

# Affordable Housing Information Report

Planning and Heritage Advisory Committee (PAC/HAC)

October 12, 2023

something inspiring awaits



# June 2023

- June 7 - PAC/HAC discussed the potential for requiring affordable housing within development proposals
- June 27 – Council approved the motion “...that Council endorses PAC/HAC and Planning staff to explore the ability to require and regulate the provision of affordable housing within developments.”



# Staff Reviewed

- Municipal Government Act (MGA)
- Statements of Provincial Interest
- Current planning documents
- Other jurisdictions

# Municipal Government Act (MGA) Cont.

- Section 220 (5) - allows municipalities to *“require and regulate the provision of affordable housing within developments, including requiring that a specified percentage of affordable housing units be provided within a development”* within a land use by-law
- Section 223A - also permits Council to accept money instead of all or part of any required provision of affordable housing if specified in a municipal planning strategy



# Statement of Provincial Interest

- Province of Nova Scotia has six (6) Statements of Provincial Interest
- Regulations made under the MGA
- Provide municipalities guidance on aspects of development in the Province:
  - drinking water
  - flood risk areas
  - agricultural land
  - Infrastructure
  - housing, and
  - the development of the Nova Centre



# Statement of Provincial Interest

## *Housing*

- Goal to *“to provide housing opportunities to meet the needs of all Nova Scotians”*
- The basis for this Statement:
  - “adequate shelter is a fundamental requirement for all Nova Scotians” and
  - “a wide range of housing types is necessary to meet the needs of Nova Scotians”



# Statement of Provincial Interest Cont.

## *Housing Cont.*

- Requirements listed:

1. *“Planning documents must include housing policies addressing affordable housing, special-needs housing and rental accommodation. This includes assessing the need and supply of these housing types and developing solutions appropriate to the planning area. The definition of the terms affordable housing, special-needs housing and rental housing is left to the individual municipality to define in the context of its individual situation.*
2. *Depending upon the community and the housing supply and need, the measures that should be considered in planning documents include: enabling higher densities, smaller lot sizes and reduced yard requirements that encourage a range of housing types.*

...



# Statement of Provincial Interest Cont.

## *Housing Cont.*

...

*3. There are different types of group homes. Some are essentially single detached homes and planning documents must treat these homes consistent with their residential nature. Other group homes providing specialized services may require more specific locational criteria.*

*4. Municipal planning documents must provide for manufactured housing.”*



Questions?



# Planning Documents

## *Overview*

- All planning documents have a general housing policy which outlines that Council is to encourage the provision of housing adequate to meet the needs of all residents, allow for a range of housing types, include flexible development standards, and permit secondary suites within and accessory to single and two-unit dwellings in all zones
- Currently planning documents only require affordable units to be provided if requesting bonus height in the Waterfront Development District in Windsor. All other zones in the Municipality do not regulate or require affordable housing to be provided within developments.



# Planning Documents

## *Hantsport*

- HMPS establishes the Residential designation and the Single Unit Residential (R-1), Two Unit Residential (R-2), Multiple Unit Residential (R-3), and Mini Home Park (R-4) zones
- Majority of residential lots are zoned Single Unit Residential (R-1)
- Mini Home Park (R-4) zone is not used
- Residential uses are also permitted in the Commercial (C-1) and Mixed Commercial / Residential (C-2) zones

Questions?



# Planning Documents

## *West Hants*

- WHMPS establishes the Residential designation and the Single Unit Residential (R-1), Two Unit Residential (R-2), Multiple Residential (R-3), Rural Residential (R-4) and Manufactured Home Park (MHP) zones
- Majority of residential lots in the Falmouth Growth Centre are zoned Single Unit Residential (R-1); majority of residential lots in the Three Mile Plains Growth Centre are zoned Two Unit Residential (R-2)
- Majority of residential lots in the rural areas, including the 11 Hamlets, are zoned Rural Residential (R-4)
- Only three properties are zoned Manufactured Home Park (MHP)

# Planning Documents

## *West Hants Cont.*

- Residential uses are also permitted as-of-right in the following specific zones, either as the main use or accessory to the main use:

- 
- General Commercial (GC)
  - Highway Commercial (HC)
  - Local Commercial (LC)
  - Rural Commercial (RC)
  - Prime Agriculture (P/Ag)
  - Agricultural Priority Two (AR-2)
  - Agricultural Priority Three (AR-3)
  - General Resource (GR)
  - Resource Industrial (M-1)
  - Hamlet Industrial (M-2)
  - Local Industrial (LI)
  - Institutional (I)
-

# Planning Documents

## *West Hants Cont.*

- Specific residential policies for each of the Growth Centres, Brooklyn and Hamlet designations

