accessory Building Requirements

Regulation	Package B LUB	Dartmouth LUB	Halifax Peninsula LUB
<b>Side Setback</b>	1.25 metres (4 feet)	No requirement*	No requirement; on corner lots follow the flanking setback in the zone.
<b>Rear Setback</b>	1.25 metres (4 feet)	No requirement*	No requirement*
<b>Front Yard Setback</b>	Applicable front yard setback as shown on Schedule 10.	No closer to the street than the main building.	Applicable front yard setback in the zone.
<b>Maximum Height</b>	5.5 metres (18 feet) or 3.0 metres (10 feet) in Westmount	4.5 metres (15 feet)	4.2 metres (14 feet)
<b>Maximum Footprint</b>	60 square metres (645 sq. ft.) or 6.0 metres (65 sq. ft.) in Westmount	61 sq. m. (650 sq. ft.)	No requirement; in Westmount 6 sq. m. (65 sq. ft.)
<b>Separation distance between any other structure</b>	1.25 metres (4 feet)	No requirement*	No requirement*

\*While the LUB contain no requirement, Building Code requirements still apply.

## Local Commercial Uses

Under current land use by-laws, local commercial uses similar to those proposed to be permitted in the ER-2 and ER-3 Zones are only allowed in the RC-1 and RC-2 zones of Halifax, and the DN zone in Downtown Dartmouth. The RC zones are spot zoned on specific pre-existing businesses and commercial areas, and were not intended to support the introduction of new commercial uses into residential areas. Only a few dozen lots are zoned RC-1 or RC-2 in all of Halifax. RC-1 zone permits only pharmacies and grocery stores. The RC-2 zone permits most of the commercial uses permitted by the C-2A zone and is more intensive than the proposed local commercial zone in Centre Plan.

## Maximum Number of Bedrooms

Package B proposes to carry forward controls regarding the maximum number of bedrooms permitted in a dwelling from the Halifax Peninsula LUB, and extend the requirements to the entire Regional Centre. The following highlights key similarities and differences

- The Halifax Peninsula LUB currently caps the maximum number of bedrooms in a four unit dwelling at 11 bedrooms, while Package B proposes to reduce this to 10 bedrooms.
- The Downtown Dartmouth LUB does not have a limit on bedrooms and the Dartmouth LUB only regulates bedrooms in multi-unit buildings in the R-3, R-4 and MF (“Multi-Family”) zones.
- Regulations regarding maximum bedrooms are proposed to include secondary and backyard suites and apply to shared housing uses.

For easy reference, the following outlines the proposed maximum bedroom requirements contained in Package B.

### **Maximum Bedroom Counts in Low-Density Dwellings**

- 67 (1) The following limits on the total number of bedrooms apply to all low-density dwelling uses in ER-3, ER-2, and ER-1 zones, including small shared housing uses, as follows:
- (a) single-unit dwelling use: 6 bedrooms per lot;
  - (b) semi-detached dwelling use: 4 bedrooms per unit;
  - (c) townhouse dwelling use: 4 bedrooms per unit;
  - (d) two-unit dwelling use: 4 bedrooms per unit;
  - (e) three-unit dwelling use: 9 bedrooms per lot; and
  - (f) four-unit dwelling use: 10 bedrooms per lot.
- (2) All bedrooms in a secondary suite use or a backyard suite use shall be counted toward the bedroom limits in Subsection 67(1).

### **Shared Housing**

In coordination with Region wide project work under the Affordable Housing Work Plan, Package B introduces a new approach to regulating housing that doesn't fit the traditional definition of a dwelling unit, which must contain its own kitchen and bathroom. Called shared housing, the use is intended to include all forms of shared living arrangements, including care facilities and boarding houses. The approach recognizes the challenge with licensing requirements, defining care and controlling tenancy, and supports alternative living arrangements where residents share kitchens or bathrooms facilities for varied care, economic or lifestyle reasons. However, to limit impacts on neighbourhoods, shared housing uses are subject to the same built form and maximum bedroom requirements as all other ER zone uses to ensure the scale and density is similar to other residential uses. The approach to shared housing is proposed to replace and update existing controls related to Special Care Homes, contained in the Halifax Peninsula LUB, and Group Homes, contained in the Dartmouth LUB.

### **Three Unit Conversions**

Package B identifies a three-unit conversion special area that is intended to carry forward and update the three existing internal conversion areas for Peninsula South, Peninsula Centre and the residential neighbourhoods of Downtown Dartmouth. Originally established in the 1950's in Downtown Dartmouth, and 1980s in Halifax, the three-unit conversion Special Area is intended to incentivize the retention of existing homes, while allowing larger homes to be divided into multiple units. Key aspects of the proposed three-unit conversion regulations include:

- only providing the flexibility to building that exists as of the coming into force date of Package B, which is an updated from the existing date of 1982 in Halifax, and 1950 in Downtown Dartmouth.
- prohibiting the building from being expanded; and
- prohibiting exterior stair cases from being added to a front or flanking yard

### **Heritage Preservation**

Heritage buildings and historic streetscapes are protected in several new ways.

- The Schmidville Heritage Conservation District (HCD) was approved in 2018 and established detailed controls to allow contextual development and preserve character defining elements. These land use controls are carried forward in Package B without significant changes.

- Proposed SMPS policies set low maximum building heights on registered heritage properties, while enabling Council to consider development agreement applications on heritage properties to encourage retention of heritage assets.
- The ER special areas identify several historic and distinct neighbourhoods to help ensure that any new development is consistent with the existing built form of the area.

#### Site-Specific CDAC Questions

The CDAC memo raised a number of site-specific questions concerning the placement proposed ER zones along specific streets or areas. **Attachment 2** lists and responds to these site-specific questions.

## 4. Development Potential Comparison

#### CDAC Questions

- How many areas have seen extreme up-zoning...? from R-1 to ER-3? Where are those areas?
- Do Package B ER zoning proposals represent a dramatic expansion of development at the expense of the form, structure, history and family relationships present in established neighbourhoods?
- Why do zoning “islands” exist? Why has up-zoning and down-zoning not been consistent?
- Explain where downzoning/upzoning occurs?

CDAC members raised a number of questions related how the proposed ER Zoning may either increase or decrease the ability of properties to develop additional housing units. Often referred to as up-zoning and down-zoning, the following sections discusses the development potential of low-density areas under both existing and proposed ER zoning.

#### Mapping Analysis

Attached are a set of three maps showing the development potential of low-density areas under both existing and proposed zoning, the difference between the two plans, and existing units per building.

- **Map 3**, Existing Zoned Development Potential, illustrates the existing zoned development potential prior to Council’s recent decision to allow secondary suites and backyard suites in allow low density residential areas.
- **Map 4**, Established Residential Zoned Development Potential, illustrates the zoned development potential under the proposed ER zones.
- **Map 5**, Zoned Development Potential Changes Between Existing and Proposed ER Zoning, compares existing and proposed zoning to show areas that may be up-zoned or down zoned.

The above maps illustrate the **zoned development potential** of properties under existing and proposed ER zoning. For clarity, it is important to note that zoned development potential is **not a prediction** of actual development, nor does it consider factors that may limit development of individual properties, such as side yards and other built form requirements. Rather, this mapping shows what the zone would permit if **every lot could develop**, all things being equal. The number of units for each zone is useful for indicating how likely the zone is to provide additional residential units, but should not be used to predict the actual number of new dwelling units that may be created. Market conditions, consumer preferences, and the availability of credit all have significant impacts on housing development and is not assessed in this mapping.

### Caveats and Data Limitations

The maps were prepared using available GIS data and may not be accurate on an individual property basis. There may be some units which are undocumented, which are not shown. In addition, to produce the maps, certain interpretations needed to be made. For example, all properties in the existing R-1 Zone, where conversion is permitted, were assumed to be eligible for the 3-unit conversion when only certain properties can achieve all the requirements of the conversion.

