



HALIFAX

**Suburban  
Housing  
Accelerator**

**Secondary Municipal Planning Strategy**

# **SUBURBAN HOUSING ACCELERATOR SECONDARY MUNICIPAL PLANNING STRATEGY**

**THIS IS TO CERTIFY** that this is a true copy of the Suburban Housing Accelerator Secondary Municipal Planning Strategy which was passed by a majority vote of the Council of the Halifax Regional Municipality at a duly called meeting held on the 23<sup>rd</sup> day of May, 2024, and reviewed by Municipal Affairs and Housing on the 12<sup>th</sup> day of June, 2024, and is in effect as of the 13<sup>th</sup> day of June, 2024.

**GIVEN UNDER THE HAND** of the Municipal Clerk and under the seal of Halifax Regional Municipality this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_.

\_\_\_\_\_  
Municipal Clerk

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# **PART 1: INTRODUCTION**

# 1.1 THE SUBURBAN AREA

The Halifax Regional Municipality (Municipality) is located in the Sipekni ' katik and Eskikewa ' kik districts of Mi'Kmaq'i, the traditional and ancestral lands of the Mi'Kmaq First Nations. Halifax is commonly known to the Mi'Kmaq as K'jipuktuk, meaning Great Harbour.

The Municipality's Suburban Area is identified as the lands located outside the Regional Centre where municipal water, wastewater and transit services exist. It is aligned with the Regional Plan's Urban Settlement Designation, as well as the Urban Service Area Boundary and Urban Transit Service Boundary. The lands included in this Plan are all located within the Suburban Area, and include lands previously regulated by several other municipal planning strategies and land use by-laws.

The Suburban Area comprises several distinct communities. These communities have developed independently over the years, each with their own history and character, but have become more connected as urban development has expanded out from the Regional Centre to meet them. Communities in the Suburban Area include a wide mix of land uses, landscapes, neighbourhoods, parks, and public spaces, building types and designs, industries, services, and attractions.

Suburban communities also have more variation in settlement patterns, with some being very walkable and connected to transit and commercial areas, while others require more travel by vehicle to access transit, shopping, employment, and attractions. The Rapid Transit Strategy was adopted by Regional Council in 2020 and identified four Bus Rapid Transit Routes and three new ferry routes to support the movement of residents in several suburban communities to and from the Regional Centre and throughout the region. The Rapid Transit Strategy also identified that future rapid transit will require additional residential and employment density to be established in these communities to support effective transit service levels.

## 1.2 STRENGTHS, CHALLENGES & OPPORTUNITIES

The 2014 Regional Plan sets a target for at least 50% of the Municipality's new housing units to be constructed in the Suburban Area. This target was reviewed through the development of the Integrated Mobility Plan (IMP) in 2018 against transportation goals for the region and it was identified that density targets should be increased to 90% of new development being located in the Regional Centre and the Suburban Area, also known collectively as the Municipality's Urban Area. The IMP is a guiding document for the ongoing review of the 2014 Regional Plan and the new draft Regional Plan, which was presented to Regional Council in June 2023. The draft Regional Plan included an increased emphasis on accommodating population growth in the Urban Area to respond to a shift in urban living and housing preferences, and the economic and environmental benefits that can be attained by strategically focusing growth around existing services and amenities.

In addition, since the adoption of the 2014 Regional Plan, the Municipality has experienced higher than historical rates of population growth. The Municipality has grown significantly faster than anticipated, reaching a population of over 480,000 people in 2022, which the 2014 Regional Plan had not anticipated until 2031. While this population growth has created many benefits and opportunities for the region, it has also created significant demand on the area's housing market and increased pressure on the region's infrastructure.

Planning for the population growth that the Municipality is experiencing can build on the current strengths and opportunities of the Suburban Area, as well as addressing current and foreseen challenges such as those related to mobility, climate change, sea level rise, housing supply and housing affordability, infrastructure, and protection of parks and open spaces.

## 1.3 PURPOSE & CORE CONCEPTS

Planning seeks to order and regulate land use to ensure an efficient and strategic use of land, to safeguard natural resources, to reduce land use conflicts, to integrate mobility, and to support other social, economic, and environmental goals. Guided by a vision for the future, it is also concerned with providing for the current and future needs of residents by building sustainable, vibrant, safe, and walkable communities and neighbourhoods. Land use plans include policies and regulations to guide growth and change in the community.

As part of the Municipality's ongoing efforts to update and modernize the land use planning documents guiding development in the region, Regional Council initiated the Suburban Planning process in July 2023. This process will develop a new comprehensive Secondary Municipal Planning Strategy and Land Use By-law for the Suburban Area with a priority given to enabling transit supportive, mixed-use development. As part of the initiation of the Suburban Planning process, requests for site specific amendments to the existing Municipal Planning Strategies in the Suburban Area were directed for consideration through the Suburban Planning process and as part of the overall vision for the area.

In addition to the ongoing Suburban Planning process and in response to rapid population growth, housing shortage and declining affordability, the Municipality has prioritized removing barriers to housing within the Urban Service Boundary, partially in support of the Federal Government's Housing Accelerator Fund (HAF) and Province of Nova Scotia Housing Strategy. Amendments to planning documents or the creation of new planning documents such as this one, are intended to quickly remove policy barriers to the development of additional small multi-unit housing types which can fill the gap between single unit dwellings and high-density dwellings (also called "missing middle"). The initiative also builds on the recent Regional Plan review process by providing opportunities for more density close to proposed rapid transit routes and post-secondary institutions. This is an interim opportunity to advance site specific requests that have been received as part of the Suburban Planning process to date, and that are consistent with the goals of the HAF and the vision for the Suburban Planning process outlined in recent Council reports. This plan creates a new designation and a new zone for a select number of sites to help spur the development of new housing that meets the core goals of the Regional Plan.

The key criteria for the selection of sites to be included in this Plan prior to the completion of the full Suburban Planning process included:

1. The site must be smaller than 2 hectares.
2. The proposal must meet at least one of the following:
  - a. Be located within 800 metres of a proposed Rapid Transit route;
  - b. Be located within 1200 metres of a proposed Rapid Transit terminal;
  - c. Be located within 800 metres of a post-secondary institution campus; or
  - d. Be a site identified by the Provincial Lands for Housing Program or an affordable housing project by a registered non-profit.
3. The proposal does not require the demolition of an existing multi-unit dwelling (three units or more); and
4. The site must not be located in a coastal area, a known floodplain or be part of a larger planning process currently underway.

The majority of the potential opportunity sites were presented for public consultation and public comment between January 17 and February 16, 2024. During that period a large number of other site-specific requests were received, which could not be adequately reviewed or provided for public feedback prior to the completion of this Plan. As a result, only new sites that were part of Provincial Land for Housing or not-for-profit affordable housing project were included. The remaining sites will be considered as part of the Suburban Planning process.

This plan seeks to support the vision and guiding principles for the Suburban Area as set out in the 2014 Regional Plan and recent Council reports. It takes an interim approach of permitting development that can be accommodated within the fabric of existing communities and existing infrastructure. The Plan provides for a predictable planning approval process for Suburban Area Opportunity Sites in the Suburban Area at a time of rapid population growth and housing shortage.



