

TO: Mayor Savage and Members of Halifax Regional Council

Original Signed by



SUBMITTED BY:

Kelly Denty, Acting Chief Administrative Officer

DATE: June 2, 2020

SUBJECT: Case 21162: Secondary Suites and Backyard Suites

SUPPLEMENTARY REPORT

ORIGIN

- March 27, 2018 - Item 9.1 motion of Regional Council to initiate a process to consider amendments to the Halifax Regional Municipal Planning Strategy and all applicable secondary municipal planning strategies and land-use by-laws as necessary, to simplify, consolidate and remove barriers to the development of secondary suites and backyard suites.
- January 28, 2019 - Item 15.1.5 motion of Regional Council requesting a staff supplementary report to examine the applicability of backyard suites accessory to townhouses and two-unit buildings.

LEGISLATIVE AUTHORITY

Halifax Regional Municipality Charter (HRM Charter), Part VIII, Planning & Development.

RECOMMENDATION

It is recommended that Halifax Regional Council:

1. Give First Reading to consider the proposed amendments to the Regional Municipal Planning Strategy and all land use by-laws, with the exception of the Regional Centre Land Use By-law (Package A), as set out in Attachments A and B, to allow secondary suites and backyard suites accessory to single-unit, two-unit or townhouse dwellings, and schedule a public hearing; and
2. Adopt the proposed amendments to the Regional Municipal Planning Strategy and all land use by-laws, with the exception of the Regional Centre Land Use By-law (Package A), as set out in Attachments A and B, to allow secondary suites and backyard suites accessory to single-unit, two-unit or townhouse dwellings.

BACKGROUND

On January 28, 2020 Regional Council considered amendments to the Halifax Regional Municipal Planning Strategy (RMPS) and all applicable land use by-laws (LUB) to allow secondary and backyard suites accessory to low density residential uses. Secondary suites are additional dwelling units, typically located within single-unit dwellings. Backyard suites are additional dwelling units that are located in an accessory building like a detached garage. The proposed amendments permitted:

- Secondary suites accessory to single-unit dwellings, two-unit dwellings and townhouse dwellings with no minimum lot area requirement; and,
- Backyard suites accessory to single-unit dwellings with a lot area of 371 square metres (4000 square feet).

At the January 28, 2020 meeting Regional Council passed the following motion:

THAT Halifax Regional Council defer the motion and request a supplementary report to examine the applicability of backyard suites to townhouses and two-unit buildings within the Land Use Bylaw area.

COMMUNITY ENGAGEMENT

No further community engagement was completed as part of this supplementary report. During discussion at the January 28, 2020 meeting, Council asked if the accessibility community had been engaged regarding the proposed amendments. The Discussion section of this report describes engagement with the Accessibility Committee that was undertaken on February 19, 2019.

DISCUSSION

The original staff [report¹](#) presented to Council on January 28, 2020 proposed region-wide amendments to allow for secondary and backyard suites. Staff's recommendation at that time was to restrict backyard suites by limiting the use as accessory to single-unit dwellings on lots with a minimum lot area of 371 square metres (4,000 square feet). When the report was tabled, Regional Council requested additional information regarding the proposed amendments, and asked staff to assess whether or not backyard suites could be considered as accessory to two-unit dwellings and townhouse dwellings, in addition to single-unit dwellings. Since then staff have further received concerns related to the backyard suite provisions in regards to the lot area requirements and the ability to locate a backyard suite on an adjacent lot.

The following reviews the controls on backyard suites, answers additional questions and comments raised by Council on January 28, 2020 and addresses other questions or concerns that have come forward since the report was tabled.

Backyard Suites Accessory to Two-Unit Dwellings and Townhouse Dwellings

During the January 28, 2020 meeting, Council requested that staff consider allowing backyards suites accessory to two-unit dwellings and townhouse dwellings. This is in addition to allowing backyard suites accessory to single-unit dwellings as proposed in the original report and would create consistency with the proposed approach for secondary suites.

Locating a backyard suite on a lot with a two-unit or townhouse dwelling would have many of the same considerations required for placing the backyard suite on a single-unit dwelling lot. There are, however, additional considerations when developing a backyard suite on internal townhouse lots, where the main dwelling unit does not have a side yard setback. Residents of backyard suites located on internal

¹ Report available online at <https://www.halifax.ca/sites/default/files/documents/city-hall/regional-council/200128rc1515.pdf>

townhouse lots would need to either pass through the main dwelling or over neighbouring properties to access a public street or roadway. While the issue of access is of extreme importance during an emergency such as a fire, there are also the simple considerations such as access for deliveries and hosting guests.

While most townhouse developments usually include easements to allow for the transport of items such as barbecues or lawnmowers to internal lots, these easements are not intended for daily, routine access. As such, the proposed amendments will consider allowing backyard suites on lots where the main dwelling unit does not have a side yard setback, provided that the backyard suite can directly access a public street. This will allow the development of backyard suites on the end units of townhouse buildings but would prevent their development on internal townhouse lots where the suite could only be accessed through abutting properties or through the main dwelling. While this is mainly intended to apply to internal townhouse lots, this would also apply to single-unit and two-unit dwellings that do not have side yard setbacks, as is sometimes the case within the Regional Centre.

Minimum Lot Area Requirement

The original staff report proposed a minimum lot area of 371 square metres for backyard suites. The lot area requirement is based on the minimum lot area of the R-1 Zone for single-unit dwellings in the Halifax Peninsula LUB, which has one of the smallest minimum lot areas of all municipal LUBs. Since the report was tabled, staff have received some concerns suggesting that a minimum lot area requirement would limit the development potential of backyard suites.

Staff reviewed existing lot areas and found that there are approximately 15,500 low density residential lots that have an area less than 371 square metres. This makes up approximately 14% of all low density residential lots. Approximately half of these lots are occupied by single-unit dwellings and most are located within the Regional Centre or areas within the Urban Service Area that are subject to development agreements. While staff's intent is to ensure measures are in place to keep a lot from being over developed, it is acknowledged that existing setback and lot coverage requirements could achieve the same goal.

Since the January 28, 2020 Regional Council meeting, the draft Centre Plan Package B was published for review and consultation. Through internal discussion and further analysis, it was determined that this minimum lot area would prevent the development of backyard suites on smaller lots located within many areas of the Regional Centre. As such, the regulations contained in Package B do not set out a minimum lot area requirement for the development of backyard suites.