These maps are useful for planning purposes, but also have limitations. Staff encourage the CDAC members to ask questions about the mapping and seek clarification for items that they may find to be inconsistent with current or proposed by-laws, or their own experience in HRM.

### **Zoned Development Potential**

Based on **Map 3**, table 4, below, summarizes the zoned development potential based on the zoning currently in effect in the Regional Centre.

Table 4: Existing zoned development potential (excluding Council's recent decision to permit secondary suites and backyard suites in all low-density zones)

<b>Dartmouth</b>	<b>Lots</b>	<b>Units</b>
DN Zone (Downtown Dartmouth Plan Area)	1,195	3,585
R-1 and R-1M	3,146	3,146
R-2	2,261	4,522
<b>Dartmouth Total</b>	<b>6,602</b>	<b>11,253</b>

<b>Halifax Peninsula Plan Area</b>	<b>Lots</b>	<b>Units</b>
R-1 Excluding Peninsula Centre and South End	1,862	1,862
R-1 and R-1A Peninsula Centre and South End only (3 unit conversion)	1,742	5,226
R-2 4,000-4,999 sq. ft. Excluding Peninsula Centre and South End	1,161	1,161
R-2 5,000-7,999 sq. ft Excluding Peninsula Centre and South End	435	870
R-2 8,000 sq. ft+ Excluding Peninsula Centre and South End	54	216
R-2 6,000 sq. ft+ Peninsula Centre and South End only	34	136
R-2A 4,000 sq. ft+	90	360
R-2 and R2-A under 4,000 sq. ft	5,157	5,157
<b>Halifax Peninsula Total</b>	<b>10,535</b>	<b>14,988</b>
<b>Regional Centre Total, Current Plans and By-laws</b>	<b>17,137</b>	<b>26,241</b>

The current zoning regime has a zoned development potential of 26,241 units. More unit potential overall was possible in Halifax versus Dartmouth, but Dartmouth allowed slightly more units per lot than Halifax.

As shown on **Map 4**, table 5, below, shows the zoned development potential under the proposed ER zones.

Table 5: ER zone development potential

<b>Area</b>	<b>Lots</b>	<b>Units</b>
ER-1 2 unit (including secondary or backyard suites)	7,919	15,838
ER-1 3 unit (existing two-unit buildings, permitted to add a secondary suite)	1,236	3,708
ER-1 conversion special area	3,406	10,218
ER-2	4,069	12,207
ER-3	1,478	5,912
<b>RC Dartmouth total</b>	<b>7,227</b>	<b>18,620</b>
<b>RC Halifax total</b>	<b>10,881</b>	<b>29,263</b>
<b>Regional Centre Total Centre Plan Zoned Capacity</b>	<b>18,108</b>	<b>47,883</b>

**Up-zoned areas**

As shown on **Map 5**, the proposed ER zoning increases the development potential of most low density neighbourhoods. The following outlines the major sources for the increase of development potential

- 971 new lots were added to the ER designation (mostly in Dartmouth) that were not formerly zoned R-1, R-2, etc. (i.e.: they were commercially or mixed used zoned)
- Permitting every property formerly zoned R-1 in both Dartmouth and Halifax to now contain two units (secondary or backyard suite) accounts for 7,919 of the new development potential, equating to 36.5% of the total.
- In Halifax, the R-2 zone limited unit density permitted on each lot by lot area, lot frontage and GFAR. Out of 6,931 R-2 and R-2A zoned lots, 6,318 of them (91%) did not meet the minimum requirements to develop at least two units as-of-right. Most of these lots are proposed to be zoned ER-1 or ER-2, which increases the development potential by one or two units for each property. This accounts for approximately 4,000 new potential units or 18.5% of new development potential.
- Approximately 1,236 properties proposed to be zoned ER-1 would be able to contain up to three units as secondary suites are permitted in existing two-unit buildings. This adds 1,236 units, or 6% of new development potential.
- The proposed ER-2 and ER-3 Zone accounts for approximately 12,000 of the new development potential, or 39% of the new zoned development potential.

**Down-zoned Areas**

Also shown on **Map 5**, the proposed ER zoning decreases the zoned development potential in a few areas. The following outlines the major reasons for these decreases.

- Downzoning takes place in proposed HCDs where the proposed zoning is ER-1 to limit redevelopment prior to the HCD planning process.
- In Halifax, several down zonings take place on multi-unit buildings which are located within low-density neighbourhoods and not zoned HR-1 or HR-2. Many of these are located within the proposed Victoria Road HCD and will be addressed through that planning process. In the meantime, the properties will be considered “non-conforming” and may renovate and maintain the building. Additionally, Centre Plan provides a development agreement option to expand non-conforming uses.

**Observed Development Activity**

The above sections review and compares the development potential of low-density areas under existing and proposed ER Zoning. While this analysis helps to inform planning policies, as previously noted, actual development responds to a number of market and demographic factors. To help put the zoned

development potential maps in context, the following table shows the number of new residential units within low-density areas within recent years.

Table 6: New Residential Units in low-density areas from 2016 to 2019

Year	2016	2017	2018	2019
New Buildings containing 3 to 5 units	18	13	23	14
Additions or renovations	15	9	13	10
New construction	3	4	10	4
<b>Total</b>	<b>36</b>	<b>26</b>	<b>46</b>	<b>28</b>

As highlighted in the Jennifer Keesmaat review of Package A, the comparison between zoned development potential and observed development demonstrates the importance of providing a variety of development opportunities to support development goals. In her review, Ms. Keesmaat recommended zoning for 10 to 20 times the amount of desired development.

### **Residential Units and Density**

The mapping discussed in this section review the number of residential units that may be developed under existing and proposed ER zoning. While residential units are a clear way to compare development options and densities, it is important to note that not all residential units contain the same number of people. For example, residential units located on lots containing multiple dwelling units, such as secondary suites, are typically smaller in size and house fewer people than traditional single unit dwellings. As noted in Section 1, the average household size has been decreasing in HRM for several decades, with an increasing number of single parent families, two person households, non-family households and single person households. This means that a higher number of residential units, which are now typically smaller in size, are needed to accommodate the same number of residents that once lived in fewer, but larger households.



## 5. Neighbourhood Impacts

### CDAC Questions

- Can the methodological underpinnings of up-zoning, best practice examples, and results of experiments in other jurisdictions be provided to CDAC and the public?
- Will this be disruptive to those neighbourhoods?
- General questions on affordability of townhomes, triplexes and fourplexes.
- Can existing services, water/sewer, parks, recreation, schools, parking demand, etc. accommodate the proposed density changes?
- What will prevent the regional centre from becoming overrun with Short-Term Rentals of backyard suites?
- What costs are associated with extra enforcement measures and staff that will likely be required to regulate STRs.
- These measures would clearly lead to the destruction of long-established character neighbourhoods. How can this be justified?
- Even the most aggressive jurisdictions re up-zoning set in regulations that if a character home is being torn down, there must be a community discussion and appropriate permissions granted. Why is this not contemplated in Halifax's ER regulations?
- Are we targeting ER neighbourhoods for teardowns?
- Environmental cost to teardown homes – has it been established?
- How will these large and out of character structures affect existing neighbourhoods?
- What new parking requirements or challenges will result from zoning changes?
- Why is transition required in some ER areas and not in others?

CDAC members raised a number of questions related to the impact of increasing development options on existing neighbourhoods. The following reviews the experiences from other jurisdictions, impacts on traffic and infrastructure, transitions to higher intensity zones, and concerns related to short-term rentals.

### Jurisdictional Scan

Attachment 2 provides a list of selected articles and a jurisdictional scan of Canadian and American cities which over the past ten to twenty years provided opportunities for additional housing in low density areas. Some of these changes were mandated by provincial or state legislation (e.g. Ontario, Oregon). The articles provide a synopsis of the complex issues associations with land use in traditional single-unit housing areas, including the history of zoning policies, their impacts on housing supply and equity, livability, economics, community engagement, why these areas are key adding and distributing housing supply, and what it takes to make them successful.

