

1.0 Recommendation

That the Planning Advisory Committee recommend that Council give first reading to the proposed amendments to the Land Use Bylaw and the Municipal Planning Strategy as contained in Attachment 1.

2.0 Report

Executive Summary

The Town was successful in its application to the federal Housing Accelerator Fund, with its application including an initiative to undertake regulatory changes to support housing. The proposed amendments to the Municipal Planning Strategy and Land Use By-law contained in Attachment 1 would implement this initiative through a variety of ways, including clarifying permissions for accessory dwelling units, refining residential lot requirements, enabling more housing downtown, tweaking regulations for supportive housing, and streamlining approval processes for higher densities of housing around key institutions. Staff recommends that PAC forward a positive recommendation to Council.

Background

In spring 2023, the Government of Canada launched the Housing Accelerator Fund (HAF) to help local governments make significant changes that will boost the number of homes being built across the country.

The Town of Yarmouth submitted an application to the program in the fall of 2024 and was awarded \$2.3 million to implement its Housing Action Plan, with a goal of adding 119 new homes over the next three years. To reach this goal, the Town has developed a detailed plan with five key initiatives designed to support and accelerate housing development. One of these initiatives, and the focus of this report, is “Regulatory Changes to Support Housing”. This involves amendments to the Town’s Municipal Planning Strategy and Land Use By-law in order to streamline regulations and enable faster housing development in the community.

Proposed Amendments

The proposed amendments to the Municipal Planning Strategy and Land Use By-law are outlined in full in Attachment 1. They are intended to achieve a number of key outcomes to enable more and faster housing development in Yarmouth, including:

- Encouraging “gentle” infill development in established neighbourhoods where services already exist.

- Enabling more efficient use of land in greenfield developments (new subdivisions).
- Encouraging more residential activity in the downtown.
- Enabling faster housing development around key institutions.

The specific amends to achieve these outcomes fall into the following categories.

Accessory Dwelling Units

The current Land Use By-law permits dwelling units to be located in an accessory building, but the provisions for this use are difficult to find and interpret, leading many members of the community to believe that accessory dwellings are not permitted. The proposed amendments would provide clear permission for accessory dwelling units in all residential zones, with conditions to:

- *limit them to one per lot;*
- *limit their size to 100 square metres (1,076 square feet) or 50% of the primary dwelling, whichever is larger;*
- *prohibit them in the front yard; and*
- *establish a maximum height (4.6 metres/15 feet or 7.6 metres/25 feet if located above a garage) and setback from lot lines (1.2 metres/4 feet)*

During initial engagement for the HAF amendments, respondents to the survey were majority in favour of accessory dwelling units. However, there were some concerns about scale and impact on community character. The proposed conditions outlined above are intended to address these concerns and ensure these dwellings remain “accessory” in nature.

Residential Zone Standards

The Land Use By-law contains standards that new development must meet, including minimum lot area and frontage (the width of the lot along the street). For residential developments these are currently on the higher end for an urban context like the Town of Yarmouth and are typically established on a “per unit” basis. In other words, the required lot size increases based on the number of dwelling units proposed for the lot. This approach makes it difficult to meaningfully increase density and create housing through “infill” development (development in established areas of town). The proposed amendments establish a “flat” minimum lot size to address this issue.

The proposed amendments also reduce the minimum lot size as well as some other aspects of lot standards, such as minimum frontage and setbacks, in the R-1 and R-2 Zone. In some cases, this may allow for new housing opportunities through the subdivision of large lots in established areas. However, the primary benefit will be for any new subdivisions, where the reduced standards will allow for more efficient use of land and higher densities of residential development to spread the cost of new infrastructure across more lots.

Downtown Residential

The current Land Use By-law permits residential development to a maximum of eight units on the upper floors of buildings in the Downtown Commercial (C-1) Zone. Developments with more than eight dwelling units can only be considered through the Development Agreement process.

The proposed amendments would remove this eight-unit cap and permit an unlimited number of dwelling units on the upper floors in the Downtown Commercial (C-1) Zone, subject to all other zone requirements (height, architectural control, etc.). This amendment is intended to enable more options for housing close to services, with a potential bonus effect of having more people within the downtown to support its vitality.

Higher Density Approvals Processes and Town-initiated Rezonings

In October, amendments to the planning documents went into effect that created a new “Housing Accelerator 1 (HA-1)” Zone and applied that zone to properties owned by the Town that could be used to support affordable housing development. That new zone provided for streamlined approval processes for residential developments with up to four units on a lot (permitted) and with more than four units to a maximum density of 75 units per hectare (site plan approval).

The currently-proposed amendments would create a second tier zone, the Housing Accelerator 2 (HA-2) Zone. This zone would permit dwellings with up to eight units on a lot and would enable site plan approval for developments with more than eight units on a lot to a maximum density of 125 units per hectare. The proposed amendments would also achieve some minor housekeeping for the HA-1 Zone.