# 1.4 VISION STATEMENT AND CORE CONCEPTS

## 1.4.1 VISION

The Vision for the Suburban Area, which is expected to be refined as part of the ongoing Suburban Planning process, is:

*Urban communities are centred around a network of parks and trails, beautiful, walkable, and vibrant centres, main streets, and neighbourhoods. Residents enjoy an easy access to frequent and reliable transit, a wide range of housing options, food, recreation, services, and employment opportunities.*

While this Vision speaks to suburban communities more broadly, this Plan focuses on ensuring that the development of the Suburban Area Opportunity Sites respect the character and vision for the future of the communities they are located in.

## 1.4.2 CORE CONCEPTS

In support of the vision, this Plan is guided by following five Core Concepts:

### **Open Space and Culture**

Suburban communities feature a wide variety of natural and cultural assets that contribute to the character of each neighbourhood. They also play an important role in supporting the health of residents and the environment. This Plan encourages the protection and enhancement of natural and cultural assets by:

- Applying information about important natural features that contribute to sustainability and sense of place in future growth;
- Supporting the integration of natural processes and energy conservation in site design, including preserving, rehabilitating, and restoring natural system functions, and
- Supporting access to active and passive parks and open spaces.

### **Complete Communities**

Complete communities support people of all ages, backgrounds, abilities, and incomes to sustainably live, work, shop, learn, and play near one another. Historically, suburban communities have developed in a manner that has kept residential areas separate from commercial areas. This means that residents are generally dependent on vehicles to access the services and amenities they require on a daily basis. This Plan supports the creation of more complete and accessible communities by:

- Supporting people of all ages, abilities, and backgrounds to live, work, shop, learn, and play within a short journey;
- Promoting mixed use neighbourhoods with safe and convenient access to goods and services needed in daily life to create positive health outcomes; and
- Using an equity lens when developing land use policies to address housing shortage, and permitting a range of housing options and related land uses.

### **Human-Scale Design**

Human-scale design is focused on building and streetscape design that makes people feel more at ease and allows them to relate to their surroundings. It refers to a relationship between the size, shape, and

design of components in the urban environment that matches the pace of pedestrians. Buildings and streets, as well as elements like trees and street furniture, all contribute to providing a scale that is comfortable for people. Human-scale design makes urban environments more interesting, encourages exploration, and draws more people to local shops and services. This Plan provides direction for the built environment that respects the human scale by:

- Supporting options for missing middle housing, which is housing such as small multi-unit dwellings and mid-rise dwellings; and
- Supporting human-scale experience taller buildings through design that provides setbacks for the upper storeys, low streetwalls with architectural detailing, weather protection, and frequent entrances.

### **Pedestrians First**

Pedestrians first policies prioritize the needs and comfort of pedestrians. This Plan provides direction for the built environment that respects the human scale. The intent of this Plan is to create safe, comfortable and enjoyable environments in all seasons for people of all ages and abilities. Pedestrians first design makes walking, as well as all other forms of sustainable transportation a more convenient and viable transportation choice. It leads to community benefits, such as emission reductions, improved accessibility and improved public health. To increase residents' comfort and convenience when walking or rolling, development in suburban communities will need to be carefully designed. This plan supports pedestrians first by:

- Prioritize the needs and comfort of people in all seasons to make walking/rolling more convenient and viable, reduce emissions and improve public health;
- Encourage land use, transportation and design policies that prioritize walking/rolling, cycling and transit to reduce car dependency; and
- Foster high-quality architecture and urban design that is interesting and comfortable for people at street level.

### **Transit Supportive Growth**

Dependance on personal vehicles to access employment, education, shopping, and other services and amenities has resulted in significant traffic congestion in suburban communities. This Plan supports easier access to transit by:

- Directing growth to transit corridors, nodes, and under-utilized commercial areas to support inclusive and connected communities; and
- Locating the highest density and mix of uses within a short walk or roll of frequent transit terminals, and mid-rise and missing middle housing within a short walk or roll of transit stations or corridors.

### **Policy VCU-1**

**This Plan shall apply to the lands, as identified on Map 1. The Municipality shall implement the Plan's Vision and Core Concepts through the policies and maps contained in this Plan, the Suburban Housing Accelerator Land Use By-law, and the Regional Subdivision By-law. Investments in public spaces and infrastructure to support current and future growth in the Suburban Area shall be guided by this Plan.**

## 1.5 RELATIONSHIP TO OTHER PLANS

The Regional Plan is the overarching planning document guiding the growth and development of the entire Municipality. This Plan is a more detailed planning document that implements the goals and objectives of the Regional Plan for the Suburban Area Opportunity Sites at the community and neighbourhood scale. This Plan is also intended to implement, and be supported by, municipal priorities plans, such as the Economic Growth Plan, the Urban Forest Master Plan, the Integrated Mobility Plan, the Halifax Green Network Plan, and HalifACT. Updated or new priorities plans are encouraged to consider the Urban Structure and growth of the Urban Area. This Plan may also need to be adjusted to support updates to the Regional Plan and priorities plans.

Areas covered by this Plan were previously included in the Municipal Planning Strategies for Halifax Mainland (Halifax Plan), Dartmouth (Dartmouth Plan), Bedford (Bedford Plan), Sackville (Sackville Plan), and Cole Harbour-Westphal (Cole Harbour-Westphal Plan). This Plan replaces portions of these plans in the areas identified on Map 1.

## 1.6 PROVINCIAL ROLE IN PLANNING

Statements of Provincial Interest contained in the Nova Scotia Municipal Government Act (MGA) outline the province's vision for protecting Nova Scotia's land and water resources, and growth of communities. They are adopted as regulations under the MGA and apply to all municipalities. The statements are intended to help provincial government departments and municipalities make land use decisions that support the principles of sustainable development. Municipal planning documents must be reasonably consistent with the statements. The six statements include the:

1. Statement of Provincial Interest Regarding Drinking Water;
2. Statement of Provincial Interest Regarding Flood Risk Areas;
3. Statement of Provincial Interest Regarding Agricultural Land;
4. Statement of Provincial Interest Regarding Infrastructure;
5. Statement of Provincial Interest Regarding Housing; and
6. Statement of Provincial Interest Regarding the Development of the Nova Centre.

This Plan considers and is consistent with the following Statements of Interest as described below.

### **Provincial Statement (1): Drinking Water**

The drinking water supply for properties in the Suburban Area is supplied from lakes located in various suburban and rural communities. The protection of these water supply watersheds is addressed by the Regional Plan.

### **Provincial Statement (2): Flood Risk Areas**

Some low-lying areas within the Suburban Area may experience flooding from intense weather events. This Plan includes policies and regulations on ocean storm surge protection, landscaping and green roof requirements, and watercourse buffers to reduce and mitigate the risk of flooding through policies contained in Part 5.

### **Provincial Statement (3): Agricultural Land**

By enabling strategic growth in the Suburban Area, this Plan provides for a variety of housing and development opportunities in urban areas where services already exist, thereby reducing development pressure on agricultural lands in other parts of the Municipality. This Plan also provides for opportunities for urban agriculture on Suburban Area Opportunity Sites.

### **Provincial Statement (4): Infrastructure**

This Plan supports the efficient use of municipal infrastructure by enabling the densification of areas where municipal water, sewer and transit services exist.

**Provincial Statement (5): Housing**

This Plan permits a variety of residential forms. Policies in this Plan also support a mix of unit sizes within high-density developments and built form regulations to support accessibility. This Plan also provides support for affordable housing through incentives such as incentive or bonus zoning, minimal parking requirements, and support for ongoing partnerships.

**Provincial Statement (6): Development of the Nova Centre**

This Provincial Statement is not relevant to this Plan.