“Gentle density” is generally defined as attached, ground-oriented housing that's more dense than a detached house, but with a similar scale and character. This can include secondary suites, backyard suites, duplexes, semi-detached homes, rowhouses, or even stacked townhouses. The following summarizes some of the key themes from this review:

- Many communities continue to value low-density zoning but there is a growing recognition that zoning that imposes one type of housing form increasingly stands in the way of how people live or want to live (e.g. aging in place, new or blended families, first time home-ownership, affordability);
- Low density zoning consumes a large portion of urban regions' land area but provides inefficient use of housing, while adding gentle density can significantly increase housing supply and efficient use of land;

- There are benefits to distributing growth of low, medium and higher residential densities throughout urbanized areas rather solely focusing on concentrated high growth nodes; these include gains in transit, business, local services and neighbourhood vitality, while reducing cost and infrastructure burdens associated with hyper-concentrated development;
- Zoning changes in low density areas alone typically do not result in a great increase in additional housing units, and some municipalities have taken the extra steps to provide grants and loans, waive development fees and provide easy to understand information to gain new housing units;
- Concerns associated with impacts of up-zoning on property values, short-term rentals or tear-downs can be mitigated by allowing new units broadly thus reducing impact on any one area, carefully tailoring built form rules to various areas, including registration or rental units, or tying additional units to maximum rent levels;
- While most cities started updating their zoning by allowing secondary suites or backyard suites in low density neighbourhoods, duplexes, and three to six units are now being introduced in some areas, in particular in areas well served by transit;
- Environmental benefits of 2-3 storey housing is being increasingly recognized;
- In cities where secondary suites and other forms of gentle density have been permitted for some time, they are a key element of the housing continuum and local economy, providing access to workforce housing.

### **Traffic and infrastructure**

Development applications are reviewed by staff in planning and engineering, and larger development applications are circulated externally to agencies such as Halifax Water and Nova Scotia Power.

From a transportation perspective, a review of development and redevelopment applications attempts to strike an appropriate balance between facilitating development, encouraging walking, cycling and the use of transit and other high-occupancy vehicles, integrating development with the transportation system, protecting for future transportation system changes and balancing consistency of a development with Council's policies, including transportation policies.

With respect to water and stormwater services, it is anticipated that the modest increases in unit counts in low density areas will not negatively impact capacity issues. Trends have been towards smaller household sizes, and hence small increases in capacity are anticipated. However, where new residential units are proposed, they will be subject to review by Halifax Water. Halifax Water has the ability to deny any application if capacity does not exist.

### **Transition to Higher Intensity zones**

In some cases, ER zones directly abut the higher intensity zones approved as part of Centre Plan Package A. All of these Package A zones contain a number of requirements to transition to lower density areas. These transition requirements include:

- a minimum 6m rear yard, except a 4.5 m rear yard for the Downtown Halifax Area;
- a stepback above a height of 11m;
- a minimum 10 m setback for Industrial uses.

Package B also introduced new buffers between townhome uses and other ER uses, and between local commercial uses and other ER uses. In most cases, the buffer consists of the required setbacks and stepbacks noted above, as well as a minimum 2.5-metre-wide landscaped buffer including:

- a continuous evergreen edge at least 1 metre high;
- one tree for every 4.5 metres of linear lot length;
- a wooden fence, masonry wall or evergreen hedge at least 1.8 metres high directly on the lot line when abutting an ER zone; and

- the remaining area of the 2.5 m buffer must be “soft landscaping” (ex: grass, flowers, other plantings)

### Short Term Rentals

Short term rentals (STR) are temporary overnight accommodations rented out by property owners or tenants, typically for a few nights or weeks. Over the past few years, the prevalence of STRs have grown through the popularity of online platforms such as Airbnb, VBRO and HomeAway. In May 2019, the Community Planning and Economic Development Standing Committee (CPED) requested a staff report that considers the creation of a by-law to regulate STRs. Key components of this request include:

- completing a jurisdictional scan;
- creating a resident survey; and
- consulting with the short-term rental industry and the Province of Nova Scotia

A notice a motion concerning the requested staff report was provided at the September 1, Regional Council meeting and the staff report is anticipated to be considered at the September 22, 2020, meeting of Regional Council.

## 6. Community Engagement

### CDAC Questions

- What efforts have been made to reach out to neighbourhoods affected?
- Why didn't backyard suites come to CDAC before council?
- What can be done to demonstrate greater transparency around HR (ER?) zoning changes?
- What are the plans to immediately reach out to the communities, at the neighbourhood level, on this issue?
- Were measures taken to eliminate selection bias in the Centre Plan Surveys?
- Are staff or councillors reporting that the Centre Plan Surveys are somehow representative of public opinion to justify policy or positions?
- Verification tools are essential. Were these used in the centre plan surveys?
- Did the centre plan surveys use random sampling techniques?
- Were measures taken to eliminate outcome bias?

### Completed Community Engagement

Community dialogue around the need for allowing more housing options in low density neighbourhoods such as secondary suites, backyard suites and shared housing dates back to the 2006 Regional Plan, the 2015 Halifax Housing Needs Assessment, the Centre Plan Purple document, Centre Plan Package A & B consultations, and the region-wide amendments for secondary suites and backyard suites coordinated with Centre Plan. Each consultation provided a high level of support for policy changes in this area. Table 7, below, provides a summary of completed engagement.

Table 7. Summary of completed community engagement

Package B (pre-COVID 19 state of emergency)	
Pop-Ups	10 (50 comment cards)
Stakeholder Sessions	12 (85 attendees)

Public Meetings	8 (scheduled but cancelled)
<b>Package B (post-COVID state of emergency)</b>	
Correspondence	70 (approx.450+ comments tracked)
10 Online Surveys	1,615 surveys completed
Stakeholder meetings	upon request
SYC Portal (Jan. – Aug.t31. 2020)	12K total visits with 879 engaged, 4.1K informed and 5.9K aware
<b>Package A &amp; Purple Document Consultations (March 2016 – Nov. 2018)</b>	
Public Open Houses	14
Community Workshops	8
Pop-ups	15
Walking Tours	20
Stakeholder Workshops	10+
Submissions	326
Roadshow Presentations	50+
Storefront	10 weeks, 400 visits
SYC Portal	~26,500 unique visitors with 24,300 Downloads
<b>Community Engagement (region-wide amendments for secondary suites &amp; backyard suites)</b>	
Surveys Stakeholder meetings	2,500 (48% of responses from the Regional Centre, where 89% were supportive of allowing secondary suites in the area, and 81% were supportive of allowing a backyard suite in their area)

### Backyard and Secondary Suites

On September 1, 2020, Regional Council approved amendments to the Regional Plan and all secondary plans to permit secondary and backyard suites in all low-density residential zones. The amendments apply to the existing Halifax Peninsula and Dartmouth LUBs, and are consistent with the draft policies and regulations incorporated into the Centre Plan Package B documents. The Region wide approach to secondary and backyard suites was informed by:

- The policy direction established in the 2014 Regional Plan<sup>9</sup>, which was informed by region wide engagement strategy;
- The results of the 2015 Housing Needs Assessment, which included stakeholder surveys and meetings;
- The feedback received during the 2017-2018 public consultations, including earlier Centre Plan feedback (see above)<sup>10</sup>;
- The results of an on-line questionnaire that received over 2,500 responses; and
- Feedback provided from various stakeholder and group consultations with government, housing groups, and residential and business associations.

<sup>9</sup> The policy direction was first approved in the 2006 Regional Plan

<sup>10</sup> The SYC website for secondary suites & backyard suites included [a summary of Centre Plan feedback](#) received during Centre Plan Purple document consultations.

Given newly approved Regional Plan policy direction, the Centre Plan Package B documents must allow both secondary and backyard suites in all ER Zones. However, context specific controls on the design of secondary units may be tailored to the Regional Centre urban context, such as the height and size of backyard suites. Consequently, future Package B engagement materials will focus on gathering feedback on these design details.