In addition to creating this new zone, the proposed amendments apply the HA-2 Zone and HA-1 Zone to select properties close to Yarmouth Regional Hospital, NSCC, and in the vicinity of the institutional hub at Parade Street. The intent of these Town-initiated rezonings is to enable higher densities of development in close proximity to these important institutions.

During initial engagement on these amendments we heard from one landowner who objected to the proposed “upzoning” on their land. This property has been removed from the amendments in Attachment 1.

Amendments to Supportive Housing

The Town made amendments to the planning documents in 2023 to enable “transitional and supportive housing” by Development Agreement. Experience since then has found the current definition of that use to be challenging to administer. The new HA-1 Zone implemented in October established a separate definition for “supportive housing” specific to that zone, with the use as permitted (without requiring a Development Agreement).

The proposed amendments would clean up the approach to supportive housing across the planning documents by:

- Establishing two, clear definitions to separate supportive housing and transitional housing
 - 9.1 “Community-based Transitional Housing means** a facility operated or licensed by Correctional Service Canada or Nova Scotia Corrections or successor bodies providing housing and support services for individuals transitioning from a corrections centre to the community.”
 - 9.2 “Supportive Housing means** a use:
 - (a) where a building, or part of a building, or an arrangement of buildings provides accommodations and on-site social, physical, or mental health supports to residents;
 - (b) that does not include supervised administration of illegal substances; and
 - (c) that is not a residential care facility
- Permitting supportive housing at the same density as dwellings in the HA-1 and HA-2 Zone
- Continuing to require a Development Agreement for community-based transitional housing.

3.0 Strategic Relevance

Easing the development of housing not only aligns with the Town’s strategic direction for residential infill, as expressed in the MPS, but also advances the Provincial Statements of Interest on infrastructure and housing. These include: encouraging maximum use of existing infrastructure through infill development, and supporting higher densities, smaller lot sizes, and reduced yard requirements that provide a broader range of housing options. In addition, the proposed amendments are a key plank in implementing the Town’s Housing Action Plan and meeting the Town’s obligations under the Housing Accelerator Fund

4.0 Response

- a. Approve
- b. Reject
- c. Refer back to staff with direction for more information

5.0 General Implications of Recommendation

Approval of Staff’s recommendation would forward a positive recommendation to Council regarding the proposed amendments. If Council accepts this recommendation and approves the amendments, the Town’s planning documents will allow for a wider range of housing types and scales to help address the availability and affordability of housing in Yarmouth.

5.1 Organizational Implications

None were identified.

5.2 Financial Implications

Receipt of the full funding allocation outlined in the Town's HAF agreement is dependent on completing the five proposed initiatives and on the development of 119 residential dwelling units above and beyond baseline development trends. The proposed amendments would help secure this funding by completing one of the five initiatives and by enabling a regulatory environment that should help encourage housing development.

5.3 Equity, Diversity, and Inclusion

The proposed amendments generally advance the Town's commitment to advancing equity, diversity, and inclusion by encouraging new housing that broadens the range of living options available to residents of different ages, incomes, household types, and abilities.

6.0 Follow-Up Actions

Pursuant to Section 208 of the *Municipal Government Act*, amendments to the Municipal Planning Strategy are subject to review by the Provincial Director of Planning and possibly, upon the recommendation of the Director, by the Minister. If the Director or Minister approves the amendments the Town will be responsible for placing a notice in the newspaper or on the Town's website stating that the documents are in effect.

Pursuant to Section 248(d) of the *Municipal Government Act* the amendments would not be appealable because they are carried out as a concurrent amendment to the Municipal Planning Strategy and Land Use By-law

7.0 Communication

Two public information sessions were held on November 12 and 13, 2025. A total of 8 participants attended the events. In addition, an on-line survey was available from October 29th to November 20th, 2025 and received 21 responses (see Attachment 2). These were supported by fact sheets and an explainer video, as well as promotions on the Town's social media and the project website.

Notices were mailed to the owners of the properties proposed for upzonings, explaining the intent of the upzonings, HAF background, and the process. Staff received two letters in response to the notice. The first letter expressed general support for the proposed upzonings. The second letter included a request from the owner to be excluded from the list of upzonings to which staff had no objection and adjusted the list accordingly.

A full summary of this initial engagement is attached as Attachment 2.

A Public Participation Meeting will be held in accordance with the Council-approved Public Participation Policy. The application and this report are available online via GetInvolved.

If the Planning Advisory Committee forwards the proposed amendments to Council and Council elects to give them First Reading, a Public Hearing will be advertised in the local newspaper and online. Notification letters will also be mailed to owners of properties proposed to be upzoned, as well as adjacent landowners, in advance of the Public Hearing.

Submitted By:

Ian Watson, Senior Planner, UPLAND

Reviewed By:

Marty Beck, Town Planner – Town of Yarmouth

Attachment 1 – Proposed Amendments to the Municipal Planning Strategy and Land Use By-law

Attachment 2 – HAF Engagement Summary 2025