Accordingly, to ensure alignment with the anticipated Package B standards, the minimum lot area requirement for backyard suites has been removed from the proposed amendments contained in Attachment B.

Accessory Building on Adjacent Lots

An additional consideration, that was brought forward after the original report was tabled, relates to the ability to locate backyard suites on adjacent lots. The proposed backyard suite provisions discussed on January 28, 2020 require a backyard suite to conform to the requirements for an accessory building. The majority of LUBs allow for an accessory building to be located on a separate lot that is adjacent to the lot containing the main dwelling. As such, a backyard suite could be developed on a separate lot. This can be problematic especially if one of the properties was sold. As such, the proposed amendments have been modified to require a backyard suite to be located on the same lot as the main dwelling.

Accessibility Advisory Committee

On February 19, 2019, staff presented information on secondary and backyard suites and the tentative direction for the proposed amendments to the Accessibility Advisory Committee. Minutes from the meeting are included as Attachment C. The Committee did not provide formal comment regarding the proposed amendments, however, members noted that they encouraged secondary and backyard suites to be accessible. As accessibility is regulated under the National Building Code, a specific accessibility requirement is not included in the proposed LUB amendments.

Traditional accessibility requirements under the Building Code apply to residential buildings that have 4 or more units. As a secondary suite is not considered a separate unit under the Building Code, secondary and backyard suites will not trigger accessibility requirements. In 2019, adaptability requirements were introduced to the Nova Scotia Building Code. These requirements apply to low density residential uses including secondary and backyard suites. The new rules ensure that buildings can be easily converted into barrier free units and include requirements such as minimum door and hallway widths, lower switch heights, higher electrical plugs, barrier free access provisions, and grab bars in the bathroom. Please see Attachment D for more information.

Septic Systems

During the January 28, 2020 meeting, Council asked if a backyard suite could be connected to the same septic system as the main dwelling. According to Nova Scotia Environment, two dwellings located on the same lot may use the same system. If both units are new construction, one would include this information in their submission to install the septic system. If one is adding a second dwelling to an existing septic system, the existing septic system must be assessed by a professional to determine if the existing system is capable of handling the extra demand.

Within areas serviced by central water, the backyard suite would be required to connect to the lateral of the main dwelling. As noted in the original staff report, Halifax Water has the ability to deny any application if system capacity does not exist.

Ensuring Affordability

During the January 28, 2020 Regional Council discussion, it was asked if there would be any measures to ensure secondary and backyard suites would be affordable. The province currently has programs such as the "[Parent Apartment Program](#)" and "[Residential Rehabilitation Assistance Program for Homeowners](#)" that can provide financial assistance for the development of a secondary or backyard suites for specific demographics. These programs apply to home modifications and are not specific to development of a secondary or backyard suites and while they do not require affordability, they do consider household income in determining eligibility.

As noted in the original staff report presented to Council on January 28, 2020, staff, through the Affordable Housing Workplan, are exploring financial incentives to encourage the development of affordable housing through a variety of approaches. Any programs that would be specific to secondary or backyard suites would be further discussed in a future report.

Built Form Provisions for Backyard Suites

Since the original staff report was tabled, there have been some inquiries regarding the potential development of backyard suites and the provisions for built form. The proposed amendments generally require backyard suites to follow the same built form requirements the community LUB requires for accessory buildings. There are some exceptions such as a maximum size of a secondary suite for LUBs that allow for larger accessory buildings and a maximum foot print requirement for lands within the Regional Centre.

It is important to note that in some instances the development of a backyard suite may be nearly impossible due to existing accessory building size requirements. There are also provisions in some LUBs that only allow for one accessory building, making the development of a backyard suite less attractive if it means forgoing a garage. The approach of these region wide amendments is to allow for gentle density without impacting the traditional built form. Further analysis of such situations would be addressed through the Centre Plan and the work in suburban and rural areas expected under the Secondary Planning and Land Use By-law Simplification program.

Conclusion

Secondary and backyard suites have many positive attributes including allowing residents to age in place, contributing to affordable home ownership and increasing the overall rental stock. This staff report addresses discussion from Regional Council during their January 28, 2020 meeting, and recommends a more consistent approach with the direction for secondary suites, where backyard suites can directly access

a public thoroughfare, street or laneway. In addition to the standards contained in the December 9, 2019 staff report, staff further recommend that backyard suites shall:

- be permitted accessory to two-unit and townhouse dwellings;
- have direct unobstructed access to a public street;
- not be subject to a minimum lot area requirement; and
- be located on the same lot as the main dwelling.

FINANCIAL IMPLICATIONS

In accordance with Civic Addressing By-law, if three or more dwellings share an access, the shared access must be named. Addresses and street signage will be installed at the Municipality's expense. However, it is anticipated that the cost associated will be minimal and can be accommodated in regular operating budget.

There are no additional costs associated with considering backyard suites accessory to two-unit dwellings and townhouse units that were not otherwise discussed in the December 9, 2019 staff report.

RISK CONSIDERATION

There are no significant risks associated with the recommendations contained within this report. The proposed amendments involve proposed MPS amendments. Such amendments are at the discretion of Regional Council and are not subject to appeal to the Nova Scotia Utility and Review Board. Information concerning risks and other implications of adopting the proposed amendments are contained within the Discussion section of this report.

ENVIRONMENTAL IMPLICATIONS

There are no additional environmental implications beyond what was noted in the December 9, 2019 staff report.

ALTERNATIVES

Regional Council may choose to:

1. Modify the proposed amendments to the RMPS and LUBs for secondary and backyard suites as set out in Attachments A and B of this report. If this alternative is chosen, specific direction regarding the requested modifications is required. Such modifications may require a supplementary report. Substantive amendments may require another public hearing to be held before approval is granted. A decision of Council to approve or refuse the proposed amendments is not appealable to the Nova Scotia Utility & Review Board as per Section 262 of the *HRM Charter*.
2. Refuse the proposed amendments to the RMPS and LUBs for secondary and backyard suites. A decision of Council to approve or refuse the proposed amendments is not appealable to the N.S. Utility & Review Board as per Section 262 of the *HRM Charter*.
3. Consider the proposed recommendations or alternatives as outlined in the original staff report dated December 9, 2019.