### **Package B Surveys**

In June, 2020, staff published a series of online surveys on key themes to both educate and continue to engage the public on key policies proposed in Package B. The surveys were open until August 31, 2020 and received 1,615 responses. The goals of the surveys were to:

- enhance online engagement during COVID-19 and social distancing measures;
- inform members of the public about key proposed policy directions;
- seek feedback about specific policy questions through open and closed questions; and
- reduce barriers to participation in the Centre Plan process.

The surveys were part of a community engagement effort, as opposed to social research where data sampling and accuracy is of paramount importance. Community engagement in policy often relies on self-selected audiences to participate in stakeholder or citizen meetings based on interest and/or knowledge of the topic. In public meetings, admission is typically open and efforts made to reduce barriers to participation. Survey results are rarely if ever used as the sole determinant of policy decisions, and are balanced with other feedback, research and analysis.

Online surveys can be used to increase engagement opportunities and can be implemented at little cost. The survey tool used by HRM through [Engagement HQ](#) has many features, and while prior registration can be required, it is often not recommended to encourage participation. Staff will provide a summary of key demographic characteristics of respondents, and no claims are being made of the survey being statistically representative. The survey results will be summarized and shared with CDAC, together with all other feedback received, through a future 'What We Heard' report.

### **Future Community Engagement**

Please see the separately circulated memo titled 'Centre Plan Package B Community Engagement', for information on the proposed approach to completing the engagement phase of the Package B planning process.

## **7. Maps and Attachments**

**Attachment 1:** Existing zoning and proposed ER zoning Comparison

**Attachment 2:** Site-Specific ER zoning Questions and Responses

**Attachment 3:** Summary of Selected Literature and Jurisdictional Scan

**Map 1** Existing Number of Units per Building in Low-density Areas

**Map 2** Distance to Commercial and Mixed-use Zones

**Map 3** Existing Zoned Development Potential

**Map 4** Established Residential Zoned Development Potential

**Map 5** Zoned Development Potential Changes Between Existing and Proposed ER Zoning

# ATTACHMENT 1

# ESTABLISHED RESIDENTIAL ZONE COMPARISON



## PERMITTED USES

### EXISTING R1 & R2 ZONES (HALIFAX)

#### R-1: Halifax Peninsula Land Use By-law

- detached one-family dwelling house
- the office of a professional person (doctor, physician, surgeon, dentist, barrister or solicitor, architect or engineer, chartered accountant, psychologist) located in the dwelling house used by such professional person as his/her private residence
- home occupation
- public park or playground
- church or church hall
- day care facility for not more than 14 children in conjunction with a dwelling
- special care home containing not more than ten persons including resident staff members
- uses accessory to any of the foregoing uses.

#### Additionally:

- conversion to three units (limited to South End and Peninsula Centre Areas)
  - a residential buildings in existence on October 14, 1982 may convert to a maximum of 3 units provided that there is no increase in height or volume and the external dimensions of the building have not changed since October 14, 1982 (and other requirements related to unit size, bedroom counts, and parking)
- bed and breakfast, subject to the requirements of that section
- rooms for up to three boarders and lodgers

#### R-2: Halifax Peninsula Land Use By-law

- uses permitted in the R-1 Zone
- semi-detached and duplex dwellings
- buildings up to four units
- uses accessory to any of the foregoing uses

#### Additionally:

- numerous area-specific conversion clauses ranging from 2 - 4 units

### PROPOSED ER ZONES (CENTRE PLAN)

#### ER-1

- single-unit dwelling
- secondary or backyard suite
- two or three unit use via the ER-1 Conversion (ERC) Special Area, subject to the requirements of section 68
- small shared housing
- bed and breakfast
- home office and home occupation
- daycare (up to 14 people)
- local commercial (corners only, up to 200 sq. m.)
- urban farm
- emergency services
- medical clinic (corner lots only)
- school
- community recreation and park use
- accessory structure (i.e. shed)
- historic monument or site
- temporary construction use
- transportation facility use
- utility use
- water access structure

Note: Future Heritage Conservation Districts proposed in the ER Designation are proposed to be zoned ER-1 until those districts are developed. Please refer to Map 20, and our [fact sheet](#) on Heritage Conservation Districts available at [centreplan.ca](#)

#### ER-2

- ER-1 permitted uses\*
- semi-detached dwellings
- townhouse dwellings (up to four in a row)
- two-unit dwellings
- three-unit dwellings
- cultural use

#### ER-3

- ER-1 and ER-2 permitted uses\*
- townhouse dwellings (up to eight in a row)
- four-unit dwellings
- local commercial uses permitted on all lots (on the ground floor only)
- medical clinic

\* two or three unit use via the ER-1 Conversion (ERC) Special Area is only permitted in the ER-1 zone.

# ESTABLISHED RESIDENTIAL ZONE COMPARISON

## LOW-DENSITY RESIDENTIAL ZONE REQUIREMENTS

REQUIREMENT	EXISTING R-1 ZONE - HALIFAX	EXISTING R-2 ZONE - HALIFAX	PROPOSED ER-1, ER-2, ER-3 ZONES (February 2020 Draft)
Minimum Lot Area	371.6 sq. m. (4,000 sq. ft.)	Varies (depending on number of units): 371.6 - 743.2 sq. m. (4,000 - 8,000 sq. ft.)	325 sq. m. (3,498.3 sq. ft.)*
Minimum Lot Frontage	12.2 m. (40 ft.)	Varies (depending on use): 12.2-24.4 m. (40-80 ft.)	10.7 m. (35.1 ft.)*
Minimum Side Yards	10% of lot width up to 6 ft.	1.2-1.8 m. (4-6 ft.)	1.25 m. (4.1 ft.)*
Minimum Front Yard	Varies: 4.6 - 15.2 m. (15 - 50 ft.)	Varies: 4.6 - 15.2 m. (15 - 50 ft.)	Varies: Typically 2 m (6.6 ft.), ranges between 0 m. to 4m (0-13.1 ft.)
Minimum Rear Yard	6.1 m. (20 ft.) (measured as mean)	6.1 m. (20 ft.) (measured as mean)	6 m. (19.7 ft.)
Maximum Lot Coverage	35%	35%	40%, or 50% if larger than 325 sq. m.*
Maximum Building Height	10.7 m. (35 ft.) <sup>1</sup>	10.7 m (35 ft.)	11 m. (36.1 ft.)

<sup>1</sup> Centre Plan measures height from the mean grade of the adjoining ground to the highest point of the roof. In the Halifax Peninsula LUB R-1 Zone height was measured to the top of the building excluding non-habitable spaces. This change ensures that buildings cannot exceed the height limit.

\* This requirement is regulated further in Special Areas (see Special Area table below).

## TOWNHOUSE REQUIREMENTS

REQUIREMENT	EXISTING R-2T ZONE - HALIFAX	PROPOSED TOWNHOMES: ER-2 & ER-3 ZONES (February 2020 Draft)
Minimum Lot Area	167.2 sq. m. per townhouse + 185.8 sq. m. (1,800 sq. ft. per townhouse + 2,000 sq. ft.)	End unit: 277 sq. m. (2,981.6 sq. ft.) Interior unit: 185 sq. m. (1,991.3 sq. ft.)
Minimum Lot Frontage	5.5 m. per townhouse unit + 6.1 m. (18 ft. per townhouse unit + 20 additional ft.)	End unit: 9.1 m. (30 ft.) Interior unit: 6.1 m. (20 ft.) per townhouse unit
Minimum Side Yards	End unit: 3 m. (10 ft.) Interior unit: 0 m. (0 ft.)	End unit: 3 m. (9.8 ft.) Interior unit: 0 m. (0 ft.)
Minimum Front & Flanking Yards	Front yard: 4.6 m. (15 ft.)	Front and flanking yards mapped on Schedule 10, otherwise 3.0 m. (9.8 ft.)
Maximum Lot Coverage	40%	50%
Number of Units in Townhouse Block	At least 3, no maximum.	Max. of 4 in ER-2 zone, 8 in ER-3 zone

\*\* All other requirements for townhomes are identical to the proposed ER zone requirements noted in the Low-Density Residential Zone Requirements table above.

