

Town of Yarmouth
**SURPLUS LANDS FOR
AFFORDABLE HOUSING POLICY**

Effective: September 11th, 2025
TOY 84



1.0 LEGISLATIVE AUTHORITY

This Surplus Lands for Affordable Housing Policy (the Policy) derives its authority from Section 51 of the Municipal Government Act.

2.0 PURPOSE

The purpose of the Policy is to:

- a. Implement a program (The Program) to incentivize the creation of affordable housing supply in conjunction with the priorities and targets set out in the Town's 2024-2027 Housing Accelerator Fund (HAF) Action Plan;
- b. reduce the upfront costs of affordable housing construction by reducing or eliminating land acquisition costs, thereby fostering long-term housing for all ages, income groups, household types and ways of living; and
- c. provide municipally owned surplus land to non-profit housing providers at nominal or below-market value through a competitive call for proposals process.

3.0 DEFINITIONS

Unless defined in this Policy, all other words and terms shall be read according to their commonly accepted meanings.

- a. "Affordable housing", means housing for people who, because of financial or other circumstances, need assistance to cover their housing cost.
- b. "Appraisal" / "appraised value", means a written estimate of a property's fair market value as of a specific date prepared by a qualified professional.
- c. "As-is, where-is", means a sale condition indicating the Town makes no representations or warranties regarding the property's condition, use, or value.
- d. "CAO", means the Chief Administrative Officer of the Town of Yarmouth.
- e. "Canada Mortgage and Housing Corporation (CMHC)" is a Canadian Crown corporation that serves as the national housing agency of Canada.
- f. "Construction costs estimate" means the total estimated cost of construction of the building, including but not limited to design, materials, labor, site preparation, structural, mechanical and electrical components.

- g. “Council”, means the Town Council of the Town of Yarmouth
- h. “Disposal”, means the sale, transfer, or long-term lease of real property by the Town.
- i. “Dwelling unit” means one or more habitable rooms designed, occupied, or intended for use by one or more individuals as an independent and separate housekeeping establishment, in which cooking, sleeping, and sanitary facilities are provided for the exclusive use of such individual(s).
- j. “Market value”, means the price a property would reasonably sell for on the open market between a willing buyer and a willing seller.
- k. “Non-profit housing provider” means a charity or society incorporated under the Nova Scotia Societies Act (Ch. 435, R.S.N.S. 1989) whose mandate includes but is not limited to, the supply and management of affordable housing. Other models may include non-profit subsidiary organizations of for-profit housing developers who may partner with other social service organizations with the goal of supporting/developing affordable units and other non-market housing.
- l. “Surplus land” / “surplus land inventory”, means Town-owned real property no longer required for Town purposes and declared as surplus by Council.
- m. “Town” / “municipality”, means the Town of Yarmouth, Nova Scotia.
- n. “Undevelopable” means a property that, due to size, shape, location, environmental constraints, or lack of access or services, cannot be reasonably developed for independent use or building purposes.

4.0 GENERAL PROGRAM OVERVIEW

- 4.1** Surplus lands designated by Council to support this Program may be made available via a competitive call for proposals.
- 4.2** Eligible organizations will have 60 days from the date of the call announcement to submit a proposal for affordable housing on the available properties.
- 4.3** The Town will evaluate proposals based on project viability, organizational capacity, dwelling unit affordability, and contribution to social equity. The top-ranked applicant(s) will be offered the opportunity to purchase designated surplus land at nominal or below market value.
- 4.4** Where no proposals are received within the 60-day period, the Town may extend the submission deadline or determine an alternative disposal method, subject to Council approval.
- 4.5** All sales and transfers of surplus land must be approved by Council. Once the sale or transfer is approved by Council, successful applicants must be responsible for obtaining development and

building permits by June 30, 2027 (unless otherwise specified by the Town), all construction, and operations of the affordable housing.

5.0 APPLICANT ELIGIBILITY

Eligible applicants include:

- a. Established non-profit and charitable organizations incorporated for at least one year, including:
 - i. A society under the *Societies Act* (1989);
 - ii. A non-profit association under the *Co-operative Associations Act* (1989);
 - iii. A non-profit corporation under the *Canada Not-for-profit Corporations Act* (2009);
 - iv. A registered charity under the *Income Tax Act* (Canada); and
 - v. A non-profit organization under an Act of the Nova Scotia Legislature.
- b. Non-profit organizations incorporated for less than 1 year may be eligible if they can demonstrate sufficient previous land development experience and organizational capacity to construct and operate affordable housing.
- c. For-profit organizations can participate only by partnering with an eligible non-profit, provided the non-profit partner:
 - i. Retains ownership of the land;
 - ii. Has sole authority over tenant selection; and
 - iii. Has sole authority over rental rate setting for the affordable housing.