ATTACHMENTS

Attachment A	Proposed RMPS Amendments
Attachment B	Proposed LUB Amendments
Attachment C	Advisory Committee for Accessibility in HRM Minutes - February 19, 2019
Attachment D	Adaptable Housing Requirements for Residential & Care Occupancies

A copy of this report can be obtained online at halifax.ca or by contacting the Office of the Municipal Clerk at 902.490.4210.

Report Prepared by: Jillian MacLellan, Planner III, 902.490.4871

Attachment A
Regional Municipal Planning Strategy Amendments

BE IT ENACTED by the Halifax Regional Council of the Halifax Regional Municipality that the Regional Municipal Planning Strategy is hereby further amended as follows:

1. Within Section 3.6, Housing Diversity and Affordability, amend Policy S-30 by deleting the text shown in strikethrough and inserting the text shown in bold as follows.

S-30 When preparing new secondary planning strategies or amendments to existing secondary planning strategies to allow new developments, means of furthering housing affordability and social inclusion shall be considered including:

- a) creating opportunities for a mix of housing types within designated growth centres and encouraging growth in locations where transit is or will be available;
- b) reducing lot frontage, lot size and parking requirements;
- c) permitting ~~auxiliary dwelling units or~~ secondary **and backyard** suites ~~within single unit dwellings in all residential areas;~~
- d) permitting homes for special care, of more than three residents of a scale compatible with surrounding neighbourhoods
- e) permitting small scale homes for special care as single unit dwellings and eliminating additional requirements beyond use as a dwelling;
- f) introducing incentive or bonus zoning in the Regional Centre;
- g) permitting infill development such as and housing densification in areas seeking revitalization; and,
- h) identifying existing affordable housing and development of measures to protect it.

2. Within Section 3.6, Housing Diversity and Affordability, insert Policies S-35 and S-36, following Policy S-34, as shown in bold as follows.

S-35 HRM shall, through the applicable land use by-laws, permit secondary suites and backyard suites in all zones that permit low density residential uses, including single unit, two-unit, and townhouse dwellings. Land use by-law requirements shall ensure that the secondary suite and backyard suite remain accessory to the main dwelling.

S-36 Existing policies and land use provisions for secondary dwellings established under Secondary Planning Strategies will continue to exist in addition to those land use provisions created under policies S-35 and S-36, subject to a maximum of one secondary dwelling permitted on a lot.

I, {Insert Name} Municipal Clerk for the Halifax Regional Municipality, hereby certify that the above-noted by-law was passed at a meeting of the Regional Council of the Halifax Regional Municipality for held on [DATE], 202[#].

{Insert Name}
Municipal Clerk

**Attachment B
Proposed Land Use By-Law Amendments**

Proposed Amendments to the Land Use By-law for Beaver Bank, Hammonds Plains, and Upper Sackville Plan Area

BE IT ENACTED by the Halifax Regional Council of the Halifax Regional Municipality that the Land Use By-law for Beaver Bank, Hammonds Plains, and Upper Sackville is hereby amended as follows:

- 1) Amend PART 2: DEFINITIONS by inserting the following in bold after Section 2.76 STRUCTURES:

2.76.5 SUITE

- (a) **Backyard Suite means a self-contained subordinate dwelling unit that is located within an accessory building or structure.**
- (b) **Secondary Suite means a self-contained subordinate dwelling unit that is located within a residential main building.**

- 2) Amend Section 4.4 ONE DWELLING ON A LOT, by inserting the text shown in bold:

4.4 ONE DWELLING ON A LOT

No person shall erect more than one (1) dwelling on a lot **except where backyard suites are permitted**. Notwithstanding, in any C-5 (Hammonds Plains Commercial) Zone, a lot may contain more than one (1) dwelling. (RC-Feb 9/10;E-Apr 3/10)

- 3) Amend PART 4: GENERAL PROVISIONS FOR ALL ZONES, by inserting the text shown in bold after Section 4.12 ACCESSORY BUILDINGS:

4.12A SECONDARY SUITES AND BACKYARD SUITES

(a) SECONDARY SUITES

Secondary suites shall be permitted accessory to a single unit dwelling or a two unit dwelling subject to the following provisions:

- (i) **No more than one total auxiliary dwelling unit, secondary suite or backyard suite shall be permitted on a lot;**
- (ii) **The floor area of a secondary suite shall not exceed 80.0 square metres;**
- (iii) **A two unit dwelling that contains a secondary suite shall not be considered a multiple unit dwelling;**
- (iv) **Notwithstanding the parking requirements of Section 4.26, additional off-street parking shall not be required; and**
- (v) **Where a residential use is a non-conforming use a secondary suite shall not be permitted.**

(b) BACKYARD SUITES

Backyard suites shall be permitted accessory to a single unit dwelling, a mobile dwelling, or a two unit dwelling subject to the following provisions:

- (i) **No more than one total auxiliary dwelling unit, secondary suite or backyard suite shall be permitted on a lot;**

- (ii) **A backyard suite is not considered a separate main building or main dwelling;**
- (iii) **The backyard suite shall meet the accessory buildings requirements as set out in Sections 4.11 and 4.12;**
- (iv) **The floor area of a backyard suite shall not exceed 90.0 square metres or the maximum floor area of an accessory building as set out in Section 4.12, whichever is less;**
- (v) **Notwithstanding the parking requirements of Section 4.26, additional off-street parking shall not be required;**
- (vi) **Where a residential use is a non-conforming use a backyard suite shall not be permitted;**
- (vii) **A backyard suite must be located on the same lot as the main dwelling unit; and**
- (viii) **Where the main dwelling unit does not have a side yard on both sides, a backyard suite must have unobstructed access upon the same lot in which the backyard suite is located to a public street.**

I, {Insert Name}, Municipal Clerk for the Halifax Regional Municipality, hereby certify that the above-noted by-law was passed at a meeting of the Regional Council held on [DATE], 202[#].

{Insert Name}
Municipal Clerk

Proposed Amendments to the Land Use By-law for Bedford Plan Area

BE IT ENACTED by the Halifax Regional Council of the Halifax Regional Municipality that the Land Use By-law for Bedford is hereby amended as follows:

- 1) Amend PART 2: DEFINITIONS by inserting the following definitions in bold after the definition **Structure**:

Suite, Backyard means a self-contained subordinate dwelling unit that is located within an accessory building or structure.