## \* SPECIAL AREAS

8 Special Areas specific to Established Residential neighbourhoods are proposed as part of Package B to enhance and maintain the unique character and history of each geography. Specific regulations are proposed for each area to ensure the existing built form is respected and maintained in the future.

Special Area	Minimum Lot Area	Minimum Lot Frontage	Minimum Side Yards	Maximum Lot Coverage
Armview	743 sq. m.	*	4.5 m.	*
Grant Street	275 sq. m.	*	1.5 m.	35%
North End Halifax 1	*	*	1.5 m. on one side, 0 m. on the other	*
North End Halifax 2	185 sq. m.	6.1 m.	0 m.	50%
Oakland Road	464 sq. m.	15.2 m.	*	*
West End Halifax 1	*	*	*	35%
West End Halifax 2	*	*	*	35%
Young Avenue	743 sq. m.	24.4 m.	10% of lot width to maximum of 3.0 m.	35%

\* There are no special requirements for this regulation; the standard ER requirements apply.



# ESTABLISHED RESIDENTIAL ZONE COMPARISON



## DARTMOUTH DARTMOUTH LUB & CENTRE PLAN LUB

### PERMITTED USES

#### EXISTING R1 & R2 ZONES (DARTMOUTH)

##### R-1: Dartmouth Land Use By-law

- single family dwellings
- places of worship and associated halls
- schools, colleges, universities, libraries, art galleries, and museums
- public parks and playgrounds
- tennis clubs, quiet clubs, lawn bowling clubs, archery clubs, golf clubs
- yacht and boating clubs located within 200 feet of the shore of a lake or Halifax Harbour
- home occupations (including bed and breakfast and small daycare)
- up to 3 boarders and lodgers
- uses accessory to any of the foregoing uses

##### R-2: Dartmouth Land Use By-law

- uses permitted in the R-1 Zone
- semi-detached and duplex dwellings
- basement apartments
- group home for up to six residents
- accessory uses

#### PROPOSED ER ZONES (CENTRE PLAN)

##### ER-1

- single-unit dwelling
- secondary or backyard suite
- two or three unit use via the ER-1 Conversion (ERC) Special Area, subject to the requirements of section 68
- small shared housing
- bed and breakfast
- home office and home occupation
- daycare (up to 14 people)
- local commercial (corners only, up to 200 sq. m.)
- urban farm
- emergency services
- medical clinic (corner lots only)
- school
- community recreation and park use
- accessory structure (i.e. shed)
- historic monument or site
- temporary construction use
- transportation facility use
- utility use
- water access structure

Note: Future Heritage Conservation Districts proposed in the ER Designation are proposed to be zoned ER-1 until those districts are developed. Please refer to Map 20, and our [fact sheet](#) on Heritage Conservation Districts available at [centreplan.ca](#)

##### ER-2

- ER-1 permitted uses\*
- semi-detached dwellings
- townhouse dwellings (up to four in a row)
- two-unit dwellings
- three-unit dwellings
- cultural use

##### ER-3

- ER-1 and ER-2 permitted uses\*
- townhouse dwellings (up to eight in a row)
- four-unit dwellings
- local commercial uses permitted on all lots (on the ground floor only)
- medical clinic

\* two or three unit use via the ER-1 Conversion (ERC) Special Area is only permitted in the ER-1 zone.

# ESTABLISHED RESIDENTIAL ZONE COMPARISON

## LOW-DENSITY RESIDENTIAL ZONE REQUIREMENTS

REQUIREMENT	EXISTING R-1 ZONE - DARTMOUTH	EXISTING R-2 ZONE - DARTMOUTH	EXISTING R-2 ZONE - DARTMOUTH SEMI-DETACHED BUILDINGS	PROPOSED ER-1, ER-2, ER-3 ZONES (February 2020 Draft)
<b>Minimum Lot Area</b>	464.5 sq. m. (5,000 sq. ft.)	464.5 sq. m. (5,000 sq. ft.)	232.3 sq. m. per unit (2,500 sq. ft.) per unit	325 sq. m. (3,498 sq. ft.)*
<b>Minimum Lot Frontage</b>	15.2 m. (50 ft.) (Regional Subdivision By-law)	15.2 m. (50 ft.) (Regional Subdivision By-law)	7.6 m. (25 ft.) per unit	10.7 m. (35.1 ft.)*
<b>Minimum Side Yards</b>	Lots created after 2001 = 2.4 m. (8 ft.), prior = Building Code requirements apply.	Lots created after 2001 = 2.4 m. (8 ft.), prior to = Building Code requirements apply.	Lots created after 2001 = 2.4 m. (8 ft.), prior = Building Code requirements apply.	1.25 m. (4.1 ft.)*
<b>Minimum Front Yard</b>	Varies based on adjacent buildings, otherwise 4.6-9.1 m. (15-30 ft.)	Varies based on adjacent buildings, otherwise 4.6-9.1 m. (15-30 ft.)	Varies based on adjacent buildings, otherwise 4.6-9.1 m. (15-30 ft.)	Varies: Typically 2 m (6.5 ft.), ranges between 0 m. to 4m (0-13.1 ft.)
<b>Minimum Rear Yard</b>	Lots created after 2001 = 2.4 m. (8 ft.), prior = Building Code requirements apply.	Lots created after 2001 = 3.0 m. (10 ft.), prior = Building Code requirements apply.	Lots created after 2001 = 3.0 m. (10 ft.), prior = Building Code requirements apply.	6 m. (20 ft.)
<b>Maximum Lot Coverage</b>	35%	35%	35%	40%, or 50% if larger than 325 sq. m.*
<b>Maximum Building Height</b>	No height limit, unless within Schedule W (Lake Banook) a maximum of 10.7 m. (35 ft.)	No height limit, unless within Schedule W (Lake Banook) a maximum of 10.7 m. (35 ft.)	No height limit, unless within Schedule W (Lake Banook) a maximum of 10.7 m. (35 ft.)	11 m. (36 ft.)

Note: Centre Plan measures height from the mean grade of the adjoining ground to the highest point of the roof.

\* This requirement is regulated further in Special Areas (see Special Area table below).

## TOWNHOUSE REQUIREMENTS

REQUIREMENT	EXISTING TH ZONE - DARTMOUTH	PROPOSED TOWNHOMES: ER-2 & ER-3 ZONES (February 2020 Draft)
<b>Minimum Lot Area</b>	185.8 sq. m. (2,000 sq. ft.)	End unit: 277 sq. m. (2,981.6 sq. ft.) Interior unit: 185 sq. m. (1,991.3 sq. ft.)
<b>Minimum Lot Frontage</b>	6.1 m. (20 ft.)	End unit: 9.1 m. (30 ft.) Interior unit: 6.1 m. (20 ft.) per townhouse unit
<b>Minimum Side Yards</b>	End unit: 3 m. (10 ft.) Interior unit: 0 m. (0 ft.)	End unit: 3 m. (9.8 ft.) Interior unit: 0 m. (0 ft.)
<b>Minimum Front &amp; Flanking Yards</b>	4.6 m. (15 ft.)	Front and flanking yards mapped on Schedule 10, otherwise 3.0 m. (9.8 ft.)
<b>Maximum Lot Coverage</b>	35%, 45% on Main Street	50%
<b>Number of Units in Townhouse Block</b>	Maximum of 8	Max. of 4 in ER-2 zone, 8 in ER-3 zone

\*\* All other requirements for townhomes are identical to the proposed ER zone requirements noted in the Low-Density Residential Zone Requirements table above.

## \* SPECIAL AREAS

2 Special Areas specific to Established Residential neighbourhoods are proposed as part of Package B to enhance and maintain the unique character and history of each geography. Specific regulations are proposed for each area to ensure the existing built form is respected and maintained in the future.

