N.S. Reg. 256/2026

FILED

Date: October 28, 2026

Rachel L. Jones
Registrar of Regulations
Province of Nova Scotia

In the matter of subsection 229(4) 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

Order

I, John A. MacDonald, Minister of Municipal Affairs for the Province of Nova Scotia, pursuant to subsection 229(4) 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 with the Registrar of Regulations.

Dated and made October 27, 2026, at Halifax Regional Municipality, Province of Nova Scotia.

John A. MacDonald

Honourable John A. MacDonald
Minister of Municipal Affairs

Schedule "A"

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

1 Section 2 of the *Minimum Planning Requirements Regulations*, N.S. Reg. 138/2019, made by order of the Minister of Municipal Affairs and Housing dated August 28, 2019, is amended by adding the following definitions where they belong in alphabetical order:

"area of land" means any existing lot or parcel as described by its boundaries;

"habitable commercial or institutional accommodation use" means any use that involves the overnight accommodation of persons within a building, including a hotel or motel and other types of short-term rentals within the meaning of the *Short Term Rentals Registration Act*, shared housing, shared housing with special care, residential use associated with an institutional use or similar use, but does not include any of the following:

(i) a caretaker or security dwelling unit that is accessory to an industrial, utility or infrastructure use,

(ii) a temporary construction camp or similar temporary worker accommodation for use during construction,

(iii) an emergency shelter,

(iv) a hospital or similar acute-care facility;

2 Subsection 4A(2) of the regulations is amended by

(a) in clause (c),

(i) adding "primarily" immediately after "except for areas",

(ii) adding "the following uses:" immediately before "industrial", and

(iii) striking out "industrial, military, park, transportation reserve, utility, water supply, floodplain, Crown land, agriculture and any lands zoned to reflect ownership by a conservation organization;" and substituting the following subclauses:

(i) industrial,

(ii) military,

(iii) park,

(iv) transportation reserve,

(v) utility,

(vi) water supply,

(vii) floodplain,

(viii) Crown land,

(ix) agricultural,

(x) airports,

(xi) any lands zoned to reflect ownership by a conservation organization;

(b) adding the following clauses immediately after clause (c):

(ca) within the urban service boundary, where a habitable commercial or institutional accommodation use is permitted as-of-right in a zone, permit residential uses as-of-right in that zone, except as excluded under clause (c), with a permitted built form envelope that is not less than the envelope available to that habitable commercial or institutional accommodation use;

(cb) within the urban service boundary, not limit residential uses permitted in a zone to only shared housing or shared housing with special care;

(cc) where a parcel zoned for institutional or community facility uses abuts a residential zone and a development will not result in new public streets, permit on that parcel all residential uses permitted in the abutting residential zone without requiring a plan amendment, development

agreement or rezoning;

(c) in clause (f), striking out “that begin construction before April 1, 2028,”;

(d) adding the following clause immediately after clause (f):

(fa) provide that the Municipality's Conservation Design Development policies must not restrict eligibility based on the date an area of land was created;

(e) striking out the period at the end of clause (l) and adding the following clauses immediately after that clause:

(m) where emergency egress can be improved by creating a new public street that provides a second access to an existing residential subdivision as identified in the 2026 Regional Subdivision Connectivity Study, enable residential development and subdivision resulting in new public streets;

(n) for residential buildings that use mass timber as the primary structural system, provide that no stepback requirement applies and that a tall mid-rise building may be up to 12 storeys in height.

3 (1) Subsection 4A(3) of the regulations is amended by striking out “The” and substituting “Unless otherwise specified in these regulations, the”.

(2) Section 4A of the regulations is further amended by adding the following subsections immediately after subsection (3):

(4) The requirements outlined in clauses (2)(c), (ca), (cb), (cc) and (n) must be implemented no later than January 15, 2027.

(5) The requirements outlined in clauses (2)(f), (fa) and (m) must be implemented no later than June 30, 2027.