Suite, Secondary means a self-contained subordinate dwelling unit that is located within a residential main building.

- 2) Amend PART 5: GENERAL PROVISIONS FOR ALL ZONES, Section 21A (2) Coastal Areas, by inserting the text shown in bold:

21A. Coastal Areas (RC-Jun 25/14;E-Oct 18/14)

- (1) No development permit shall be issued for any dwelling on a lot abutting the coast of the Atlantic Ocean, including its inlets, bays and harbours within a 3.8 metre elevation above Canadian Geodetic Vertical Datum (CGVD 28).
- (2) Subsection (1) does not apply to any residential accessory structures **which do not contain a backyard suite**, marine dependent uses, open space uses, parking lots and temporary uses permitted in accordance with this by-law. (HW, HEMD and NWCC – Dec 11/18; E- D 29/18)

- 3) Amend PART 5: GENERAL PROVISIONS FOR ALL ZONES, Section 29 (a) (i) Accessory Buildings, by inserting the text shown in bold:

29. Accessory Buildings

- a) Accessory uses, buildings and structures shall be permitted in any zone within the Town but shall not:
- i) be used for human habitation, **except where backyard suites are permitted;**

- 4) Amend PART 5: GENERAL PROVISIONS FOR ALL ZONES, GENERAL PROVISIONS: ACCESSORY BUILDINGS OR STRUCTURES by inserting the text shown in bold after Section 29A Shipping Containers as Accessory Buildings:

29B Secondary Suites and Backyard Suites

(a) Secondary Suites

Secondary suites shall be permitted accessory to a single detached dwelling, a linked dwelling, a semi-detached dwelling, a duplex dwelling or a rowhouse/townhouse dwelling subject to the following provisions:

- (i) **No more than one total garden flat, secondary suite or backyard suite shall be permitted on a lot;**
- (ii) **The floor area of a secondary suite shall not exceed 80.0 square metres;**
- (iii) **A two unit dwelling that contains a secondary suite shall not be considered a multiple unit dwelling;**
- (iv) **Notwithstanding the parking requirements of Part 5 Section 34, additional off-street parking shall not be required; and**
- (v) **Where a residential use is a non-conforming use a secondary suite shall not be permitted.**

(b) Backyard Suites

Backyard suites shall be permitted accessory to a single unit dwelling, a mobile home/mini home, a linked dwelling, a semi-detached dwelling, a duplex dwelling or a rowhouse/townhouse dwelling subject to the following provisions:

- (i) **No more than one total garden flat, secondary suite or backyard suite shall be permitted on a lot;**
- (ii) **A backyard suite is not considered a separate main building or main dwelling;**
- (iii) **The backyard suite shall meet the accessory buildings requirements as set out in Part 5 Sections 28 and 29;**
- (iv) **The floor area of a backyard suite shall not exceed 90.0 square metres or the maximum floor area of an accessory building as set out in Part 5 Section 29, whichever is less;**
- (v) **Notwithstanding the parking requirements of Part 5 Section 34, additional off-street parking shall not be required;**
- (ix) **Where a residential use is a non-conforming use a backyard suite shall not be permitted;**
- (x) **A backyard suite must be located on the same lot as the main dwelling unit; and**
- (xi) **Where the main dwelling unit does not have a side yard on both sides, a backyard suite must have unobstructed access upon the same lot in which the backyard suite is located to a public street.**

I, {Insert Name}, Municipal Clerk for the Halifax Regional Municipality, hereby certify that the above-noted by-law was passed at a meeting of the Regional Council held on [DATE], 202[#].

{Insert Name}
Municipal Clerk

**Proposed Land Use By-Law Amendments
Proposed Amendments to the Land Use By-law for Cole Harbour/Westphal Plan Area**

BE IT ENACTED by the Halifax Regional Council of the Halifax Regional Municipality that the Land Use By-law for Cole Harbour/Westphal is hereby amended as follows:

- 1) Amend PART 2: DEFINITIONS by inserting the following definitions in bold after Section 2.70 STRUCTURE:

2.70.5 SUITE

- (a) **Suite, Backyard means a self-contained subordinate dwelling unit that is located within an accessory building or structure.**
- (b) **Suite, Secondary means a self-contained subordinate dwelling unit that is located within a residential main building.**

- 2) Amend PART 4: GENERAL PROVISIONS FOR ALL ZONES, by inserting the text shown in bold after Section 4.11B QUONSET HUTS;

4.11C SECONDARY SUITES AND BACKYARD SUITES

(a) SECONDARY SUITES

Secondary suites shall be permitted accessory to a single unit dwelling, a two unit dwelling, a semi-detached dwelling or a rowhouse dwelling subject to the following provisions:

- (i) **No more than one total secondary suite or backyard suite shall be permitted on a lot;**
- (ii) **The floor area of a secondary suite shall not exceed 80.0 square metres;**
- (iii) **A two unit dwelling that contains a secondary suite shall not be considered a multiple unit dwelling;**
- (iv) **Notwithstanding the parking requirements of Section 4.25, additional off-street parking shall not be required; and**
- (v) **Where a residential use is a non-conforming use a secondary suite shall not be permitted.**

(b) BACKYARD SUITES

Backyard suites shall be permitted accessory to a single unit dwelling, a mobile dwelling a two unit dwelling, a semi-detached dwelling or a rowhouse dwelling subject to the following provisions:

- (i) **No more than one total secondary suite or backyard suite shall be permitted on a lot;**
- (ii) **A backyard suite is not considered a separate main building or main dwelling;**
- (iii) **The backyard suite shall meet the accessory buildings requirements as set out in Sections 4.10 and 4.11;**
- (iv) **The floor area of a backyard suite shall not exceed 90.0 square metres or the maximum floor area of an accessory building as set out in Section 4.11, whichever is less;**
- (v) **Notwithstanding the parking requirements of Section 4.25, additional off-street parking shall not be required;**
- (vi) **Where a residential use is a non-conforming use a backyard suite shall not be permitted;**
- (vii) **A backyard suite must be located on the same lot as the main dwelling unit; and**
- (viii) **Where the main dwelling unit does not have a side yard on both sides, a backyard suite must have unobstructed access upon the same lot in which the backyard suite is located to a public street.**

- 3) Amend PART 4: GENERAL PROVISIONS FOR ALL ZONES, Section 4.17A (2) COASTAL AREAS by inserting the text shown in bold:

4.17A COASTAL AREAS (RC-Jun 25/14;E-Oct 18/14)

- (1) No development permit shall be issued for any dwelling on a lot abutting the coast of the Atlantic Ocean, including its inlets, bays and harbours, within a 3.8 metre elevation above Canadian Geodetic Vertical Datum (CGVD 28).
- (2) Subsection (1) does not apply to any residential accessory structures **which do not contain a backyard suite**, marine dependant uses, open space uses, parking lots and temporary uses permitted in accordance with this by-law.

I, {Insert Name}, Municipal Clerk for the Halifax Regional Municipality, hereby certify that the above-noted by-law was passed at a meeting of the Regional Council held on [DATE], 202[#].

 {Insert Name}
 Municipal Clerk

Proposed Land Use By-Law Amendments
Proposed Amendments to the Land Use By-law for the Dartmouth Plan Area

BE IT ENACTED by the Halifax Regional Council of the Halifax Regional Municipality that the Land Use By-law for Dartmouth is hereby amended as follows:

- 1) Amend SECTION 1: DEFINITIONS by inserting the following definitions in bold after Subsection (akc) STUDIO

(akd) **SUITE, BACKYARD** - means a self-contained subordinate dwelling unit that is located within an accessory building or structure.

(ake) **SUITE, SECONDARY** - means a self-contained subordinate dwelling unit that is located within a residential main building.

2) Amend SECTION 2: GENERAL PROVISIONS, Subsection 10A by inserting the text shown in bold:

10A There shall be no more than one dwelling per lot in any zone, **excepting where a backyard suite is permitted or** excepting that more than one mobile dwelling per lot is permitted in a T zone (HEMDCC-Jul 30/15 E-Aug 15/15)

3) Amend SECTION 2: GENERAL PROVISIONS, by inserting the text shown in bold after Subsection 27C:

27D SECONDARY AND BACKYARD SUITES

(a) SECONDARY SUITES

Secondary suites shall be permitted accessory to a single-family dwelling, a two-family dwelling, a duplex dwelling, a semi-detached dwelling or a townhouse dwelling subject to the following provisions:

- (i) No more than one total auxiliary dwelling, basement apartment, secondary suite or backyard suite shall be permitted on a lot;**
- (ii) The floor area of a secondary suite shall not exceed 80.0 square metres;**
- (iii) A two-family dwelling that contains a secondary suite shall not be considered a multiple unit dwelling;**
- (iv) Notwithstanding the parking requirements of Sections 14 and 15, additional off-street parking shall not be required; and**
- (v) Where a residential use is a non-conforming use a secondary suite shall not be permitted.**

(b) BACKYARD SUITES

Backyard suites shall be permitted accessory to a single-family dwelling, a mobile home dwelling or a two-family dwelling, a duplex dwelling, a semi-detached dwelling or a townhouse dwelling subject to the following provisions:

- (i) No more than one total auxiliary dwelling, basement apartment, secondary suite or backyard suite shall be permitted on a lot;**
- (ii) A backyard suite is not considered a separate main building or main dwelling;**
- (iii) The backyard suite shall meet the accessory buildings requirements as set out in Sections 27A, 27B and 27C. Backyard Suites within the Main Street Designation shall also meet the requirements of Sections 27BA and 27BB;**
- (iv) The floor area of a backyard suite shall not exceed 90.0 square metres or the maximum floor area of an accessory building as set out in Sections 27A, whichever is less;**
- (v) Notwithstanding the parking requirements of Sections 14 and 15, additional off-street parking shall not be required;**

- (vi) **Where a residential use is a non-conforming use a backyard suite shall not be permitted;**
- (vii) **A backyard suite must be located on the same lot as the main dwelling unit; and**
- (viii) **Where the main dwelling unit does not have a side yard on both sides, a backyard suite must have unobstructed access upon the same lot in which the backyard suite is located to a public street.**

4) Amend SECTION 2: GENERAL PROVISIONS Subsection 32(B)2 COASTAL AREAS by inserting the text shown in bold:

32B COASTAL AREAS (RC-Jun 25/14;E-Oct 18/14)

32B(1) No development permit shall be issued for any dwelling a on lot abutting the coast of the Atlantic Ocean, including its inlets, bays and harbours, within a 3.8 metre elevation above Canadian Geodetic Vertical Datum (CGVD 28).

32B(2) Subsection (1) does not apply to any residential accessory structures **which do not contain a backyard suite**, marine dependant uses, open space uses, parking lots and temporary uses permitted in accordance with this by-law. (HW, HEMD and NWCC – Dec 11/18; E- D 29/18)

I, {Insert Name}, Municipal Clerk for the Halifax Regional Municipality, hereby certify that the above-noted by-law was passed at a meeting of the Regional Council held on [DATE], 202[#].

{Insert Name}
Municipal Clerk

Proposed Land Use By-Law Amendments
Proposed Amendments to the Land Use By-law for the Downtown Dartmouth Plan Area

BE IT ENACTED by the Halifax Regional Council of the Halifax Regional Municipality that the Land Use By-law for Downtown Dartmouth is hereby amended as follows:

5) Amend SECTION 3: DEFINITIONS by inserting the following definitions in bold after Subsection (ar) SALVAGE YARD

(ar.5) SUITE

- (i) **Suite, Backyard means a self-contained subordinate dwelling unit that is located within an accessory building or structure.**
- (ii) **Suite, Secondary means a self-contained subordinate dwelling unit that is located within a residential main building.**

6) Amend SECTION 5: GENERAL PROVISIONS, by inserting the text shown in bold after Subsection 11(a):

11(b) **SECONDARY AND BACKYARD SUITES**

(a) **SECONDARY SUITES**

Secondary suites shall be permitted accessory to a single-unit dwelling, a duplex dwelling, a semi-detached dwelling or townhouse dwelling subject to the following provisions:

- (i) No more than one total secondary suite or backyard suite shall be permitted on a lot;
- (ii) The floor area of a secondary suite shall not exceed 80.0 square metres;
- (iii) A two-family dwelling that contains a secondary suite shall not be considered a multiple unit dwelling;
- (iv) Notwithstanding the parking requirements of Section 6.(1), additional off-street parking shall not be required; and
- (v) Where a residential use is a non-conforming use a secondary suite shall not be permitted.

(b) **BACKYARD SUITES**

Backyard suites shall be permitted accessory to a single-unit dwelling or one mobile/mini home; a duplex dwelling, a semi-detached dwelling or townhouse dwelling subject to the following provisions:

- (i) No more than one total secondary suite or backyard suite shall be permitted on a lot;
- (ii) A backyard suite is not considered a separate main building or main dwelling;
- (iii) The backyard suite shall meet the accessory buildings requirements as set out in Sections 5(11) and 5(11a);
- (iv) The gross floor area of a backyard suite shall not exceed 90.0 square metres or the maximum floor area of an accessory building as set out in Section 5(11), whichever is less;
- (v) The footprint of a backyard suite shall not exceed 60.0 square metres, unless the backyard suite is located in an accessory building that existed prior to this amendment (INSERT DATE);
- (vi) Notwithstanding the parking requirements of Section 6.(1), additional off-street parking shall not be required;
- (vii) Where a residential use is a non-conforming use a backyard suite shall not be permitted;
- (viii) A backyard suite must be located on the same lot as the main dwelling unit; and
- (ix) Where the main dwelling unit does not have a side yard on both sides, a backyard suite must have unobstructed access upon the same lot in which the backyard suite is located to a public street.

- 7) Amend SECTION 5: GENERAL PROVISIONS Subsection 18 ONE RESIDENTIAL BUILDING PER LOT, by inserting the text shown in bold;

18 ONE RESIDENTIAL BUILDING PER LOT (HECC- Sep 5/02;E-Sep 29/02)

There shall be no more than one building containing residential uses per lot, excepting multiple unit and townhouse dwellings in the DB Zone **or excepting where a backyard suite is permitted.**

- 8) Amend SECTION 5: GENERAL PROVISIONS Subsection 26 COASTAL AREAS by inserting the text shown in bold:

26 COASTAL AREAS (RC-Jun 25/14;E-Oct 18/14)

- (a) No development permit shall be issued for any dwelling on a lot abutting the coast of the Atlantic Ocean, including its inlets, bays and harbours, within a 3.8 metre elevation above Canadian Geodetic Vertical Datum (CGVD 28).
- (b) clause (a) does not apply to any residential accessory structures **which do not contain a backyard suite**, marine dependant uses, open space uses, parking lots and temporary uses permitted in accordance with this by-law. (HW, HEMD and NWCC – Dec 11/18; E-D 29/18)

I, {Insert Name}, Municipal Clerk for the Halifax Regional Municipality, hereby certify that the above-noted by-law was passed at a meeting of the Regional Council held on [DATE], 202[#].

{Insert Name}
Municipal Clerk

Proposed Land Use By-Law Amendments
Proposed Amendments to the Downtown Halifax Land Use By-law

BE IT ENACTED by the Halifax Regional Council of the Halifax Regional Municipality that the Land Use By-law for Downtown Halifax is hereby amended as follows:

- 1) Amend SECTION 2 DEFINITIONS by inserting the following text shown in bold:
 - b) “*Accessory Building*” means a detached subordinate building, not used for human habitation **except where backyard suites are permitted**, located on the same lot as the main building, structure, or use to which it is accessory, the use of which is naturally or customarily incidental and complementary to the main use of the land, building or structure.
- 2) Amend SECTION 2 DEFINITIONS by inserting the following definition in bold after the definition Subsection (k) *Average Grade*
 - k.5) *Backyard Suite* means a self-contained subordinate dwelling unit that is located within an accessory building or structure.**
- 3) Amend SECTION 2 DEFINITIONS by inserting the following definition in bold after the definition Subsection (bq) *Retail Use*
 - bq.5) *Secondary Suite* means a self-contained subordinate dwelling unit that is located within a residential main building.**
- 4) Amend SECTION 5 DEVELOPMENT PERMIT Subsection 11 NON-SUBSTANTIVE APPLICATIONS by inserting the following text shown in bold

- (11) The following developments are non-substantive site plan approval applications:
- (a) accessory buildings and structures **including backyard suites**;
 - (b) development that does not materially change the external appearance of a building facing streetlines;
 - (c) new window and door openings or alterations to existing window and door openings abutting streetlines;
 - (d) alteration of external cladding material that does not affect the external appearance of a building facing streetlines;
 - (e) signs;
 - (f) decks, patios, and similar unenclosed features; and (g) steps, stairs and other entryways.
- 5) Amend SECTION 7 LAND USE REQUIREMENTS by inserting the following general provision in bold immediately after Subsection (5):

5.5 SECONDARY SUITES AND BACKYARD SUITES

(a) SECONDARY SUITES

Secondary suites shall be permitted accessory to a single unit dwelling, a two unit dwelling or a townhouse dwelling subject to the following provisions:

- (i) No more than one total secondary suite or backyard suite shall be permitted on a lot;**
- (ii) The floor area of a secondary suite shall not exceed 80.0 square metres;**
- (iii) A duplex dwelling or semi-detached dwelling that contains a secondary suite shall not be considered a multiple unit dwelling; and**
- (vi) Where a residential use is a non-conforming use a secondary suite shall not be permitted.**

(b) BACKYARD SUITES

Backyard suites shall be permitted accessory to a single unit dwelling, a two unit dwelling or a townhouse dwelling subject to the following provisions:

- (i) No more than one total secondary suite or backyard suite shall be permitted on a lot;**
- (ii) A backyard suite is not considered a separate main building or main dwelling;**
- (iii) The backyard suite shall meet the accessory buildings requirements as set out in Section 8(19);**
- (iv) The gross floor area of a backyard suite shall not exceed 90.0 square metres or the maximum floor area of an accessory building permitted in this Land Use Bylaw, whichever is less;**
- (v) Where a residential use is a non-conforming use a backyard suite shall not be permitted;**
- (vi) A backyard suite must be located on the same lot as the main dwelling unit; and**
- (vii) Where the main dwelling unit does not have a side yard on both sides, a backyard suite must have unobstructed access upon the same lot in which the backyard suite is located to a public street.**

Proposed Land Use By-Law Amendments
Proposed Amendments to the Land Use By-law for Eastern Passage/Cow Bay Plan Area

BE IT ENACTED by the Halifax Regional Council of the Halifax Regional Municipality that the Land Use By-law for Eastern Passage/Cow Bay is hereby amended as follows:

- 1) Amend PART 2: DEFINITIONS by inserting the following definitions shown in bold immediately after Section 2.66 STRUCTURE;

2.66.5 SUITE

- (a) **Backyard Suite means a self-contained subordinate dwelling unit that is located within an accessory building or structure.**
- (b) **Secondary Suite means a self-contained subordinate dwelling unit that is located within a residential main building.**

- 2) Amend PART 4: GENERAL PROVISIONS by inserting the following Section shown in bold immediately after Section 4.11A SHIPPING CONTAINERS;

4.11B SECONDARY SUITES AND BACKYARD SUITES

(a) SECONDARY SUITES

Secondary suites shall be permitted accessory to a single unit dwelling, a two unit dwelling, a semi-detached dwelling or a townhouse dwelling subject to the following provisions:

- (i) **No more than one total auxiliary dwelling unit, secondary suite or backyard suite shall be permitted on a lot;**
- (ii) **The floor area of a secondary suite shall not exceed 80.0 square metres;**
- (iii) **A two unit dwelling that contains a secondary suite shall not be considered a multiple unit dwelling;**
- (iv) **Notwithstanding the parking requirements of Section 4.25, additional off-street parking shall not be required; and**
- (v) **Where a residential use is a non-conforming use a secondary suite shall not be permitted.**

(b) BACKYARD SUITES

Backyard suites shall be permitted accessory to a single unit dwelling, one mobile dwelling, a two unit dwelling, a semi-detached dwelling or a townhouse dwelling subject to the following provisions:

- (i) **No more than one total auxiliary dwelling unit, secondary suite or backyard suite shall be permitted on a lot;**
- (ii) **A backyard suite is not considered a separate main building or main dwelling;**
- (iii) **The backyard suite shall meet the accessory buildings requirements as set out in Sections 4.10 and 4.11;**
- (iv) **The floor area of a backyard suite shall not exceed 90.0 square metres or the maximum floor area of an accessory building as set out in Section 4.11, whichever is less;**
- (v) **Notwithstanding the parking requirements of Section 4.25, additional off-street parking shall not be required;**
- (vi) **Where a residential use is a non-conforming use a backyard suite shall not be permitted;**

- (vii) **A backyard suite must be located on the same lot as the main dwelling unit; and**
- (viii) **Where the main dwelling unit does not have a side yard on both sides, a backyard suite must have unobstructed access upon the same lot in which the backyard suite is located to a public street.**

3) Amend PART 4: GENERAL PROVISIONS Section 4.18A (2) COASTAL AREAS by inserting the following text shown in bold:

4.18A COASTAL AREAS (RC-Jun 25/14;E-Oct 18/14)

- (1) No development permit shall be issued for any dwelling on a lot abutting the coast of the Atlantic Ocean, including its inlets, bays and harbours, within a 3.8 metre elevation above Canadian Geodetic Vertical Datum (CGVD 28).
- (2) Subsection (1) does not apply to any residential accessory structures **which do not contain a backyard suite**, marine dependant uses, open space uses, parking lots and temporary uses permitted in accordance with this by-law. (HW, HEMD and NWCC – Dec 11/18; E- D 29/18)

I, {Insert Name}, Municipal Clerk for the Halifax Regional Municipality, hereby certify that the above-noted by-law was passed at a meeting of the Regional Council held on [DATE], 202[#].

{Insert Name}
Municipal Clerk

Proposed Land Use By-Law Amendments
Proposed Amendments to the Land Use By-law for Eastern Shore East Plan Area

BE IT ENACTED by the Halifax Regional Council of the Halifax Regional Municipality that the Land Use By-law for Eastern Shore East is hereby amended as follows:

1) Amend PART 2: DEFINITIONS by inserting the following definitions shown in bold immediately after Section 2.90. STRUCTURE:

2.90A SUITE

- (a) **Backyard Suite means a self-contained subordinate dwelling unit that is located within an accessory building or structure.**
- (b) **Secondary Suite means a self-contained subordinate dwelling unit that is located within a residential main building.**

2) Amend PART 4: GENERAL PROVISIONS FOR ALL ZONES, section 4.6 ONE DWELLING ON A LOT, by inserting the text shown in bold:

4.6 ONE DWELLING ON A LOT

Not more than one (1) dwelling shall be erected on a lot, **except where backyard suites are permitted.**

- 3) Amend PART 4: GENERAL PROVISIONS FOR ALL ZONES by inserting the following general provision in bold immediately after Section 4.12 ACCESSORY BUILDINGS:

4.12A SECONDARY SUITES AND BACKYARD SUITES

(a) SECONDARY SUITES

Secondary suites shall be permitted accessory to a single unit dwelling or two unit dwelling subject to the following provisions:

- (i) No more than one total secondary suite or backyard suite shall be permitted on a lot;**
- (ii) The floor area of a secondary suite shall not exceed 80.0 square metres;**
- (iii) A two unit dwelling that contains a secondary suite shall not be considered a multiple unit dwelling;**
- (iv) Notwithstanding the parking requirements of Section 4.24, additional off-street parking shall not be required; and**
- (v) Where a residential use is a non-conforming use a secondary suite shall not be permitted.**

(b) BACKYARD SUITES

Backyard suites shall be permitted accessory to a single unit dwelling, one mobile dwelling or a two unit dwelling subject to the following provisions:

- (i) No more than one total secondary suite or backyard suite shall be permitted on a lot;**
- (ii) A backyard suite is not considered a separate main building or main dwelling;**
- (iii) The backyard suite shall meet the accessory buildings requirements as set out in Sections 4.11 and 4.12;**
- (iv) The floor area of a backyard suite shall not exceed 90.0 square metres or the maximum floor area of an accessory building as set out in Section 4.12, whichever is less;**
- (v) Notwithstanding the parking requirements of Section 4.24, additional off-street parking shall not be required;**
- (vi) Where a residential use is a non-conforming use a backyard suite shall not be permitted;**
- (vii) A backyard suite must be located on the same lot as the main dwelling unit; and**
- (viii) Where the main dwelling unit does not have a side yard on both sides, a backyard suite must have unobstructed access upon the same lot in which the backyard suite is located to a public street.**

- 4) Amend PART 4: GENERAL PROVISIONS Section 4.18A (2) COASTAL AREAS by inserting the following text shown in bold:

4.18A COASTAL AREAS (RC-Jun 25/14;E-Oct 18/14)

- (1) No development permit shall be issued for any dwelling on a lot abutting the coast of the Atlantic Ocean, including its inlets, bays and harbours, within a 3.8 metre elevation above Canadian Geodetic Vertical Datum (CGVD 28).**
- (2) Subsection (1) does not apply to any lands within the I-1 (Business Industry Zone), abutting the port of Sheet Harbour or any residential accessory structures **which****

do not contain a backyard suite, marine dependant uses, open space uses, parking lots and temporary uses permitted in accordance with this by-law.