Special Area	Minimum Lot Area	Minimum Lot Frontage	Minimum Side Yards	Maximum Lot Coverage
North Dartmouth 1	*	9.2 m.	2.0 m.	35%
North Dartmouth 2	*	9.2 m.	2.5 m.	35%

\* There are no special requirements for this regulation; the standard ER requirements apply.

# ESTABLISHED RESIDENTIAL ZONE COMPARISON



## PERMITTED USES

### EXISTING DN ZONE (DOWNTOWN DARTMOUTH)

#### DN: Downtown Dartmouth Land Use By-law

- single-unit dwellings
- two-unit dwellings
- converted dwellings
- bed and breakfasts in conjunction with single-unit dwellings
- home business uses
- public parks and playgrounds
- townhouse and multiple residential uses in existence on the effective date of this By-law
- institutional uses in existence on the effective date of the amendment (HECC-Jul5/07;E-Jul 25/07)
- accessory uses
- townhouse by site plan approval
- neighbourhood commercial by site plan approval
- boarders and lodgers (maximum of three)

Additionally:

- conversion to two dwelling units
  - an existing building may be converted to two dwelling units provided that there is no increase in height or volume of the building, the gross floor area of each unit is at least 74.3 sq. m. (800 sq. ft.), and at least one unit must have two bedrooms.
- conversion to three dwelling units
  - an existing building may be converted to three dwelling units provided that the requirements for two unit conversion above are met, that the dwelling was in existence on or before December 31, 1950, that lot coverage does not exceed 50%, and that parking is screened from any adjacent single unit dwellings.

### PROPOSED ER ZONES (CENTRE PLAN)

#### ER-1

- single-unit dwelling
- secondary or backyard suite
- two or three unit use via the ER-1 Conversion (ERC) Special Area, subject to the requirements of section 68
- small shared housing
- bed and breakfast
- home office and home occupation
- daycare (up to 14 people)
- local commercial (corners only, up to 200 sq. m.)
- urban farm
- emergency services
- medical clinic (corner lots only)
- school
- community recreation and park use
- accessory structure (i.e. shed)
- historic monument or site
- temporary construction use
- transportation facility use
- utility use
- water access structure

Note: Future Heritage Conservation Districts proposed in the ER Designation are proposed to be zoned ER-1 until those districts are developed. Please refer to Map 20, and our [fact sheet](#) on Heritage Conservation Districts available at [centreplan.ca](#)

#### ER-2

- ER-1 permitted uses\*
- semi-detached dwellings
- townhouse dwellings (up to four in a row)
- two-unit dwellings
- three-unit dwellings
- cultural use

#### ER-3

- ER-1 and ER-2 permitted uses\*
- townhouse dwellings (up to eight in a row)
- four-unit dwellings
- local commercial uses permitted on all lots (on the ground floor only)
- medical clinic

\* two or three unit use via the ER-1 Conversion (ERC) Special Area is only permitted in the ER-1 zone.

# ESTABLISHED RESIDENTIAL ZONE COMPARISON

## LOW-DENSITY RESIDENTIAL ZONE REQUIREMENTS

REQUIREMENT	EXISTING DN ZONE - DOWNTOWN DARTMOUTH	PROPOSED ER-1, ER-2, ER-3 ZONES (February 2020 Draft)
Minimum Lot Area	232.3 to 371.6 sq. m. (2,500 to 4,000 sq. ft.)*	325 sq. m. (3,498 sq. ft.)**
Minimum Lot Frontage	7.6 to 12.2 m. (25 to 40 ft.)*	10.7 m. (35.1 ft.)**
Minimum Side Yards	None required	1.25 m. (4.1 ft.)**
Minimum Front Yard	Same as the majority of the existing buildings on the street	Varies: Typically 2 m (6.5 ft.), ranges between 0 m. to 4m (0-13.1 ft.)
Minimum Rear Yard	3 m. (10 ft.)	6 m. (20 ft.)
Maximum Lot Coverage	40%*	40%, or 50% for lots larger than 325 sq. m.**
Maximum Building Height	9.1 m. (30 ft.)*	11 m. (36 ft.)

Note: Centre Plan measures height from the mean grade of the adjoining ground to the highest point of the roof.

\* In the Downtown Dartmouth By-law, built form regulations such as lot area, lot frontage, height, and lot coverage are regulated by neighbourhood for one-unit, two-unit, and institutional uses.

\*\* This requirement is regulated further in Special Areas (see Special Area table below).

## TOWNHOUSE REQUIREMENTS

REQUIREMENT	EXISTING DN ZONE - TOWNHOMES - DOWNTOWN DARTMOUTH	PROPOSED TOWNHOMES: ER-2 & 3 ZONES (February 2020 Draft)
Minimum Lot Area	185.8 sq. m. (2,000 sq. ft.)	End unit: 277 sq. m. (2,981.6 sq. ft.) Interior unit: 185 sq. m. (1,991.3 sq. ft.)
Minimum Lot Frontage	6.1 m. (20 ft.)	End unit: 9.1 m. (30 ft.) Interior unit: 6.1 m. (20 ft.) per townhouse unit
Minimum Side Yards	End unit: 3 m. (10 ft.) Interior unit: 0 m. (0 ft.)	End unit: 3 m. (9.8 ft.) Interior unit: 0 m. (0 ft.)
Minimum Front Yard	Same as the majority of existing buildings on the street	Front and flanking yards mapped on Schedule 10, otherwise 3.0 m. (9.8 ft.)
Maximum Lot Coverage	35%	50%
Number of Units in Townhouse Block	Maximum of 6	Max. of 4 in ER-2 zone, 8 in ER-3 zone

\*\* All other requirements for townhomes are identical to the proposed ER zone requirements noted in the Low-Density Residential Zone Requirements table above.

## \* SPECIAL AREAS

1 Special Area specific to Established Residential neighbourhoods is proposed as part of Package B to enhance and maintain the unique character and history of each geography. Specific regulations are proposed for each area to ensure the existing built form is respected and maintained in the future.

Special Area	Minimum Lot Area	Minimum Lot Frontage	Minimum Side Yards	Maximum Lot Coverage
Historic Dartmouth Neighbourhoods	278 sq. m.	9.2 m.	2.0 m. on one side, 0 m. on the other	*

\* There are no special requirements for this regulation; the standard ER requirements apply.

## Attachment 2: Site-Specific ER zoning Questions and Responses

Site-Specific Questions	Response/Rationale
1. Most of the North end beyond Duffus St. was R-2 and now down-zoned to ER-1.why?	As shown on the downzoning analysis map a significant majority of these properties are not being downzoned and are being up-zoned by 1 unit due to the addition of a secondary suite on all lots. The R-2 zone generally did not permit two-unit buildings due to multiple layers of built form controls.
2. No ER-3 along Novalea and Kencrest despite very active transit...Why?	ER-3 zoning is only placed along Major Urban Structure Links as identified on Map 2 of the MPS. These links were identified for the current or future ability to support mixed use communities and strengthen mobility links. Kencrest is not identified on Map 2 as a major or minor urban structure link. Novalea is identified as a minor link which means that it may be considered as a major link in the future.
3. Why is the Hydrostone District ER-1 when it is composed almost entirely of townhomes?	The Hydrostone area is identified as a Potential Future HCD. Proposed SMPS policy directs all potential HCDs to be zoned ER-1 to protect the district from major change until the HCD process can be completed. The existing townhomes would be protected as non-conforming uses and staff are exploring additional flexibilities to ensure they can be renovated with no difficulty to the landowners.
4. Why is Kencrest and Newbury St Er-2 vs ER-1?	This area contains a high mix of townhomes (Mont Blanc Terr), semi-detached buildings and 2-3-unit buildings. This mix of housing types is best reflected by the ER-2 zone. Further, there are HR zoned properties entirely surrounding this area.
5. Why is Oxford from Chebucto to Bayers Rd. up-zoned to ER-3 with high density residential and broad-based commercial given that it is a stable, mostly residential neighbourhood?	ER-3 permits local commercial uses only These uses are less permissive than existing small-scale commercial zones in the current plans and designed with residential areas in mind. See the memo sections on local commercial for more information.  As for residential uses, Package B promotes a variety of housing types compatible with surrounding neighbourhoods in accordance with regional plan and priority plan direction. ER-3 is proposed along Oxford given its transit service. The maximum density would be 4 dwelling units on a lot.
6. All of Connaught Ave. (from Norwood to Windsor) has been up-zoned despite being largely R-1 and R-2 for close to 100 years in some cases. Why has this area of character homes, as mention in the MPS, been targeted for redevelopment?	Connaught is identified as a major urban structure link on Map 2. It is also a proposed bus rapid transit route, and one of the most important mobility routes on the Peninsula. Many of the existing buildings and lots are large and could accommodate additional housing units (max 4 units per lot).