## 1.7 INTERPRETATION

This Plan is written in the active voice to indicate purposeful direction for future development and outcome. Under the provisions of the *HRM Charter*, a Municipality cannot regulate directly from a Municipal Planning Strategy; rather, it must regulate from a Land Use By-Law adopted by the Municipality to carry out the intent and direction of this Plan.

Implementing the actions, initiatives, and programs identified in this Plan will need to be reviewed against the priorities and municipal financial capacities of current and future Municipal work plans, as well as other existing plans.

### 1.7.1 KEY TERMS

This Plan uses the following key terms:

- **Affordable housing** means housing that meets the needs of a variety of households in the low to moderate income range;
- **Housing Accelerator Fund Site Specific Request Criteria** means the list of criteria used to identify Suburban Area Opportunity Sites from the site specific requests submitted for consideration through the Suburban Planning process;
- **Land Use By-Law** means the regulatory document that implements the intent of a municipal planning strategy;
- **Municipality or “HRM”** means the Halifax Regional Municipality;
- **municipality** denotes the physical area of the Municipality;
- **Pedestrian** means a person moving by any means of non-motorized active transportation and includes the use of assisted mobility devices such as wheelchairs;
- **Pedestrian-Friendly** means a built environment that emphasizes and is conducive to pedestrians moving between destinations. A pedestrian-friendly environment may include sidewalks, street trees, benches, awnings, fountains, transit stops, pedestrian-oriented signs, lighting, public art, and buildings that are visually interesting with high levels of transparency and articulation;
- **Priorities Plan** means a subject-focused, strategic plan used to direction actions from the Regional Plan;
- **Public Realm** means the parts of a place that are available for everyone to see, use, and enjoy, including streets, plazas, squares, and parks. It also includes the features and amenities within those lands such as benches, lights, landscaping and sidewalks;
- **Secondary Municipal Planning Strategy** means a community-level plan, subject to the Regional Plan, that provides more detailed land use policy and regulations for a particular area of the Municipality. The term “community plan” is also used in this document to refer to these types of plans;
- **Streetscape** means the elements within and along the street that define its appearance and character, identity, and functionality, including adjacent buildings and land uses, street furniture, landscaping, trees, sidewalks, and pavement treatments, among others; and
- **Suburban Area** means lands within the Regional Plan Urban Service Designation but outside the Regional Centre.

- **Suburban Area Opportunity Site** means a property identified for inclusion in the Suburban Housing Accelerator Secondary Municipal Planning Strategy.

In this Plan, there are commonly used terms found in various policy statements:

- **“between”** is used to set a range for maximum height, the maximum height includes both numbers;
- **“may”** denotes permissive action, and when used in policies, the Municipality is not obliged to undertake future action;
- **“shall”** denotes mandatory action, and when used in policies, the Municipality must implement the policy through the applicable implementation tools;
- **“shall consider”** when used in policies, means the Municipality is required to consider, but is not obligated to undertake, any action or expend any money; and
- **“Regional Plan”** means the Regional Municipal Planning Strategy for the Halifax Regional Municipality.

The diagrams, sketches, and photos in this Plan are provided for illustrative purposes only. Maps and appendices are part of this Plan.

## 1.7.2 MAP TERMS AND ORGANIZATION

This Plan uses the following terms in policy and related mapping to identify areas where different land use policies apply.

- **Urban Structure Designation** – The Urban Structure Designations, shown on Map 1, establishes the high-level land use framework to guide the growth and development for the Plan Area, as well as the policy framework and directions for establishing zones and other land use regulations in the Land Use By-law.
- **Zones** – Each Urban Structure Designation establishes one or more zones to implement the policies for the designation in the Land Use By-law. While this Plan contains policies that guide the placement of zones, the locations of zones are only shown in the Land Use By-law.
- **Rapid Transit Walkshed** – The area located within 800 metres of a Rapid Transit route or within 1200 metres of a Rapid Transit station or terminal, as identified by the Rapid Transit Strategy.

**PART 2:  
URBAN  
STRUCTURE**



## 2.1 URBAN STRUCTURE DESIGNATIONS

The Urban Structure Designations Map, identified as Map 1, establishes one land use designation that forms the land use framework for managing growth on Suburban Area Opportunity Sites.

The Housing Accelerator Designation is applied to limited lands where a site-specific development request was submitted for consideration through the Suburban Planning process, but that was deemed to meet the Housing Accelerator Fund Site Specific Request Criteria before the public consultation process, to address the urgent need for housing. These are areas where low-rise buildings to high-rise buildings containing multi-unit dwellings with limited commercial opportunities are supported. The designation applies to existing residential properties, as well as vacant and underutilized lands that are intended for residential development. While lands within this designation offer opportunities to accommodate residential growth, the allowable scale of new development is tailored to the surrounding residential context. There are no resource or industrial lands in this Plan area.

### **Policy US-1**

**Council shall establish the Urban Structure for the Suburban Area Opportunity Sites by creating the Housing Accelerator Designation to support the development of multi-unit housing in key locations, as set out on Map 1.**

### **Policy US-2**

**Council shall, through the Land Use By-law, develop regulations based on the Vision and the Core Concepts and policies of this Plan to recognize and support the distinctive characteristics, functions, and needs of the Housing Accelerator Designation.**

### **Policy US-3**

**Park and community facility uses, utility uses, water access structure uses, historic sites and monuments, and temporary construction uses are consistent with the intent of the Housing Accelerator Designation and shall be permitted in all zones.**

### **Policy US-4**

**Adult entertainment use, construction and demolition facilities, salvage and obnoxious uses, resource uses, and any other industrial uses are inconsistent with the intent of the Housing Accelerator Designation and shall be prohibited in all zones.**

### **Policy US-5**

**Automobile-oriented uses, such as auto repair uses and dealership uses, are inconsistent with the intent of the Housing Accelerator Designation and shall be prohibited in all zones.**

## 2.2 HOUSING ACCELERATOR DESIGNATION

The Housing Accelerator Designation, shown on Map 1, is intended to recognize vacant and under-utilized sites that are characterized by alignment the Housing Accelerator Fund Site Specific Request Criteria, the Regional Plan, Priority Plans, and the goals of the Federal Housing Accelerator Fund.

Lands in the Housing Accelerator Designation are located in some of the most densely populated communities in the Suburban Area. Many of these neighbourhoods are served by transit and located close to places of employment and the goods and services needed for daily living. Existing multi-unit dwellings in the surrounding areas range in size between low-rise, mid-rise, and tall mid-rise buildings based on the scale and character of the neighbourhood.

The Housing Accelerator Designation supports additional housing opportunities by allowing for the development of new multi-unit dwellings at a scale that is compatible with surrounding neighbourhoods. Existing buildings that are out of scale with the surrounding context are not considered to be precedent setting and the built form and design of new developments will prioritize a pedestrian and human-scale environment. While some commercial uses are supported, including home offices and work-live units, this Designation is primarily intended to support additional housing units. Improved connections to transit, active transportation infrastructure, public parks and amenities are supported to strengthen the areas designated as the Housing Accelerator Designation as part of complete communities.

The Housing Accelerator Designation establishes one zone to support the development of multi-unit dwellings at differing scales. The zone is as follows:

- The Housing Accelerator (SHA) Zone is applied to properties generally identified based on the Housing Accelerator Fund Site Specific Request Criteria. It supports the development of low to high-rise buildings, and a limited range of local commercial uses that support the residential development.

### **Objectives:**

1. Protect and increase housing choices.
2. Support a built form that reflects and integrates with the surrounding context and allows for transition to adjacent residential neighbourhoods and commercial areas.
3. Allow home offices, work-live units, daycares, restaurants, studios, and other local commercial uses that support complete communities.
4. Improve access to pedestrian, active transportation, and transit networks.

#### **Policy US-6**

**The Land Use By-law shall establish the Housing Accelerator (HA) Zone in the Housing Accelerator (HA) Designation as follows:**

- a) The Housing Accelerator (HA) Zone shall apply to lands that can support multi-unit dwelling uses. This zone shall permit a range of largely residential buildings based on the local context, shared housing, and limited commercial and institutional uses that are compatible with residential neighbourhoods; and**
- b) The HA zone shall require new, expanded, or converted high-density dwellings to provide a range of unit sizes to accommodate a variety of household sizes.**

#### **Policy US-7**

**The Land Use By-law shall permit commercial uses in mixed-use buildings for lands zoned HA within the Housing Accelerator Designation at the ground level.**

#### **Policy US-8**

**The Land Use By-law shall establish the maximum height and built form regulations for the HA Zone, in accordance with Map 2 and the policies in Part 3 of this Plan. Built form may vary based on the local context to permit low to tall mid-rise buildings, with high-rise buildings only permitted in select locations.**

# **PART 3:**

# **URBAN DESIGN**

## 3.1 INTRODUCTION

The urban environment affects the way we live, work, and travel. Urban design, which is the process of designing and shaping the physical features of cities, can support a sense of place, social and cultural contexts, environmental sustainability, and economic growth.

Within the Suburban Area, urban design takes into consideration the elements that support people of all ages, abilities, backgrounds, and incomes, and help those communities to be physically, socially, and economically vibrant. This approach encourages a compact and human-scale design that promotes a wide range of mobility choices, encourages the efficient use of municipal infrastructure, and maintains the viability of neighbourhood businesses. A “people-first” urban design supports human-scale building designs that foster distinct neighbourhoods and community character.

This Part builds on the Vision and Core Concepts to inform specific built form regulations and design requirements for shaping building design. It provides details on the design process including understanding the broader Suburban Area context, identifying the site’s local context, and designing the structures on the site, as follows:

- a) **Community Context:** This includes elements such as the site’s connection to transportation networks, neighbourhoods, and natural and cultural landscapes.
- b) **Site Context and Characteristics:** These inform the site’s organization and design, which may include site history, abutting uses, proximity to watercourses, sloping conditions, streetline location, vegetation, and public realm such as open spaces. This can influence the location of a building on a lot, the distribution of massing, location and design of open spaces, landscaping, surface parking, pedestrian access, and the incorporation of utilities into the design. This is shaped through land use requirements, which include siting regulations.
- c) **Built Form:** This Plan also places emphasis on built form regulations. Built form regulations pertain to the design of buildings, including the overall height and massing, streetwall height, streetwall stepbacks, maximum dimension of the building envelope, and the appearance of the building. The design elements of buildings can include elements such as the design and articulation of a streetwall and the ground floor. In some situations, performances standards are also used to offer protection from wind in the public realm.

In this Plan, site design and built form are shaped largely through built form and building design regulations. Site plan variation for the appearance of structures is currently not enabled for the Plan area.

**Objectives:**

1. Implement the Purpose and Core Concepts of this Plan and the Regional Plan.
2. Design buildings and spaces to support human-scale and pedestrian-oriented environments.
3. Consider the site and surrounding context when establishing built form controls, including history, use, form, and relationship to the public realm.
4. Ensure that new development incorporates all-season design strategies that maximize human comfort in all weather conditions.
5. Mitigate wind impacts of buildings on streets.
6. Ensure landscaping requirements support the implementation of the Urban Forest Master Plan, Halifax Green Network Plan, and HalifACT.
7. Support a safe, attractive, and accessible public realm for people of all ages and abilities.

**Policy UD-1**

**The Land Use By-law shall establish built form regulations and design requirements that implement the Vision, Core Concepts, and objectives of this Plan.**

## 3.2 BUILT FORM FRAMEWORK

Built form generally refers to the shape, size, pattern, and configuration of buildings and structures that frame streets and open spaces. Built form also refers to building height, massing, scale, envelope, as well as the quality of their materials and construction. The built form framework for the Suburban Area Opportunity Sites builds on the Vision and Core Concepts identified in Part 1 of this Plan to guide development. The framework also ensures that the development maintains a human-scale element, as well as positive relationships with streets, open spaces, other buildings, and transitions between areas of varying scale and intensity of use. Although the framework considers land uses, its focus is on the character, shape, scale, and design of buildings. The built form policies acknowledge the importance of green spaces and landscaping in the suburban context, and the need for improved pedestrian infrastructure.

### 3.2.1 BUILDING HEIGHT

This Plan provides clarity and predictability on the density, and scale of developments by establishing maximum building height framework requirements.

Building Height is the maximum vertical distance between a structure's average finished grade and its highest point. Maximum height requirements encourage the distribution of density on large lots. The maximum building height framework is intended to support strategic growth and the Core Concepts for the Suburban Area Opportunity Sites prior to more detailed planning being completed through the Suburban Planning process, including:

- protecting the pedestrian-level and human-scale experience to promote sky-views and sunlight penetration to the street; and
- transitioning building heights to adjacent low-rise buildings.

Maximum allowable building height ranges identified for sites within the Housing Accelerator Designation is outlined below:

- Between five and nine storeys where the HA Zone is located on a proposed Rapid Transit route, and 14 storeys on select redevelopment sites.
- Between three and four storeys where the HA Zone is located internal to a neighbourhood and within a Rapid Transit Walkshed.

Specific maximum heights for the Suburban Area Opportunity Sites are identified on Map 2.

#### Policy UD-2

**The Land Use By-law shall establish maximum building height requirements for the HA Zone based on local context, proximity to transit and post-secondary institutions, and consistent with the maximum heights identified on Map 2.**

### **Policy UD-3**

**The Land Use By-law shall establish height exemptions for rooftop building features that:**

- a) are not integral to the form of a building, such as mechanical equipment, antennae and landscaping;**
- b) are needed to access the rooftop, such as penthouses, stairs and railings; and**
- c) enhance the visual interest of building tops, such as parapets, clock towers, and spires**

### **Policy UD-4**

**The Land Use By-law shall establish building height transition requirements for mid-rise buildings, tall mid-rise buildings, and high-rise buildings abutting residential low-rise buildings.**

## **3.2.2 BUILDING ENVELOPE**

The building envelope describes where new development is permitted on a lot, including its location, size, and massing relative to lot boundaries, surrounding buildings, and the public realm. Additional building envelope controls include maximum building dimension requirements for different portions of buildings. This Plan supports building envelope controls that:

- reinforce the fine-grained and regular lot pattern that supports pedestrian traffic;
- reinforce 'human-scaled' streetscapes, weather protection, and shorter routes to main entrances;
- provide transitions in scale to low-density residential areas and neighbourhoods, heritage resources and conservation districts, and the Halifax Harbour;
- ensure adequate street-level conditions to minimize wind and maximize sun penetration and sky exposure; and
- balance height and massing relationships.

