



# Land use Planning Tools

Available to Support Housing and Affordable Housing

The *Community Planning Act* has several tools to assist local governments and land use planners in the development of new rental housing units, which includes affordable housing units.

## The *Community Planning Act* Tools:

Tool	Relevant Section of the <b>Community Planning Act</b>	What does the tool allow?	What types of rental housing does this support?	Examples from New Brunswick Local Governments
1: Housing policies in municipal plans, rural plans for villages; rural plans for rural communities and rural plans for rural districts and secondary plans	Sections 24 and 35	The <i>Community Planning Act</i> has been amended to require municipal plans and rural plans to include housing policies related to affordable and rental housing.  Councils can support a wide range of housing types in their municipal plan or rural plan.	<ul style="list-style-type: none"> <li>Rental apartment within a dwelling (ex: basement apartment)</li> <li>Detached secondary dwellings on a lot (ex: garden suite, granny suite)</li> <li>Duplexes</li> <li>Rowhouses/townhouses</li> <li>Multiple-unit apartment buildings</li> <li>Tiny homes</li> </ul>	<p>City of Fredericton: It is a policy of council to collaborate with the provincial government to assess taxation-related barriers and disincentives to the provision and maintenance of affordable rental housing units.</p> <p>City of Edmundston: The City promotes diverse residential choices to meet the needs of all clientele. The City proposes to support the renovations of the existing built environment by ensuring that rental costs remain accessible.</p> <p>Town of St. Andrews: Council is considering developing additional land for housing in the designated residential growth area, in partnership with other levels of government, landowners, or private developers, prioritizing affordable rental units and multiple family housing.</p>
2: Municipal zoning bylaws; rural plans for villages; rural plans for rural communities and rural plans for rural districts.	Division A. Section 53-61	A zoning by-law is a tool for a local government to promote rental housing development.  A zoning by-law can regulate many aspects of rental housing including:  the size of lots required for specific uses;  population density;  percentage of a lot that may be built on.	<ul style="list-style-type: none"> <li>Rental apartment within a dwelling (ex: basement apartment)</li> <li>Detached secondary dwellings on a lot (ex: garden suite, granny suite)</li> <li>Duplexes</li> <li>Rowhouses/townhouses</li> <li>Multiple-unit apartment buildings</li> <li>Tiny homes</li> </ul>	<p>Town of Florenceville-Bristol: Permits a rental suite in the "single family residential", residential mix" and "agricultural" zones.</p> <p>Regional Municipality of Tracadie: Permits a rental suite in the "central multifamily residential", "mixed use", "downtown commercial", "commercial road", "rural residential", and "rural" zones</p>
3: Incentive or bonus zoning agreement by-laws	Division H: Sections 95-98	Incentive or bonus zoning by-law allows the local government to enter into an agreement with a developer to permit the easing of specific zoning requirements.  It is a tool often used to increase the number of affordable housing units, but it could also be used as an incentive for rental housing by providing a developer with additional units in exchange for affordable units.	<ul style="list-style-type: none"> <li>Multiple-unit apartment buildings</li> </ul>	<p>City of Fredericton: In 2021, the City approved the rezoning for a new three-storey, eight-unit apartment building. The developer was permitted to add an extra unit as a bonus for including 2 affordable units.</p>
4: Development scheme by-laws	Division J: Sections 101 to 104	A local government can use a development scheme bylaw to do detailed planning for a specific area of the community. The by-law can set out standards and rules for new development such as the location of streets, public buildings, recreation areas or other public services such as water or sewerage.	<ul style="list-style-type: none"> <li>Rental apartment within dwelling (ex: basement apartment)</li> <li>Detached secondary dwelling on a lot (ex: garden suite, granny suite)</li> <li>Duplexes</li> <li>Rowhouses/townhouses</li> <li>Multiple-unit apartment buildings</li> <li>Tiny homes</li> </ul>	<p>Some local governments in New Brunswick have explored including rental and affordable housing in a development scheme by-law.</p>
5: Inclusionary zoning	Sections 24, 35, 44, 53, 124	Inclusionary zoning requires private developers to have a certain number of residential units as "affordable" within a development.  The <i>Community Planning Act</i> will require municipal plans and rural plans to include inclusionary zoning policies. An inclusionary zoning regulation sets the requirements a local government must follow if they want to use inclusionary zoning.	<ul style="list-style-type: none"> <li>Affordable units in row-houses/townhouses</li> <li>Affordable units in multiple-unit apartment buildings</li> </ul>	<p>Local governments will have the ability to adopt an inclusionary zoning bylaw.</p>

- ✓ The Act and supporting documents can be found online at [gnb.ca \(laws.gnb.ca/en\)](http://gnb.ca/laws.gnb.ca/en)
- ✓ Questions about these tools? Contact the Provincial and Community Planning Unit, Department of Environment and Local Government at [planning-urbanisme@gnb.ca](mailto:planning-urbanisme@gnb.ca)