<p>7. Why is there a buffer zone of ER-2 zoning on East and West of Connaught on parallel streets in some areas and not in others?</p>	<p>ER-2 zoning is applied as a buffer from adjacent ER-3 zones on parallel streets when both sides of the street can be zoned ER-2. It is rarely applied on perpendicular streets. Westmount is a potential HCD and zoned ER-1. The streets north of Chebucto are perpendicular and are therefore not zoned ER-2. The streets south are parallel to the ER-3 zoning and are zoned ER-2.</p>
<p>8. Why are near-century homes in the west-end being targeted by zoning changes for demolition and redevelopment?</p>	<p>Package B promotes a variety of housing forms to suite a variety of persons with varying housing needs. The three-unit conversion option, where permitted, is also designed to incentivize the protection of older homes. If demolished, only one unit plus a secondary unit or backyard suite would be permitted to be rebuilt.</p>
<p>9. Most of the neighbourhood bounded by Quinpool, Robie, Coburg, and Oxford has been downzoned from R-2 and R-3 to ER-1 despite its proximity to hospitals, universities, office, and the city's most active transit routes. Why was this area down-zoned?</p>	<p>R-3 zone properties in this area have been zoned HR-1 through package A to protect their ability to remain and redevelop as multi-unit buildings. The R-2 lots in this area were generally too small to actually develop second units. ER-1 zoning permits secondary suites on all lots, and the three-unit conversion allows gentle internal conversions to preserve the built-form character of the area.</p>
<p>10. Why has Albro Lake Rd moved to ER-3 from mostly R-1 on the Southside and R-2 on the north side?</p>	<p>Albro Lake Road is identified as a major urban structure link on Map 2 and zoned ER-3. It is a corridor transit route, and an important mobility route in Dartmouth. It connects three Corridor/HR zoned areas together- Windmill Road, Wyse Road and Victoria Road. The maximum height in this Special Area is 9.2 m, and the deep lots (in particular on the north side) can accommodate expansions in the back.</p>
<p>11. Why no ER-2 buffer zone on Pleasant street?</p>	<p>The section of Pleasant street nearest to downtown Dartmouth (Near Albert, Pleasant and Portland) is a proposed HCD zoned ER-1. Most of the streets connecting to Pleasant are perpendicular, or only irregularly parallel, meaning they were not zoned ER-2 for consistency.</p>

### Attachment 3: Summary of Selected Literature and Jurisdictional Scan

#### A. Articles – Low density neighbourhoods and gentle density

<p>Baca, A. et al. <a href="#">“Gentle density” can save our neighbourhoods.</a> Brookings Institute. Dec. 4, 2019</p>	<p>This article illustrate how replacing detached single-family homes with “gentle density” could increase the number of homes available and bring down average housing prices in high-cost locations, while retaining the physical scale of the neighborhood. The numerical example draws on estimates from Washington, D.C., but is applicable to other urban areas. Key points include:</p> <ul style="list-style-type: none"> <li>• Where land is expensive, building more homes per parcel increases affordability</li> <li>• Density supports neighborhood retail and a healthier planet</li> <li>• More homes equals more affordability and economic opportunity</li> <li>• Apartments are homes, not an “invasion”</li> </ul>
<p>Charles, B. <a href="#">Will Up-Zoning Make Housing More Affordable?</a> July 2019. Governing.</p>	<p>This article describes the processes in which several American cities attempted to revise and update their zoning codes to create additional housing supply, and to address previously restrictive rules while managing potential impacts of upzoning. It also states that zoning alone is often not sufficient to create new supply in certain areas.</p>
<p>Chapple, K. et al. Jumpstarting the market for accessory dwelling units: lessons learned from Portland, Seattle and Vancouver. 2017. UC Berkeley</p>	<p>Despite government attempts to reduce barriers, a widespread surge of ADU construction has not materialized. This study looks at three cities that have seen a spike in construction in recent years: Portland, Seattle, and Vancouver. Each city has adopted a set of zoning reforms, sometimes in combination with financial incentives and outreach programs, to spur ADU construction. Efforts to make loans for ADU projects more accessible to more homeowners, providing city-approved manuals detailing the regulatory, design, and project management processes, and technical assistance and promotional efforts are seen as being effective.</p>
<p>Demers, B. <a href="#">Is Single-Family Zoning on the Way Out?</a> JAPA Blog. May 2020.</p>	<p>This article summarizes various view points related to single family zoning.</p>
<p>Dowe, C. et al. <a href="#">The Environmental Impact of Small vs Tall.</a> The International Journal of High-Rise Buildings. Vol 4, No. 2. 109-116</p>	<p>This study describes the energy efficiency aspects of three storey walk-ups with courtyards.</p>



<p>Evergreen and Canadian Urban Institute. <a href="#">What Is the Missing Middle? A Toronto housing challenge demystified.</a></p>	<p>Missing middle describes a range of housing types between single-detached houses and apartment buildings that have gone ‘missing’ from many of our cities in the last 60 to 70 years. The term ‘missing middle’ was coined by the architect Daniel Parolek to describe “a range of multi-unit or clustered housing types compatible in scale with single-family homes that help meet the growing demand for walkable urban living.” These housing types include duplexes, triplexes, fourplexes, rowhouses, and townhouses.</p> <p>This report describes the work of Evergreen’s Housing Action Lab which in 2017 and 2018 convened in a Missing Middle Working Group co-chaired by City of Toronto Deputy Mayor Ana Bailão and the Canadian Urban Institute. This brief seeks to is to bring clarity to the concept of the missing middle and to identify areas to explore solutions for increasing the supply of missing middle housing in Toronto.</p>
<p>Evenson, Jeff and Cancelli, Ariana. <a href="#">Visualizing Density.</a> Evergreen and Canadian Urban Institute</p>	<p>The premise of this report is that the key to building complete communities may be to ensure that higher density can evolve by not reinforcing homogeneity but rather by allowing incremental intensification through infill and a variety of building types. The project used a case study approach to measure and visualize the density of existing communities and explore how the attributes of a complete community can work with density to make great places to live and work, and makes a number of recommendations for mid-sized cities.</p>
<p>Foley, E. 2016. Accessory Dwelling Units in College Towns: An Innovative Option to Increase Housing Supply for Students and Seniors. Senior Project City and Regional Planning Department California Polytechnic State University San Luis Obispo</p>	<p>This report argues that college towns, with vibrant cultures, often have small and variable household sizes and populations. They are also becoming a popular place to retire. Both college students and seniors benefit from Accessory Dwelling Units (ADUs) being available as a housing option because it is an affordable housing type and gives them access to neighborhoods and resources within them which might not be available. It explores the design typologies of ADUs and how they fit into existing neighborhood design. Accessibility (both physical and transportation) is also considered.</p>
<p>Haarhoff, E et al. (2016) <a href="#">Does higher density housing enhance liveability? Case studies of housing intensification in Auckland</a>, Cogent Social Sciences, 2:1</p>	<p>This paper contributes to academic literature on what “liveability” means in the context of city building, and how to achieve it. It concludes that the evidence seems to suggest that people are happy with their housing situation in high density communities, which supports a high quality of life due to walkability, access to services, etc.</p>



