



Subject: *HAF Initiative - Village Core (VC) Zone Density Increase*
To: CAO for Planning Advisory Committee, May 13, 2025
Date Prepared: May 5, 2025
Related Motions: C24(121), PAC25(6), and C25(30)
Prepared by: Debbie Uloth, Community Planner II
Approved by: John Woodford, Director of Planning & Development

Summary

East Hants has entered into an agreement with CMHC for HAF funding. As part of the agreement, East Hants has to complete nine (9) initiatives. The 9th initiative is to increase the density in all Village Core (VC) Designations and Zones by permitting 16 dwelling units as-of-right, through site plan approval. The initiative needs to be completed to fulfill the terms of the funding agreement.

East Hants Council ratified the HAF Agreement between the Municipality and CHMC at the April 24th meeting of Council, Motion C24(121).

A public information meeting for the proposed amendments was held on April 1, 2025. Notes from the meeting have been attached as Appendix A.

Financial Impact Statement

If all requirements of the HAF funding agreement are fulfilled and the municipality creates 1,186 dwelling units over the four year period, the municipality will receive funding as follows:

2024 \$1.47 million After signing agreement - received

2025 \$1.47 million Progress report required - received

2026 \$1.47 million Progress report required

2027 \$1.47 million Depends on number of dwelling units permitted (prorated if less than 1186)

Recommendation

Recommend that first reading be given to the proposed Village Core amendments and authorize staff to schedule a public hearing.

Recommended Motion

Planning Advisory Committee recommends that Council:

- *give first reading to the proposal to amend the Municipal Planning Strategy and Land Use Bylaw to increase the density in the Village Core (VC) Designation and Zone; for the purpose of enabling a public hearing and authorize staff to schedule a public hearing.*

Background

East Hants entered into a HAF funding agreement with CMHC on February 23, 2024. As part of the agreement, East Hants must fulfill nine (9) initiatives to receive all of the funding. Initiative nine requires that East Hants increase the density from a maximum of 12 dwelling units permitted as of right to a maximum of 16 dwelling units as of right, through site plan approval, in the Village Core (VC) Zone. In order to complete the initiative, amendments to the Municipal Planning Strategy and Land Use Bylaw are required. Amendments will impact all Village Core (VC) Zones.

East Hants Council ratified the HAF Agreement between the Municipality and CHMC at the April 24th meeting of Council, Motion C24(121).

Village Core Density Increase

The purpose of the Village Core (VC) Designation is to allow for a diverse mixture of retail, service, business, and residential uses in an environment serving both pedestrian and vehicle needs within an aesthetically pleasing, socially interactive streetscape serving both a local and a communitywide population.

Under the current Land Use Bylaw regulations, property owners are permitted to construct a maximum of 12 dwelling units as-of-right through site plan approval. A property owner also has the option to apply for a development agreement for multiple dwelling unit uses in excess of 12 units and up to a maximum of 20 dwelling units per 0.5 ha in the Village Core (VC) Zone, pursuant to the Village Core Form-Based Zone Requirements and to all applicable criteria under the implementing policies.

To prevent the Village Core (VC) Zone from becoming a residential zone and to protect the integrity of this mixed-use zone, staff recommend that the HAF requirement of permitting 16 dwelling units as-of-right be combined with a commercial component. Currently residential buildings in the VC zone have to be constructed with the ground floor being commercial capable. Commercial development is essential for the continued development of healthy village cores, where residents can walk to local commercial uses. It is equally important to have land available for the continued development of commercial businesses that support the community.

Planning and Economic and Business Development staff have discussed the dwelling unit increase and recommend ensuring that a minimum 75% of the ground floor street facing frontage be allocated for commercial uses for buildings between 13 to 16 dwelling units. The requirement will preserve the streetscape and commercial presence in the Village Core Zone but will allow a developer to construct dwelling units on the ground floor where there is no street frontage. The Form-Based Zone Requirements will still be applicable to the proposed amendments. Developers will still be able to construct buildings between 8 to 12 dwelling units without the required commercial component but they will have to ensure that the ground floor is commercial capable.



Due to the configuration of a flag lot, they do not lend themselves well to commercial development. Therefore, staff recommend excluding existing flag lots in the Village Core (VC) Zone from the commercial requirement. There are between 10 to 15 existing flag lots in the Corridor, some of these lots have single unit dwellings and some are undeveloped.

