



Mr. Jérémy Dyck
Lawyer

The Housing Design Catalogue in Québec Urban Planning

The federal government released Canada's Housing Plan¹ on April 12, 2024. Among other things, it brought with it the return of the Housing Design Catalogue. The original catalogue ran from the late 1940s to the 1970s. The new version aims to provide a set of standard models for different types of housing in order to lower costs and shorten construction times.

At the time of writing, the new version of the catalogue was partially complete; a number of models could be viewed online and the final technical packages were said to be available shortly. The catalogue is organized by region. The Québec section includes models for accessory dwelling units, rowhouses, fourplexes, and sixplexes or triplexes.² A second edition of the catalogue is expected to expand that selection, adding models for single-family and mid-range homes, among others.

If a Québec municipality wants to authorize the construction of one of these homes once the technical packages are ready, how could it amend its urban planning by-laws to do so?

There is no single answer to this question, but here are two possibilities. There are undoubtedly others, and each municipality will have to find the right solution for their specific circumstances.

The first option would be to amend the specification grids of certain zones to accommodate the plans the municipality considers acceptable so that they can be built, or to establish specific use categories that incorporate specific characteristics of a concept. This more general approach would let someone submit plans from the catalogue (either as-is or with modifications) to support a permit application, or even to just draw inspiration from those plans as they prepare their own. This would reduce design costs for the owner and make it easier for the municipal inspector to review the plans while processing the application.

A second option would be to explicitly allow certain concepts in specific zones. Subparagraph 5.1 of the second paragraph of section 113 of the *Act respecting land use planning and development*³ allows municipalities to regulate the architecture and appearance of structures by zone or sector of a zone. Therefore, the by-law could state that a structure is specifically permitted in a given zone and include the plans for that structure in a schedule. This would mean that when someone applies for a construction permit for that type of structure, the requirement to provide architectural plans will already have been met. One advantage of this type of amendment is that it would not be subject to referendum approval.⁴ However, if it were to be accompanied by an amendment to the permitted uses, that amendment would still be subject to referendum approval.⁵

In closing, it is worth noting that consulting the catalogue can be useful for more than just pre-authorizing plans. For instance, it can provide interesting ideas for integrating housing concepts that encourage greater density—after all, the zoning or discretionary urban planning by-laws could simply include individual elements from the plans rather than the plans as a whole. What's more, it can raise important questions about the ability to lower costs and shorten lead times on new construction. In fact, while developing the catalogue on a national scale was costly, the methods could very well be reproduced on a smaller scale if doing so proves worthwhile.

¹ Online: <https://housing-infrastructure.canada.ca/housing-logement/housing-plan-report-rapport-plan-logement-eng.html>

² Online: <https://www.housingcatalogue.cmhc-schl.gc.ca/designs?region=4e8c8d6e-67f6-4028-9810-ec296f50099f>

³ CQLR, c. A-19.1

⁴ *Ibid.*, s. 123.

⁵ *Ibid.*