<b>Designation</b>	<b>Council can consider...</b>
<b>Three Mile Plains Growth Centre</b>	<ul style="list-style-type: none"><li>• rezoning to Single Unit Residential (R-1), Two Unit Residential (R 2) or Multiple Unit Residential (R-3) zones</li><li>• development agreements to allow:<ul style="list-style-type: none"><li>○ a multiple unit residential development over three storeys in height</li><li>○ a manufactured home park, or</li><li>○ grouped dwellings of six or more dwelling units</li></ul></li></ul>
<b>Falmouth Growth Centre</b>	<ul style="list-style-type: none"><li>• rezoning to Single Unit Residential (R-1) and Two Unit Residential (R 2) zones</li><li>• development agreements to allow:<ul style="list-style-type: none"><li>○ a comprehensively designed multiple residential development</li><li>○ grouped dwellings of six or more dwelling units, or</li><li>○ manufactured home parks</li></ul></li></ul> <p>Council prohibits the development of mobile homes on separate lots which are not part of a manufactured home park in the Falmouth Growth Centre</p>

# Planning Documents

## *West Hants Cont.*

### Brooklyn

- rezoning to Single Unit Residential (R-1) and Two Unit Residential (R 2) zones
- development agreements to allow:
  - proposals for stand-alone multiple unit and grouped single, two and multiple unit dwellings consisting of three or more units

### Hamlet

- rezoning to the Rural Residential (R-4) zone
- development agreements to allow:
  - proposals for stand-alone multiple unit dwellings, grouped single, two and multiple unit dwellings consisting of three or more units
- not to permit multiple unit residential development in Hamlets except as permitted through a development agreement

### General Resource (GR)

- development agreements to allow:
  - proposals for stand-alone multiple unit dwellings and grouped single and two unit dwellings consisting of three or more units, or
  - comprehensive proposals for resort development incorporating residential, commercial, community, recreation and tourist-oriented uses

Questions?



# Planning Documents

## *Windsor*

- WMPS establishes the Residential designation and the Single Unit Residential (R-1), Two Unit Residential (R-2), Medium Density Residential (R-3), and High Density Residential (R-4) zones
- Residential uses are also permitted as-of-right in the following specific zones, either as the main use or accessory to the main use:

- 
- Town Centre (TC)
  - Waterfront Development District (WDD)
  - Wentworth Road Commercial (WR-C)
  - Institutional (I)
  - General Commercial (GC)
  - Highway Commercial (HC)
  - Agriculture (AG)
- 



# Planning Documents

## *Windsor – Waterfront Development District*

- Waterfront Development District zone is the only area where bonus height (2 extra storeys) is permitted when the developer either partners with an affordable housing partner (CMHC, Housing NS, or other approved agency) to create at least 50% of the additional post-bonus floor area as affordable housing units or provides another public benefit such as public art, sustainable building design (LEED), or open space investment
- Also requires at least 20% of the total number of dwelling units in a multiple unit building to include two or more bedrooms



# Planning Documents

## *Windsor Cont.*

- There are specific residential policies for each of the Residential and Commercial designations

Designation	Council can consider...
Residential	<ul style="list-style-type: none"><li>• rezoning land zoned Single Unit Residential (R-1) to the Two Unit Residential (R 2) zone</li><li>• rezoning land zoned for higher density development to a lower density residential zone</li><li>• development agreements to allow:<ul style="list-style-type: none"><li>○ new multiple unit residential development consisting of three or more units, grouped dwellings, boarding houses and residential care facilities, as well as the conversion of existing buildings to three or more units,</li><li>○ dwellings in excess of three storeys, or</li><li>○ mixed use residential/commercial developments with two or more dwelling units (Policy 9.1.1)</li></ul></li></ul> <p>Council prohibits rezoning to the Medium Density Residential (R-3) or High Density Residential (R-4) zone.</p>

# Planning Documents

## *Windsor Cont.*

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### Commercial

- a development agreement to allow mixed use development

### Town Centre

- development agreements to allow:
  - the construction of a new residential building containing three or more dwelling units, or
  - an increase in the number of dwelling units in an existing residential building

### Pesaquid Comprehensive Development District

- development agreements to allow:
    - a change in use in an existing building to a use which is not permitted in the Town Centre (TC) zone,
    - new main buildings, or
    - additions in excess of 1,000 ft<sup>2</sup> (92.9 m<sup>2</sup>) in floor area.
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# Planning Documents

## *Windsor Cont.*

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### Waterfront Development District

- site plan approvals to allow:
  - new main buildings; or
  - additions in excess of 1,000 ft<sup>2</sup> (92.9 m<sup>2</sup>) in floor area.

### Wentworth Road Gateway District

- a development agreement to allow:
  - proposals for comprehensively designed developments of grouped dwellings with three or more dwelling units which may include townhouse dwellings, triplex dwellings and mixed use apartment dwellings.

### Industrial

- development agreements to allow:
    - mixed use development outside the industrial parks.
- 



Questions?



# Defining Affordable Housing

- Canada Mortgage and Housing Corporation (CMHC) defines affordable housing as *“housing that costs less than 30% of a household’s before-tax income”*
- CMHC website *“many people think the term “affordable housing” refers only to rental housing that is subsidized by the government. In reality, it’s a very broad term that can include housing provided by the private, public and non-profit sectors. It also includes all forms of housing tenure: rental, ownership and co-operative ownership, as well as temporary and permanent housing.”*



# Defining Affordable Housing

- To regulate the provision of affordable housing within developments the Municipality would require amendments to its planning documents to add a definition of “affordable housing” and create specific policies and regulations to require affordable units to be provided within developments
- Similarly, to the Waterfront Development District in Windsor, the Municipality would most likely require proof of a partnership with CMHC, Housing Nova Scotia or other agency to determine the policy and regulations are met



# Other Jurisdictions

## *Town of Bridgewater*

- Staff reviewed affordable housing policies in other jurisdictions, including the Town of Bridgewater and Halifax Regional Municipality (HRM)
- Town of Bridgewater defines affordable housing as *“housing which costs less than 30% of before-tax household income”*
- Bridgewater allows council to consider permitting an additional 20% increase to the maximum permitted residential density, where 100% of those additional units meet the definition of affordable housing, in specific residential and commercial zones

# Other Jurisdictions

## *Halifax Regional Municipality (HRM)*

- Provisions for incentive or bonus zoning in specific areas of the municipality
- In one area, HRM Council can consider a mixed-use, mid-rise building that exceeds the height, the density and certain other requirements of the zone in exchange for entering into an incentive or bonus zoning agreement to provide affordable housing dwelling units within a development agreement
- In this case, where the development exceeds 50 ft. (15.25 m.) in height, the applicant is to provide a public benefit in the form of a minimum of 18 affordable housing dwelling units that are provided for at least a period of 180 consecutive months, commencing on the initial occupation date



# Other Jurisdictions

## *Halifax Regional Municipality (HRM) Cont.*

- Monthly rent for affordable housing dwelling units *“shall be no more than 70% of the average market rent for an equivalent new unit in the HRM, calculated at the time the incentive or bonus zoning agreement is reached. Average market rent will be based on the latest publicly available information from Canadian Mortgage and Housing Corporation. Such rent shall include heat, electricity and hot water, and may exclude parking, cable, internet and telephone.”*
- The *“monthly rent for each affordable housing dwelling unit may increase annually, at a rate no greater than the Halifax All-Items Consumer Price Index, calculated by Statistics Canada”*.



# Other Jurisdictions

## *Halifax Regional Municipality (HRM) Cont.*

- Developer must provide an agreement that *“is signed between the property owner and an appropriate affordable housing provider whose purpose is to improve and increase the affordable housing stock of the Province”* and ensure that the affordable housing dwelling units are dispersed throughout the development



# Other Jurisdictions

## *Halifax Regional Municipality (HRM) Cont.*

- In other areas of HRM, developers must provide a public benefit, which includes a minimum of 60% of money-in-lieu for affordable housing, to receive permission for increased density with a development
- The Municipality can use the money-in-lieu of affordable housing for the rehabilitation of existing affordable housing units, the acquisition of buildings, housing units, or properties for affordable housing, the creation of new affordable housing units by a not-for-profit organization or registered Canadian charitable organization, or entering into a housing agreement with the Minister with respect to projects pursuant to the National Housing Act (Canada)



Questions?



# For Consideration

- Several ways the WHRM planning documents could be updated to attempt to increase the affordability of housing, including any or all of the following:
  - removing the Single Unit Residential (R-1) zone in serviced areas;
  - reducing minimum lot size requirements in serviced areas;
  - allowing more density as-of-right in serviced areas;
  - allowing mixed uses in serviced areas; and
  - requiring a portion of affordable units within multiple unit dwellings.
- These options would need more thorough review on the potential impacts prior to planning document amendments being made

# Next Steps

- PAC/HAC should discuss and provide feedback to staff on whether amendments to the housing policies and regulations in the Municipal Planning Strategy's and Land Use By-law's are required

# Alternatives

- In response to the report, the PAC/HAC may:
  - recommend no action is taken;
  - direct staff to draft amendments to the agricultural policies and regulations in the Municipal Planning Strategy's and Land Use By-laws based on the feedback received from the Committee; or
  - provide alternative direction such as requesting further information on a specific topic.



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