6.0 PROPOSAL ELIGIBILITY

Proposals must meet the following requirements:

- a. Offer new rental units below average market rents based on CMHC data for the respective unit type(s).
- b. Ensure proposal approval timelines allow for all required building permit(s) to be issued by **June 30, 2027**, or as otherwise specified by the Town. Applicants should consult municipal staff when in doubt.
- c. Align with applicable requirements of the Land Use Bylaw to facilitate expedited approval of a development permit. Proposals requiring a variance, subdivision or other planning processes beyond permitted (as-of-right) approvals may be considered, if the applicant can demonstrate that all required municipal approvals may be secured within the above-specified timeline.

7.0 CALL FOR PROPOSAL REQUIREMENTS

Calls for proposal must include the following information:

7.1 Proof of Eligibility

Applicants must demonstrate their eligibility by:

- a. providing legal name of the registered charity or non-profit organization;
- b. indicating whether the organization is registered provincially or federally; and
- c. if applicable, provide a copy of the partnership agreement confirming the non-profit partner will retain ownership, tenant selection, and rent-setting authority.

7.2 Applicant Description

Applicants must:

- a. include summary of current services offered by the organization;
- b. summarize relevant organizational, staff and/or partner experience;
- c. provide examples of previous projects; and
- d. financial statements for the past three fiscal years, or for each year since incorporation if the organization is less than three years old.

7.3 Proposal Summary

Applicants must:

- a. include preliminary project construction proforma identifying
 - o the number and size of affordable units to be created,
 - o monthly rents and other costs for tenants,
 - o assessment of hard & soft construction costs;
- b. include preliminary operational proforma;
- c. identify available funding sources;
- d. indicate whether the intended affordable housing will serve [National Housing Strategy](#) priority groups; and
- e. indicate whether the project will be designed to exceed minimum energy efficiency and/or accessibility standards.

Note: A site plan or architectural drawings are not required at this stage.

8.0 HOW TO SUBMIT YOUR PROPOSAL

8.1 To submit a proposal, applicants are required to complete the [call for proposals application form](#) available on the [Town of Yarmouth website](#) and include all required material identified in section 6.0

8.2 Proposals that fail to meet the minimum submission requirements may not be considered.

8.3 Call for Proposal Timeline

- a. Proposals may be accepted for 60 days following the “call for proposals” announcement. Late submissions may not be considered.

- b. Where no proposals are received within the 60-day period, the **Town** may extend the submission deadline.

9.0 EVALUATION CRITERIA

The evaluation criteria were developed to align with the requirements of provincial and federal funding programs to improve applicants’ chances of accessing available funding. Eligible proposals will be evaluated by the Town against the following three broad categories.

Category	Weight	Criteria
Viability	20	Capacity to complete project on time, on budget, with financial viability
	20	Eligible for, pending, or confirmed funding from other levels of government
	20	Experience developing and managing affordable housing
Affordability	20	Number of units, level(s) of affordability
Social Equity	5	Alignment with Housing First Principles
	5	Accommodation for Priority Groups as defined in National Housing Strategy
	5	Demonstrated ability to exceed applicable building code requirements for energy efficiency
	5	Demonstrated ability to exceed minimum building code requirements for accessibility
	100	

10.0 TERMS AND CONDITIONS

10.1 Available surplus land may be disposed of with no warranties - as-is, where-is.

10.2 Buy-back agreement

Any disposal of surplus land through this Program will be subject to a buy-back agreement. The municipality may initiate a buy-back process if the applicant:

- a. fails to obtain required municipal approvals by June 30, 2027;
- b. fails to provide affordable housing as specified in their proposal;
- c. ceases operations or non-profit status; and
- d. transfers the property to another entity.

10.3 Closing costs

Applicants must cover all closing costs, which may include:

- a. migration and deed registration fees;
- b. appraisal or market analysis;
- c. survey plan for subdivision; and
- d. lot consolidation.

11.0 PUBLIC NOTICE & ENGAGEMENT

11.1 Public information meetings

The Town may hold public information meetings during the call for proposal period for designated surplus lands to provide prospective applicants and public with details about program.

11.2 Public Hearing Requirements

If Council approves a disposal of a surplus property worth more than \$10,000 for less than the appraised market value, a public hearing will be required pursuant to applicable requirements of the Municipal Government Act.

Clerk’s Annotation for Official Policy Book

Date of Adoption: September 11th, 2025

I certify that this ‘Surplus Lands for Affordable Housing Policy’ was adopted by Council as indicated above.

Town Clerk:

Date: