

N.S. Reg. 178/2024
FILED
Date: August 21, 2024
Jane Newton
Registrar of Regulations
Province of Nova Scotia

**In the matter of Section 229 of Chapter 39 of the Acts of 2008,
the *Halifax Regional Municipality Charter***

-and-

**In the matter of an amendment to the *Minimum Planning Requirements Regulations*
made by the Minister of Municipal Affairs and Housing under
Section 229 of the *Halifax Regional Municipality Charter***

Order

I, John A. Lohr, Minister of Municipal Affairs and Housing for the Province of Nova Scotia, pursuant to Section 229 of Chapter 39 of the Acts of 2008, the *Halifax Regional Municipality Charter*, hereby amend the *Minimum Planning Requirements Regulations*, N.S. Reg. 138/2019, made by the Minister of Municipal Affairs and Housing by order dated August 28, 2019, in the manner set forth in the attached Schedule "A".

This order is effective on and after the date it is filed.

Dated and made August 20, 2024, at Halifax Regional Municipality, Province of Nova Scotia.



Honourable John A. Lohr
Minister of Municipal Affairs and Housing

Schedule "A"

Amendment to the *Minimum Planning Requirements Regulations* made by the Minister of Municipal Affairs and Housing under subsection 229(4) of Chapter 39 of the Acts of 2008, the *Halifax Regional Municipality Charter*

The *Minimum Planning Requirements Regulations*, N.S. Reg. 138/2019, made by the Minister of Municipal Affairs and Housing by order dated August 28, 2019, are amended by adding the following Section immediately after Section 4:

Mandatory content related to housing supply

4A (1) In this Section,

“regional centre” means the area of the Municipality identified as the regional centre on the map attached as Appendix A;

“urban service area” means the area of the Municipality identified as the urban service area on the map attached as Appendix B.

- (2)** In addition to the requirements prescribed in subsection 229(1) of the Charter and Section 4, a municipal planning strategy must do all of the following to address the issue of housing supply:
- (a) include a statement of policy that expressly recognizes that the Province and, in particular, the Municipality are experiencing a housing shortage crisis and specifies that the most urgent priority in municipal land-use planning, regulation and development approval is to rapidly increase the supply of housing in the Municipality;
 - (b) require that priority be given to increasing the supply of safe, sustainable and affordable housing in the Municipality over other interests identified in the municipal planning strategy for the purposes of all processes, approvals and decisions made under the municipal planning strategy;
 - (c) permit residential uses in all zones, except for all of the following:
 - (i) areas zoned for industrial, military, park, transportation reserve and utility uses,
 - (ii) zones intended to protect the environment, water supply,

floodplains or another similar interest;

- (d) require that the Municipality share with the Province the information used by the Municipality to identify, fund, schedule and deploy the infrastructure to develop an adequate supply of housing to support anticipated population growth;
- (e) provide for the adoption of a secondary municipal planning strategy and the implementation of a land-use by-law for the area of the Municipality identified as the suburban area on the map attached as Appendix A, or a substantially similar area, no later than January 31, 2025;
- (f) for developments enabled under the Municipality's Conservation Design Development policies in the Regional Municipality Planning Strategy that begin construction before April 1, 2027, permit the following maximum densities:
 - (i) for a site serviced by groundwater, a maximum density of at least 0.4 units per gross hectare, and
 - (ii) for a site serviced by central services, a maximum density of at least 0.4 units per gross hectare;
- (g) not impose maximum height restrictions in a manner that negatively affects the density of residential buildings using mass timber or any other construction method;
- (h) for residential buildings that begin construction before April 1, 2027, provide that no requirement related to unit mix applies;
- (i) provide that no requirement for on-site parking applies to residential uses within the urban service area;
- (j) for multi-unit residential buildings that begin construction before April 1, 2027, not require that the ground floor consist of more than 20% commercial space;
- (k) permit temporary housing in non-permanent structures as a use in all zones where it can be safely established to allow employees to live on or near their worksite during a work assignment for a period of time that can be reasonably tied to the duration of the project and that is explicitly set out in the development permit;

- (1) permit manufactured housing, including modified shipping containers converted into housing, in all residential zones.
- (3) The requirements outlined in subsection (2) must be implemented no later than December 31, 2024.

Appendix B: Urban Service Area