Proposed Amendments

Add the following policy to Section C3: Urban Design & Community Character as Policy UD12A:

Council shall consider multiple unit dwelling uses with a ground floor commercial component with a minimum of 13 dwelling units and a maximum of 16 dwelling units.

Add the following to the table of land uses under 7.1 Mixed Use Zones Permitted Uses.

Multiplex with a minimum of 13 dwelling units to a maximum of 16 dwelling units, with a minimum 75% of the building's street facing façade being used for ground floor commercial uses, subject to the Form-Based Zone Requirements for the Village Core (VC) Zone.

Add the following to 7.6 Village Core (VC) Zone.

Update 7.6.1 Zone Requirements chart by adding the following text highlighted in green.

7.6.1. Zone Requirements

In a VC Zone, no development permit shall be issued except in conformity with the following requirements:

	Sewer and Water or Sewer Only	On Site ¹
Minimum Lot Area	700 m ²	3,716 m ²
Minimum Lot Frontage	15 m	30 m
Minimum Side Yard	-	2 m
Minimum Rear Yard	-	6 m
Minimum Flankage Yard	5 m	6 m
Maximum Building Height	2.5 stories (3 stories are permitted if the third story is integrated into the roof design) 3 stories	2.5 stories (3 stories are permitted if the third story is integrated into the roof design) 3 stories
Maximum Commercial Floor Area for Single Use Commercial Building	400 m ²	400 m ²
Maximum Gross Floor Area	835 m ²	835 m ²
Maximum Gross Floor Area for Multiplex with 13 to 16 Dwelling Units, with a minimum 75% of the Building's Street Facing Façade being used for Ground Floor Commercial Uses	1,888 m ²	1,888 m ²
Bonus Zoning	Form-based Zone Requirements	-
Maximum Ground Floor Finish Level	0.3 m	0.3 m
Conditions		
¹ Nova Scotia Environment approval for on-site sewage disposal system is required.		

Add the following text to 7.6.2 Flag Lots:

4.6.2 Flag Lots

- New single unit dwellings or two unit dwellings are permitted to be constructed on a flag lot to the rear yard of an existing structure facing the “main” street.
- A ground floor commercial use is not required for multiplexes with 13 to 16 dwelling units constructed on an existing flag lot.*

Add the following text as 7.6.7:

7.6.7 Commercial Use Restrictions for Ground Floor Commercial Uses

The following uses shall not be considered a commercial land use in relation to buildings with a ground floor commercial use:

- Accommodations, General*

In addition to allowing for an increase to the number of dwelling units, both the maximum gross floor area and the maximum building height will have to increase to enable up-to 16 units to be constructed. Staff had initially recommended that the maximum gross floor area be increased to 1,584 m² from 835 m². The purpose of increasing the gross floor area is to enable the development of 16 two-bedroom apartments and commercial floor area on the ground floor. At the PIM, developers who attended indicated that the gross floor area needed to be increased to accommodate corridors and utility areas. The developers also indicated that two-bedroom units should be a minimum of 93 m² (1,000 ft²) in area to accommodate market demand. Therefore, staff are recommending a maximum gross floor area of 1,888 m².

*Allowing for 16 two bedroom apartments = maximum floor area of 93 m² (1000 ft²) each dwelling unit
= 1,488 m² plus 400 m² of commercial space = **1,888 m²***

Many of the existing lots in the Village Core (VC) Zones are too small to accommodate the maximum gross floor area that is being recommended. In some instances, Developers will have to acquire multiple lots to construct the maximum gross floor area. A few Developers with smaller lots may opt for smaller apartment units or micro units, instead of larger two-bedroom apartment units.

Staff also recommend permitting a maximum of three stories, without having the third storey constructed in the roof line. Street facing facades shall still have to be constructed at grade.

To assist PAC in visualizing the proposed building footprints of each gross floor area, staff have provided an illustration showing the size of the building if the area was evenly distributed over three floors. The footprint for the first building would be approximately 528 m² at a total of 1,584 m² over three floors and would be similar to Parker Place. This is only a sample of what the building mass may be if a building were divided evenly over three floors. A building footprint could be larger if divided into two floors.

The building footprint on the second image is approximately 629 m² at a total of 1,888 m². Comparing the images there is not an extreme difference between the two buildings.

The following amendments are proposed to be added to Appendix B: Form-Based Zone Requirements for the Village Core (VC) Zone:

Architectural Design Standards

The following requirements shall apply to the development of a new main building or an addition exceeding 100 m². In the case of an addition, the design guidelines only apply to the addition, not the existing building.



- a. New buildings shall be constructed with a maximum height of ~~2.5~~ 3 stories. ~~Three stories will be permitted if the third story is integrated into the roof design.~~
- b. For single use commercial buildings, the maximum commercial floor area shall be 400 m².
- c. Buildings with more than 80% commercial ground-floor area can exceed the existing ~~2.5~~ 3 stories guidelines up to 4 stories, so long as the 'sectional' roof area at the height of 11 m is less than 15% of the building footprint.
- d. The maximum gross floor area shall be 835 m², *except for buildings being constructed with 13 to 16 dwelling units and a ground floor commercial use, which shall have a maximum gross floor area of 1,888 m².*
- e. Large monolithic and monotonous buildings must be broken down into a collection of architectural parts.
- f. Any horizontal building dimension that exceeds 15 m must be broken into distinguishable 'architectural parts' using extending faces, changes in roof styles, changes in colour, and/or articulation in 'bays' to create an assemblage of architectural forms.
- g. Single level buildings with a footprint greater than 370 m² must incorporate a roof which gives the appearance of a second story using gabled windows, turrets or roof projections. The intent is to reduce 'pancake' or strip mall proportions.
- h. All sides of a building facing a street shall be designed as a street facing facade.
- i. As-of-right residential development on the ground floor shall be designed to allow for easy conversion to commercial use by including the following design elements:
 - I. at grade entrances facing the street;
 - II. ceilings minimum height of 3.05 m (10 ft);
 - III. windows should maintain their historical proportions. In new buildings 50% or more of the building frontage shall be glass (no tinted, textured, reflective, or dark glass shall be permitted) unless, the historic nature of the building requires other treatments.

Windows, Doors, and Ceiling Height

- a. The main entry of the building must front on the 'main' street'. If the building has multiple commercial units at least one commercial unit has to front on the 'main street' with the main entry of the unit facing the 'main street'. Buildings which front two or more streets shall be designed to appear that the building fronts on all streets.
- b. Windows should maintain their historical proportions,
- c. In new buildings 50% or more of the building's *ground floor street facing* frontage shall be glass (no tinted, textured, reflective, or dark glass shall be permitted) unless, the historic nature of the building requires other treatments.
- d. *In new buildings 30% or more of the building's second and third floor street facing frontage shall be glass (no tinted, textured, reflective, or dark glass shall be permitted) unless, the historic nature of the building requires other treatments.*
- e. The minimum ground floor commercial ceiling height shall be 3.05 m (10 ft).

Citizen Engagement

Planning staff will comply with the Citizen Engagement policies of the Municipal Planning Strategy when processing these proposed amendments. An advertisement outlining the proposed amendments and indicating that it is under review by staff was placed in the *Chronicle Herald* and on the Municipal website.

A public information meeting was held on April 1, 2025. Notes from the meeting are attached as Appendix A. Two developers of Village Core (VC) Zoned land attended the meeting. Their two major concerns were the size of the buildings and parking requirements. They indicated that the proposed gross floor area of the buildings

needs to also account for hallway and utility room area. The other issue was parking and if the parking requirements could be amended to account for commercial space that is not used during the evening hours.

A letter from Tolson Developments Ltd. has been attached as Appendix B.

The next step in the citizen engagement process is for a public hearing to be held for the proposal.

Conclusion

The increase to the number of dwelling units in the Village Core (VC) Zone was a commitment that East Hants made when entering into the HAF program. The new regulations will be applicable to all Village Core (VC) Zones. Existing design requirements will still be applicable to all new buildings and new commercial requirements will be added to ensure the land use pattern lends itself to providing more human scaled development that has an interesting fabric at street level. Diversity of buildings and land uses will keep the village cores interesting and inviting to pedestrians and local commercial development.

STRATEGIC ALIGNMENT

The 2021-2024 East Hants Strategic Plan identifies 'Strong Community' as one of the four areas of strategic focus. The proposed development provides for the creation of affordable worker housing, which helps to support a strong community.

LEGISLATIVE AUTHORITY

The legislative authority is set out in the Municipal Government Act, Part VIII. This part of the MGA sets out the process for MPS and LUB amendments to be considered and for consideration of a development agreement.

FINANCIAL CONSIDERATIONS

If Council does not proceed with the increase to density in the Village Core (VC) Designation and Zone there will be an impact to amount of funding received from the HAF program.

Alternatives

Planning Advisory Committee could recommend not to proceed with the proposal.

Attachments

Appendix A - PIM Meeting Notes

Appendix B - Letter from Developer