The building envelopes are organized in the following categories, as defined in this Plan and the Land Use By-law, to reflect the different set of standards that are applicable to different building heights:

- a) Low-Rise Building;
- b) Mid-Rise Building;
- c) Tall Mid-Rise Building; and
- d) High-Rise Building.

Buildings of different heights and scale have varying impacts on their surroundings and the public realm as their heights increase, which may require different standards, depending on the local context. Specific building envelope controls include:

- establishing minimum streetline setbacks, with possible variations based on the local context;



- establishing mid-block connections and variety in design through maximum building dimensions and side yard requirements at the street level;
- implementing interior setbacks, streetwall stepbacks for mid-rise buildings, tall mid-rise buildings and high-rise buildings, to mitigate impacts from wind and shadow at the street level; and
- transitioning between large-scale buildings and more intense land uses when located next to parks and low-rise residential areas through the use of side and rear setbacks and stepbacks.

#### **Policy UD-5**

**The Land Use By-law shall establish building envelope regulations that support context-specific, human-scaled and pedestrian-oriented environments by:**

- a) **establishing minimum separation distances for buildings located on the same lot;**
- b) **establishing maximum building dimensions for the HA Zone to encourage variation in building design;**
- c) **within HA Zone:**
  - i) **in addition to subclause (iv), establishing a minimum setback of 12.5 metres from the tower portion of the building to the side and rear lot lines, and**
  - ii) **establishing maximum dimensions that do not exceed a building depth or building width of 35 metres, or an average floor area of 900 square metres per storey in the tower portion;**
  - iii) **establishing minimum front yard setback that support the public realm, pedestrian traffic, access and landscaping;**
  - iv) **establishing minimum side and rear yard setback requirements that transition from higher density zones to lower density zones, as well as from mixed-use commercial and institutional uses to abutting residential and park zones;**
  - v) **prohibiting pedways that connect main buildings over a street as a built form;**
  - vi) **establishing a maximum streetwall height of 6 storeys for a building constructed using a wood-frame construction or encapsulated mass timber construction;**
  - vii) **prohibiting drive-throughs as a built form; and**
  - viii) **establishing setback and massing requirements for accessory structures, backyard suites, and shipping containers.**

### 3.2.3 BUILDING AND STREETWALL DESIGN

Building and streetwall design refers to the visual appearance of buildings, including the design of windows, cladding, entrances and other architectural features. The placement, scale, and design quality of the building's streetwall determines the character of the streetscape and reinforces the importance of a pedestrian-oriented environment and human-scale design. The streetwall is the most prominent and visible portion of a building upon which a tower, tall mid-rise or mid-rise portions of buildings sit, and it is also created by the continuity of adjacent buildings facing a street. For an individual building, it is the distinct vertical plane from the ground to the top of low-rise or mid-rise buildings, or the first setback in a mid-rise building if it exceeds 4 storeys, tall mid-rise or high-rise buildings.

The following outlines the key components of streetwall design that impact pedestrian experiences:

- **Streetwall Height:** traditional streetwalls in the Municipality typically range from two to four storeys along commercial street frontages, with taller buildings stepping their upper elevations back from the top of the streetwall. Streetwall height requirements are important because height is directly linked to human scale and what pedestrians can comfortably observe and enjoy from the sidewalk.
- **Ground Floor Height:** a street is welcoming to pedestrians when it includes commercial spaces that allow pedestrians to easily access building interiors. A minimum ground floor height can support both commercial and residential uses, while ensuring that commercial uses can locate on the ground floor without the need for future building alterations.
- **Articulation:** many of the Municipality's commercial streets are defined by streetwalls with fine-grained built form and inherent rhythm and variety. This is achieved through building articulation that reflects the walking pace of pedestrians. Fine-grain articulation includes a clear and legible rhythm of frequent, narrow and diverse shopfronts, at-grade units, or architectural details.
- **Materials:** the detail and quality of materials selected can make a streetwall interesting and inviting. The location, order, texture and extent of materials can also draw the attention of pedestrians to the building. The way materials are arranged can break up the façade of a building, promoting a more articulated and human-scale form. Materials with texture and fine details can provide interest for pedestrians walking by.
- **Human-Scaled Elements:** elements such as signs, lighting, canopies, and other exterior building elements can animate the public realm, provide weather protection and enhance the unique characteristics of the area.

#### **Policy UD-6**

**The Land Use By-law shall establish streetwall requirements in the HA Zone to support human-scale design. The streetwall requirements shall:**

- a) establish minimum and maximum streetwall heights of between two storeys and three storeys to support human-scale buildings designs, unless otherwise indicated in this policy;**
- b) establish minimum streetwall setbacks for mid-rise buildings, tall mid-rise buildings and high-rise buildings to mitigate impacts of wind and shadow on the street;**
- c) establish minimum ground floor height requirements to ensure commercial uses can locate on the ground floor without the need for future building alterations; and**
- d) establish requirements for grade-related dwelling units and grade-oriented premises to support streetscapes that are active and welcoming to pedestrians.**

#### **Policy UD-7**

**The Land Use By-law shall establish general building design requirements to:**

- a) prohibit certain cladding materials; and**
- b) control the siting and screening of rooftop mechanical features.**

#### **Policy UD-8**

**The Land Use By-law shall establish building design requirements for streetwalls to support pedestrian-oriented streetscapes and human-scale design. Specific requirements shall establish standards for:**

- a) streetwall articulation;**
- b) pedestrian entrances;**
- c) ground floor transparency;**
- d) site accessibility; and**
- e) weather protection.**

## 3.3 SITE ACCESSIBILITY

The design and layout of buildings and parking areas can have a significant impact on the ability of people of all ages and abilities to access a site. While building code requirements are the primary tool used to ensure buildings and parking areas meet modern accessibility standards, this Plan establishes additional controls to further support site accessibility.

### **Policy UD-9**

**The Land Use By-law shall establish controls to support site and building accessibility by people of all ages and abilities by:**

- a) permitting accessibility ramps and structures in required building setbacks;**
- b) ensuring outdoor amenity spaces are accessible by all residents;**
- c) requiring lighting for common entrances, pathways, surface parking lots; and**
- d) requiring pedestrian walkways between buildings and the street, and through accessory surface parking lots.**

## 3.4 LANDSCAPING AND SCREENING

Landscaping on and around buildings supports site aesthetics, biodiversity, stormwater management, carbon sequestration, and transitions between buildings of different scales, and land uses with varying intensity. Landscaping can also contribute to residents' access to nature and shade, and help to reduce the urban heat island effect. Additional screening measures may be needed to reduce the visual impacts of loading and outdoor storage areas.

### **Policy UD-10**

**The Land Use By-law shall establish landscaping requirements to regulate:**

- a) the locations on a lot where landscaping is required;**
- b) the location and types of buffers required to support transitions between land uses, built forms, parking areas and outdoor storage areas; and**
- c) the type of plants prohibited to reduce the spread of invasive species.**

### **Policy UD-11**

**The Land use By-law may establish screening requirements to control:**

- a) the siting and screening of solid waste management areas;**
- b) the siting and screening of outdoor storage areas; and**
- c) the location and design of fences.**

## 3.5 PARKING AND DRIVEWAYS

This Plan emphasizes pedestrian-oriented streetscapes and encourages alternative transportation modes to the private automobile. To support these objectives, this Plan establishes minimum parking requirements, and regulates the location and design of surface parking areas and parking structures to support pedestrian movements and limit the visibility of parking areas from the street.