<p>Jaffe, E. <a href="#">Is it time to end single-family zoning?</a> Medium. Feb. 6, 2020.</p>	<p>This article summarizes the entire recent issue of the Journal of American Planning Association dedicated to single family zoning, including impacts on affordability, transportation, infrastructure and equity as well as strategies to address concerns.</p>
<p>Ryerson City Building Institute. <a href="#">Density Done Right. A Thoughtful Approach To Greater Urban Density.</a> April 2020.</p>	<p>This report argues for the benefits of growth spread throughout existing urban areas that can lead to gains in transit, business, local services and neighbourhood vitality, while reducing cost and infrastructure burdens on municipalities. Distributing low, medium and higher residential densities throughout urbanized areas rather solely focusing on concentrated high growth nodes, could help address many of the challenges associated with hyper-concentrated development, provide more new “in-between” housing options for residents. The report states that converting existing single detached dwellings into multi-unit residences can add gentle density without significantly altering neighbourhood scale or built form, but may require changes to zoning. Conversion can be achieved in a variety of ways, from the simple (adding a single basement suite) to the complex (reconfiguring a single dwelling into four apartments, for example).</p>
<p>Mendez, P. <a href="#">Economic Restructuring and Housing Markets in Vancouver: The Role of Secondary Suites.</a> BC Studies.</p>	<p>The author argues that secondary suites are not simply a marginal type of housing available in Vancouver, but rather are highly significant to the city in that they provide an important infrastructural element in support of its restructured economy. It includes an examination of the relationship between the city’s globally connected economy and Vancouver’s market in secondary-suite rentals.</p>
<p>Smarter Growth Initiative (Calgary), 2017. <a href="#">What is gentle density and why do we need it?</a></p>	<p>The article defined gentle density as “attached, ground-oriented housing that’s more dense than a detached house, but with a similar scale and character. Think duplexes, semi-detached homes, rowhouses, or even stacked townhouses.” Unlike “medium,” or “high” density projects, gentle density is “gentle,” because of the comparatively minimal impact it has on an established community. The is to offer a solution that satisfies population growth while recognizing the criticism and often-outright refusal of homeowners to allow development or redevelopment in their communities.</p>

**B. Jurisdictional Scan of Municipal Policies and Programs**

Jurisdiction	Summary
<p>Vancouver , BC</p>	<p>Secondary suites have been permitted in all single family zones Vancouver since 2004. Approximately 3,400 suites have been constructed under permits for a new one-family dwelling since 2008 and permits have been issued for approximately 5,925 suites following initial construction since 2004. However, that subset of suites constructed with</p>

	<p>permits represents only 27% of the total 34,593 suites identified by BC Assessment in 2017.</p> <p>Laneway houses have been permitted in Vancouver since 2009. Between 2009 and 2018 over 3,300 permits for laneway houses have been issued. The regulations were updated in 2018 and include detailed design guidelines, minimum room sizes and a mx. Height of 22 feet for pitched roof structures.</p> <p>In September of 2020 City of Vancouver announced the Making Home, would make home ownership possible for households making \$80,000 a year. It would allow existing homeowners to create up to four market homes on a standard lot zoned for single-family homes and duplexes, provided that two additional below-market homes are set aside as affordable for middle-income households. In a media release, the City indicated that almost 60 per cent of residential neighbourhoods in the city are reserved for homes that only the top 2.5 per cent of earners can afford to buy.</p> <p>Source: <a href="#">City of Vancouver</a>; CBC. Sept. 15, 2020. <a href="#">Vancouver mayor to introduce housing program aimed at middle-income earners; The role of secondary suites in affordable rental housing strategy (2009)</a>.</p>
<p>Victoria, BC</p>	<p>Secondary suites are permitted in single-family homes. Duplexes or homes that already contain a garden suite are not eligible for a secondary suite. Eligible locations for a garden suite in Victoria include all properties that contain only a single-family detached dwelling and are appropriately zoned (most single-family zones except for small lot zones permit garden suites). The max. height was recently reduced to 4.2m. The city is currently consulting on for repurposing large, existing houses into multiple residential units.</p> <p>Source: <a href="#">City of Victoria Gentle Density</a>; <a href="#">Secondary Suites</a>; <a href="#">Garden Suites</a>; <a href="#">House Conversions</a></p>
<p>Province of Ontario</p>	<p>The Ontario Strong Communities through Affordable Housing Act, 2011, amended the Planning Act to require that municipalities authorize second units in their official plans and zoning by-laws. The changes took effect on January 1, 2012. Ontario's updated Long-Term Affordable Housing Strategy, 2016 continues this effort, with a focus on reducing the cost of constructing second units. Planning Act requires municipal official plans to authorize second units:</p> <ul style="list-style-type: none"> <li>• in detached, semi-detached and row houses if an ancillary building or structure does not contain a second unit; and</li> <li>• in a building or structure ancillary to these housing types provided that the primary dwelling does not contain a second unit</li> </ul> <p>Source: <a href="#">Ontario Ministry of Municipal Affairs</a></p>

<p>Ottawa, ON</p>	<p>Currently, the City of Ottawa permits secondary dwelling units within detached, linked-detached, semi-detached or townhouse dwellings in any zone that permits that type of housing subject to Zoning By-law requirements.<sup>1</sup> With the exception of townhouses, secondary units were permitted in the City since about 2005. In 2016, the zoning By-law for coach houses was approved by Committee and Council.</p> <p>Source: <a href="#">CHMC Case Study</a>;</p>
<p>Mississauga, ON</p>	<p>Mississauga allows second units in most housing types since 1994. Secondary suites are registered at the time of development, in order to monitor and track the units. The City undertook a comprehensive Community engagement process to overcome residents' concerns. Registration of a second unit is required.</p> <p>Source: <a href="#">CMHC Case Study</a>; Source: <a href="#">City of Mississauga</a></p>
<p>Edmonton, AB</p>	<p>The City of Edmonton updated its zoning by-law in 2018 to expand permission for secondary suites from single-unit dwellings to semi-detached, duplexes and row housing</p> <p>The City of Edmonton's Secondary Suites Grant program provided property owners with funding to help build new suites or upgrade existing suites to rent to eligible low-income tenants.</p> <p>Source: <a href="#">City of Edmonton</a></p>
<p>Saskatoon, SK</p>	<p>In Saskatoon secondary suites in single unit dwellings have been permitted since 1999. The City has a program to rebate fees for building and plumbing permits, along with a portion of the Legalizing an Existing Suite (LES) Occupancy fee for completed secondary suites. They also encourage the creation of new secondary suites, garden and garage suites as well as the legalizing of existing secondary suites.</p> <p>Source: <a href="#">City of Saskatoon</a></p>
<p>Regina, MB</p>	<p>All single-unit dwellings are permitted to have a secondary suites regardless of a zone.</p> <p>Source: <a href="#">City of Regina</a></p>
<p>Minneapolis, MN</p>	<p>In October 2019 Minneapolis city council approved the 2040 Plan contains policies that would allow: more density along transit corridors; in neighborhood interiors that contain a mix of housing types from single family homes to apartments, allow new housing within that existing range; and in neighborhood interiors farthest from downtown that today contain primarily single-family homes, achieve greater housing supply and diversity by allowing small-scale residential structures with up to three dwelling units on an individual lot.</p>

	Source: <a href="#">The Atlantic</a> ; <a href="#">MPR News</a> ; <a href="#">2040 Plan</a>
State of Oregon	<p>In July of 2019 Oregon lawmakers gave their final approval to House Bill 2001, which would eliminate single-family zoning around the state. In cities with more than 25,000 residents, duplexes, triplexes, fourplexes, and “cottage clusters” would be allowed on parcels that are currently reserved for single-family houses; in cities of least 10,000, duplexes would be allowed in single-family zones.</p> <p>Source: <a href="#">City Lab</a></p>