### **Policy UD-12**

**The Land Use By-law shall establish parking and driveway requirements to:**

- a) control the location, number and configuration of parking spaces, off-street loading, landscaping, accesses, and pedestrian pathways;**
- b) require parking areas to be located on the same lot as the use it is intended to serve;**
- c) control surface materials;**
- d) require bicycle parking;**
- e) allow for a reduction in the required number of motor vehicle parking spaces where additional or enhanced bicycle parking is provided;**
- f) prohibit standalone surface parking lots;**
- g) regulate the location, size and design of accessory surface parking lots, including the maximum number of parking spaces that may be provided; and**
- h) regulate the built form of parking structures, including screening of parking structures above ground.**

## 3.6 SIGNS

Signs are an integral part of the urban environment that are needed to advertise businesses, direct pedestrian, cyclist and vehicle movements and identify public buildings and places. The size, placement, and design of signs contribute to the design of buildings and can also impact public safety. This Plan focuses on regulating the location, number and design of permanent signs located on sites and buildings as it does not apply to signs located in public streets and temporary signs. Those are regulated by a general application by-law established under the *HRM Charter*.

### **Policy UD-13**

**The Land Use By-law shall establish sign regulations to support the Core Concepts of this Plan. Sign regulations in the Land Use By-law may:**

- a) tailor requirements to the zones established in this Plan to support zone and designation objectives;**
- b) identify signs that do not require a municipal development permit;**
- c) identify signs which are prohibited;**
- d) regulate sign size, height, number, orientation and location of signs on a building or a lot;**
- e) regulate materials used and illumination by type of sign and type of development; and**
- f) establish required sign setbacks from abutting zones.**

## 3.7 PROTECTION FROM WIND

To support human-scale design and a pedestrian-first experience, it is important to ensure that new developments do not cause discomfort or safety issues from high winds at the street level. The built form framework as set out in Section 3.2 of this Plan establishes building design requirements, such as maximum building height, building envelope, maximum building dimensions, and streetwall design that are intended to mitigate the impact of wind on the public realm. However, for taller buildings, additional assessments of wind and shadow impacts on the public realm will be required to ensure that any potential negative impacts are minimized.

### **Policy UD-14**

The Land Use By-law shall establish a Pedestrian Wind Impact Assessment Protocol and Performance Standards for any new buildings or additions to existing buildings that exceed 20 metres in height to ensure that the impacts from wind are assessed and mitigated through the building design.



# **PART 4:**

# **MOBILITY**

## 4.1 INTRODUCTION

This Plan supports the development of the Suburban Area Opportunity Sites in a manner that supports the creation of a Suburban Area where pedestrian movement, comfort, and safety are a priority, and where mobility and land use decisions are integrated.

The integration of transportation planning and land use planning is a key municipal-wide priority supported by the 2014 Regional Plan, and several approved priority plans that guide decisions about transportation in the Municipality. These priority plans include the Making Connections: Active Transportation Plan (2014), the Moving Forward Together Plan (2016), the Integrated Mobility Plan (2017), the Rapid Transit Strategy (2020), and other localized plans.

The 2014 Regional Plan also emphasizes the importance of directing growth to the Urban Area to achieve regional planning objectives. Additional growth could enable more people to choose sustainable mobility options that reduce carbon emissions, and help reduce the need to invest in costly road network improvements.

To promote the use of active transportation and public transit, this Plan supports the recommendations of the Integrated Mobility Plan (2017) by aligning Suburban Area Opportunity Sites with the recommended Rapid Transit routes. Regulations enabling the development of these sites will ensure that sustainable mobility options are prioritized. Policies in this Plan also promote a connected grid of streets, sidewalks, and bicycle routes.

Objectives:

1. Prioritize the needs of pedestrians, cyclists, and public transit users.
2. Align supported densities with proximity to the Integrated Mobility Plan's Transit Priority Corridors.
3. Support investments in transit and active transportation infrastructure that supports mixed-use areas, accommodates growth, and reduces carbon emissions.
4. Enhance and extend pedestrian corridors and pathways to provide safe and convenient connectivity within, to, and from the Suburban Area.
5. Balance parking demand with the needs of other transportation modes by reducing minimum parking space requirements and controlling the design and location of surface parking lots.

### Policy M-1

**The Municipality shall direct growth around current and planned transportation and transit priority corridors through the placement of the Urban Structure Designation, zone and related permitted density.**

## 4.2 PEDESTRIAN AND CYCLIST SAFETY AND COMFORT

People of all ages and abilities who walk, move by wheelchair, or use other forms of active transportation, such as cycling and skateboarding, need to feel safe and comfortable traveling within the Suburban Area and to other areas of the Municipality. Pedestrian-friendly streetscapes and pathways are also a prerequisite for supporting transit use, including wide sidewalks, bicycle lanes, and multi-use pathways. Active transportation routes that connect recreation, school, employment hubs, transit, and shopping destinations are important to ease traveling within the Suburban Area without a vehicle. The priority connections identified in the Integrated Mobility Plan will aid in filling the gaps in the current system.

This Plan supports the development of new pedestrian-friendly streetscapes and pathways through the policies that control the development of large sites. Many built form policies also support pedestrian-friendly streetscapes, including context-specific maximum building heights, human-scaled streetwalls, maximum building dimensions that reflect existing block sizes, and wind and shadow performance standards.

### **Policy M-2**

**The Municipality shall consider improvements to existing streets and pathways that support the safety and convenience of pedestrians through ongoing reviews of street design standards, street improvements, street and sidewalk maintenance operations, capital improvements and updates to the Municipal Design Guidelines of the Regional Subdivision By-law.**

### **Policy M-3**

**The Municipality shall consider establishing new public street connections to support the strategic growth objectives of this Plan, address gaps in the street grid, facilitate efficient transit service, and improve pedestrian access to transit facilities and other key destinations through municipal led infrastructure projects and the development of large sites.**

## 4.3 PUBLIC TRANSIT

Public transit is an integral part of the Suburban Area’s transportation system that includes an extensive network of bus routes. Land use planning can support public transit by directing growth to where transit already exists and identifying new growth areas that may be candidates for transit service enhancements or expansion. Convenience, consistency, reliability, and accessibility are important factors that strengthen public transit, and attract more people to use it. This in turn helps support higher frequency service and other improvements. To support transit service, this Plan aligns the Urban Structure Designations intended to accommodate growth with the transit priority corridors and nodes identified in the Integrated Mobility Plan and Rapid Transit Strategy.

### **Policy M-4**

**The Municipality shall consider the Suburban Housing Accelerator Urban Structure, shown on Map 1, and the objectives and policies of this Plan when updating municipal transit plans and strategies.**

## 4.4 RAILWAY OPERATIONS

Railways have played a fundamental role in the settlement and growth of the Municipality. While existing rail lines support passenger rail, shipping, and industrial uses, they can also pose challenges related to nuisance and risks to public safety. In May 2013, the Federation of Canadian Municipalities (FCM) and the Railway Association of Canada developed guidelines to assist municipal governments and railway operators in reviewing and addressing safety issues that may arise when people live and work near railway operations. Informed by these guidelines, this Plan establishes setback requirements between residential uses and railways to reduce safety risks.

### **Policy M-5**

**The Land Use By-law shall require minimum setbacks from a railway track for any new high-density dwelling use and new main buildings in the HA Zone to reduce health and safety risks. Where the required setback distance cannot be provided, the Land Use By-law shall require the submission of a report by a qualified Professional Engineer identifying the measures necessary to mitigate nuisance and safety risks.**

## 4.5 CURBSIDE MANAGEMENT

Curbside space is the space where the paved portion of a street used by vehicles and the sidewalk edge meet. While this Plan supports pedestrian-oriented, mixed-use developments with well-define streetwalls, this form of development can also increase the use of curbside space for parking and loading of passengers and goods. On some streets, however, curbside space for private vehicles will increasingly be limited where transit and active transportation corridors are developed to support the direction contained in the Integrated Mobility Plan and the Rapid Transit Strategy. To help manage competing demands for curbside space, this Plan will establish off-street loading requirements that balance urban design goals with the need for larger scale developments to dedicate space for loading.

### **Policy M-6**

**The Land Use By-law shall establish on-site loading space requirements, consistent with the policies in Part 3, that:**

- a) require on-site loading space for new large-scale developments, including multi-unit residential and commercial uses; and**
- b) exempts or reduces on-site loading space requirements for registered heritage properties due to potential impacts on heritage resources.**

### **Policy M-7**

**The Municipality may manage curbside space to support the effective functioning of the transit corridors and active transportation infrastructure through the development and adoption of curbside management strategies, policies and communication plans.**

# **PART 5:**

# **ENVIRONMENT**

## 5.1 INTRODUCTION

All residents and visitors to the Suburban Area benefit from a clean, healthy and sustainable environment. While the Regional Plan and related priority plans establish many region-wide objectives and policies for protecting the natural environment, this Plan focuses on topics that benefit from specific policy direction for the Suburban context. Key environmental topics supported by this Plan include climate change mitigation and adaptation, stormwater management, and urban agriculture.

### **Objectives:**

1. Implement the environmental and open space objectives and policies of the Regional Plan, and support the implementation of the Halifax Green Network Plan, Urban Forest Master Plan, and HalifACT.
2. Require watercourse buffers and measures to support the resiliency of coastal development.
3. Support climate change adaptation and flood prevention and the stewardship of freshwater resources.
4. Encourage the preservation of significant open spaces on private properties.
5. Improve air and water quality and stormwater management.
6. Reduce the Suburban Area Opportunity Site's overall impact on the environment by supporting sustainable building design, renewable energy sources, composting and recycling.
7. Increase tree canopy coverage within the Suburban Area.
8. Support food security by increasing opportunities for urban food production and harvesting.
9. Support biodiversity through the conservation and restoration of natural areas, and through site design and landscaping.

### **Policy EN-1**

**The Land Use By-law shall implement Regional Plan policy directions relative to:**

- a) coastal area elevations;**
- b) watercourse buffers; and**
- c) wind energy facilities.**



## 5.2 CLIMATE CHANGE

Climate change is an urgent, complex, and global crisis. Addressing the climate crisis requires urgent action, including changes to societal norms and systems, to rapidly transition to a low carbon future. At the same time, forward-looking policies are required to adapt to a changing climate that is expected to include higher temperatures, more rain, and frequent extreme weather events. While municipal policies and action on climate change are primarily set out in the Regional Plan and HalifACT, this Plan supports climate change mitigation and adaption measures.

As the climate changes, global sea-levels are rising, and the Municipality is experiencing more frequent severe weather events, which are causing extreme water levels and increased risks of property damage and public safety. While the Regional Plan establishes minimum coastal elevation requirements for residential uses, this Plan expands these requirements to apply to commercial and institutional uses. These requirements, including the specified coastal elevation, may be amended to support more stringent requirements that may be implemented through future updates to Regional Plan and new provincial regulations.

### **Policy EN-2**

**In addition to the Regional Plan direction to establish coastal elevation requirements for residential uses, the Land Use By-law shall apply coastal elevation requirements to commercial and institutional uses.**

### **Policy EN-3**

**Subject to the Urban Design policies contained in Part 3, the Land Use By-law shall allow rooftop solar collectors to protrude above the maximum permitted height for main buildings to reduce potential barriers to on-site renewable energy production.**

## 5.3 STORMWATER MANAGEMENT

The Suburban Area has an extensive shoreline, and contains many rivers, creeks, lakes, and wetlands. Residents and visitors rely on the health and safety of the Halifax Harbour, Bedford Basin, and urban lakes for passive and active recreational activities. While lands within the Suburban Area are largely developed, additional support for low-impact development design, which strives to retain and filter stormwater using natural systems, can help reduce stormwater runoff and pollution.

### **Policy EN-4**

**Subject to the Urban Design policies contained in Part 3, the Land Use By-law shall establish landscaping requirements to reduce stormwater runoff, the urban heat island effect, and the spread of invasive species.**

## 5.4 URBAN AGRICULTURE

The Regional Plan supports community food security and access to safe, culturally-acceptable, and nutrient-dense foods through a sustainable food system that supports community self-reliance and social justice. Consistent with these Regional Plan objectives, this Plan supports community food security by permitting a range of urban agriculture uses on Suburban Area Opportunity Sites, including the processing and sale of foods at an appropriate scale to the local context.

### **Policy EN-5**

**Subject to the Urban Structure policies contained in Part 2, the Land Use By-law shall permit the production, processing, and distribution of food at a scale appropriate to the surrounding context, including:**

- a) private gardens, community gardens, and accessory food processing and distribution;
- b) accessory keeping of bees and egg-laying chickens; and
- c) farmers' markets.

### **Policy EN-6**

**Subject to the Urban Design policies contained in Part 3, the Land Use By-law shall allow rooftop greenhouses to protrude above the maximum permitted height for main buildings to provide additional opportunities for local food production.**

# **PART 6: IMPLEMENTATION**

## 6.1 INTRODUCTION

This Plan is the primary policy document used to guide decision-making for development of Suburban Area Opportunity Sites and implements the Regional Plan for those properties. It provides a Purpose and Core Concepts for land use, built form, design, and public investments in streets, parks, and other public spaces. The Plan also sets out implementation tools, general strategies, and approaches to be used by the Municipality, landowners, and all community members to support the vision and corresponding concepts and goals.

This Plan is implemented through the administration of the Suburban Housing Accelerator Land Use By-law, the Regional Subdivision By-law, other municipal by-laws and policies, and through the Municipality's annual capital and operating budgets. The development approval processes and planning tools used include development permits, site plan approval to vary certain provisions of the Land Use By-law, development agreements, and incentive or bonus zoning. This Part also provides direction for considerations of reviews and updates to this Plan, amendments to the Land Use By-law, municipal investments, and transitioning policies to support the effective implementation of this Plan.

## 6.2 SUBURBAN HOUSING ACCELERATOR MUNICIPAL PLANNING STRATEGY

This Plan contains detailed policies that guide the development of the Suburban Area Opportunity Sites until such as time as a comprehensive community plan for the Suburban Area is developed. As a strategic document, this Plan responds to opportunities and challenges in an evolving social, political, environmental and economic context and, in particular, the need for housing. Its policies should be monitored to evaluate their effectiveness in achieving the objectives of this Plan.

### **Policy IM-1**

**Council shall conduct a review of this Plan through the Suburban Planning process, at which time policies related to the Suburban Opportunity Sites may change. If the Suburban Planning process is not completed within 9 years from the date of adoption of this Plan, Council shall conduct a review of this Plan and report on the review to the public within 10 years from the date of adoption of this Plan.**

### **Policy IM-2**

**The Public Participation Administration Order shall guide future amendments to this Plan to provide inclusive opportunities for public engagement.**

Land use policies that encourage a concentration of housing near transit and other services can position the Suburban Area as a hub of economic development, services and innovation. Allowing home offices, home occupations and work-live units can also support affordable office and work spaces that may otherwise be difficult to service in the commercial real estate market.

### **Policy IM-3**

**To promote a complete community by fostering mixed use, and to support a high-density residential use in the Suburban Area Opportunity Sites with jobs and services closed to residence, the Land Use By-law shall permit home offices, home occupations, work-live units, and makerspace uses in the Housing Accelerator Zone.**

## 6.3 SUBURBAN HOUSING ACCELERATOR LAND USE BY-LAW

The Suburban Housing Accelerator Land Use By-Law is the principal tool for implementing the land development policies of this Plan, including permitted uses and built form controls. Additional development opportunities and flexibility is provided through incentive or bonus zoning, provisions in the *HRM Charter* regarding variances to certain land use by-law requirements, and protections provided to non-conforming uses and structures.

### **Policy IM-3**

**Concurrent with the adoption of this Plan, the Suburban Housing Accelerator Land Use By-law is adopted for the lands shown on Map 1. The Suburban Housing Accelerator Land Use By-law shall prescribe:**

- a) developments that require a municipal development permit;**
- b) information required with an application for a municipal development permit;**
- c) conditions for the approval, expiry and revocation of a development permit;**
- d) permitted uses and development regulations that are consistent with the policies of this Plan;**
- e) where incentive or bonus zoning are required, and the approval requirements; and**
- f) other regulations necessary to implement this Plan.**

## 6.4 DISCRETIONARY APPROVALS

The *HRM Charter* enables Council to amend the Land Use By-law provided the proposals are reasonably consistent with this Plan. However, as the Suburban Planning process is currently underway and will be reviewing this Plan, any requests for amendments to the Suburban Housing Accelerator Land Use By-law will be considered through that process. Should the Suburban Planning process be significantly delayed, Regional Council may direct the consideration of amendments to this Plan based on their strategic objectives.

### **Policy IM-4**

**Council shall consider amendments to the Suburban Housing Accelerator Land Use By-law through the Suburban Planning process, or through amendments to this Plan as directed by Council to further strategic objectives and additional need for housing.**



## 6.5 INTERIM INCENTIVE OR BONUS ZONING

Incentive or bonus zoning is a planning tool enabled under the *HRM Charter* that allows the Municipality to require a development to provide public benefits in exchange for relaxing certain requirements. The intent of this tool is to supplement other municipal investments so that the density enabled under this Plan is accompanied by the amenities and public benefits that are in the public interest by supporting complete and inclusive communities.

In April 2023 Council adopted Regional Plan policies to require incentive or bonus zoning where applications are approved by Council to amend the Regional Plan or a Secondary Municipal Planning Strategy to enable new or increased density of residential, commercial, or mixed land use in the Urban Service Area outside of the Regional Centre, including future serviced communities. The lands included in this Plan are lands which have been removed from other suburban Plan Areas through amendments to applicable secondary municipal planning strategies and added to this Plan to facilitate new multi-unit residential development and to permit additional density. Incentive or bonus zoning public benefits or money-in-lieu of a contribution will be required for these areas and developments identified in the Land Use By-law in accordance with Policies G-16A to G-16G of the Regional Plan.

This Plan seeks to ensure that any incentive or bonus zoning public benefits support the goals and objectives of this Plan, are long-lasting, and are implemented in accordance with the *HRM Charter* and applicable policies of the Regional Plan.

### **Policy IM-5**

**The Land Use By-law shall require incentive or bonus zoning public benefits or money-in-lieu of a contribution for areas and developments identified in the Land Use By-law in accordance with Policies G-16A to G-16G of the Regional Plan.**

## 6.6 NON-CONFORMING STRUCTURES AND USES

Existing uses and structures that were lawfully permitted under former planning documents but do not meet current Land Use By-law requirements are considered non-conforming uses and structures and are subject to the protections and restrictions set out in the *HRM Charter*. Such uses and structures are permitted to continue to exist and may be repaired, maintained, rebuilt, expanded or altered, subject to the conditions set out in the *HRM Charter*.

Many Suburban Area Opportunity Sites include buildings that were constructed either before any land use regulations or in accordance with former Land Use By-law provisions and may not conform to the provisions contained in the Suburban Housing Accelerator Land Use By-law. As this Plan focuses growth in areas where a substantial built environment already exists, provisions are made to relax the restrictions set out in the *HRM Charter* regarding the extension, enlargement, reconstruction, and alteration of non-conforming structures.

With the adoption of this Plan and associated Land Use By-Law, some existing uses will become non-conforming. To support the affected uses, this Plan relaxes the *HRM Charter* restrictions regarding non-conforming uses by enabling Council to consider the expansion of non-conforming uses through the development agreement process.

### Policy IM-6

The Land Use By-law shall relax the restrictions in the *HRM Charter* relating to:

- a) non-conforming structures in all zones, and allow them to be extended, enlarged, or altered, if the extension, enlargement, or alteration does not further worsen any non-conformity with the By-law; and
- b) the extension, enlargement or alteration of structures containing a non-conforming low-density dwelling use in that structure, and permitting the expansion of the non-conforming low-density dwelling use into the addition of that structure; and

## 6.7 TRANSITION TO THIS PLAN

During the preparation of this Plan, development may have taken place on Suburban Area Opportunity Sites according to the previous plan policies and land use by-law requirements. At the time of adoption of this Plan, discretionary development applications in various stages of review and approval remained in progress. Recognizing these projects were designed within the parameters of the previous policies, that substantial investment was made in the preparation of such applications and that they were submitted in advance of this Plan being given first reading by Council, it is reasonable that provision be made to allow such applications to be considered under the previous policies in effect at the time the completed application was received by the Municipality. Similarly, amendments to approved development agreements should be enabled under the non-substantive amendment provision of the respective agreements.

It is not, however, appropriate that development that is not in conformity with this Plan be afforded longstanding rights relative to time frames for project approval and completion. Developments that are not constructed and completed within a reasonable time period after Plan adoption will be required to comply with the requirements of this Plan, and the Land Use By-law.

### **Policy IM-7**

**Complete applications for development agreements on file with the Municipality located in the SHA Plan Area, which were received on or before May 7, 2024, shall continue to be considered under the policies in effect immediately prior to that date. Where any such application is withdrawn, significantly altered, or refused by Council, any new development applications shall be subject to all applicable requirements of this Plan and the Land Use By-law. Applications that have not proceeded to public hearing within 36 months of May 7, 2024 shall be subject to all applicable requirements of this Plan and the Land Use By-Law.**

### **Policy IM-8**

**Applications for non-substantive amendments to existing development agreements shall be considered under the policies in effect at the time the agreement was approved.**

**Applications for substantive amendments to existing development agreements may be considered under the policies in effect at the time the agreement was approved for the following matters:**

- (a) changes to architectural requirements;**
- (b) changes to landscaping requirements;**
- (c) changes to sign requirements;**
- (d) reduction in motor vehicle parking requirements; and**
- (e) changes to building lighting and illumination.**

### **Policy IM-9**

**Applications for amendments to existing development agreements to extend the project commencement and completion dates shall only be considered by Council if:**

- a) the project commencement date is proposed to increase by no more than two years;**
- b) the project completion dates proposed to increase by no more than two years; and**
- c) there is only one application per development agreement to be considered.**