I, {Insert Name}, Municipal Clerk for the Halifax Regional Municipality, hereby certify that the above-noted by-law was passed at a meeting of the Regional Council held on [DATE], 202[#].

{Insert Name}
Municipal Clerk

**Proposed Land Use By-Law Amendments
Proposed Amendments to the Land Use By-law for Eastern Shore West Plan Area**

BE IT ENACTED by the Halifax Regional Council of the Halifax Regional Municipality that the Land Use By-law for Eastern Shore West is hereby amended as follows:

- 1) Amend PART 2: DEFINITIONS by inserting the following definitions shown in bold immediately after Section 2.98. STRUCTURE:

2.98A SUITE

- (a) **Backyard Suite means a self-contained subordinate dwelling unit that is located within an accessory building or structure.**
- (b) **Secondary Suite means a self-contained subordinate dwelling unit that is located within a residential main building.**

- 2) Amend PART 4: GENERAL PROVISIONS FOR ALL ZONES by inserting the following general provision in bold immediately after Section 4.12 ACCESSORY BUILDINGS:

4.12A SECONDARY SUITES AND BACKYARD SUITES

(a) SECONDARY SUITES

Secondary suites shall be permitted accessory to a single unit dwelling or two unit dwelling subject to the following provisions:

- (i) **No more than one total auxiliary dwelling unit, garden suite, secondary suite or backyard suite shall be permitted on a lot;**
- (ii) **The floor area of a secondary suite shall not exceed 80.0 square metres;**
- (iii) **A two unit dwelling that contains a secondary suite shall not be considered a multiple unit dwelling;**
- (iv) **Notwithstanding the parking requirements of Section 4.24, additional off-street parking shall not be required; and**
- (v) **Where a residential use is a non-conforming use a secondary suite shall not be permitted.**

(b) BACKYARD SUITES

Backyard suites shall be permitted accessory to a single unit dwelling, one mobile dwelling or a two unit dwelling subject to the following provisions:

- (i) **No more than one total auxiliary dwelling unit, garden suite, secondary suite or backyard suite shall be permitted on a lot;**

- (ii) **A backyard suite is not considered a separate main building or main dwelling;**
- (iii) **The backyard suite shall meet the accessory buildings requirements as set out in Sections 4.11 and 4.12;**
- (iv) **The floor area of a backyard suite shall not exceed 90.0 square metres or the maximum floor area of an accessory building as set out in Section 4.12, whichever is less;**
- (v) **Notwithstanding the parking requirements of Section 4.24, additional off-street parking shall not be required;**
- (vi) **Where a residential use is a non-conforming use a backyard suite shall not be permitted;**
- (vii) **A backyard suite must be located on the same lot as the main dwelling unit; and**
- (viii) **Where the main dwelling unit does not have a side yard on both sides, a backyard suite must have unobstructed access upon the same lot in which the backyard suite is located to a public street.**

- 3) Amend PART 4: GENERAL PROVISIONS Section 4.18A (2) COASTAL AREAS by inserting the following text shown in bold:

4.18A COASTAL AREAS (RC-Jun 25/14;E-Oct 18/14)

- (1) No development permit shall be issued for any dwelling on a lot abutting the coast of the Atlantic Ocean, including its inlets, bays and harbours, within a 3.8 metre elevation above Canadian Geodetic Vertical Datum (CGVD 28).
- (2) Subsection (1) does not apply to any residential accessory structures **which do not contain a backyard suite**, marine dependant uses, open space uses, parking lots and temporary uses permitted in accordance with this by-law.

I, {Insert Name}, Municipal Clerk for the Halifax Regional Municipality, hereby certify that the above-noted by-law was passed at a meeting of the Regional Council held on [DATE], 202[#].

{Insert Name}
Municipal Clerk

Proposed Land Use By-Law Amendments
Proposed Amendments to the Land Use By-law for Halifax Peninsula Land Use By-law

BE IT ENACTED by the Halifax Regional Council of the Halifax Regional Municipality that the Land Use By-law for Halifax Peninsula is hereby amended as follows:

- 1) Amend the DEFINITIONS Section by inserting the following text shown in bold:

“Accessory Building” means a building that is:

- (a) not used for human habitation **except where backyard suites are permitted** ;
- (b) located on the same lot as the main building;

- (c) naturally and normally incidental, subordinate and exclusively devoted to the main use of the land or the main building; and
 - (d) separate from a main building, except for a connection pursuant to the requirements for this By-law.
- 2) Amend the DEFINITIONS Section by inserting the following definition in bold after the definition for “Bachelor Unit”:

Backyard Suite means a self-contained subordinate dwelling unit that is located within an accessory building or structure.

- 3) Amend the DEFINITIONS Section by inserting the following definition in bold after the definition for “Schmidville Heritage Property”:

Secondary Suite means a self-contained subordinate dwelling unit that is located within a residential main building.

- 4) Amend GENERAL PROVISIONS section by inserting the following general provision in bold immediately after Subsection 4K:

4L SECONDARY SUITES AND BACKYARD SUITES

(a) SECONDARY SUITES

Secondary suites shall be permitted accessory to a detached one-family dwelling house, a duplex dwelling, a semi-detached dwelling or a townhouse subject to the following provisions:

- (i) No more than one total secondary suite or backyard suite shall be permitted on a lot;**
- (ii) The floor area of a secondary suite shall not exceed 80.0 square metres;**
- (iii) A duplex dwelling or semi-detached dwelling that contains a secondary suite shall not be considered a multiple unit dwelling;**
- (iv) Notwithstanding the parking requirements of Section 6, additional off-street parking shall not be required; and**
- (v) Where a residential use is a non-conforming use a secondary suite shall not be permitted.**

(b) BACKYARD SUITES

Backyard suites shall be permitted accessory to a detached one-family dwelling house, a duplex dwelling, a semi-detached dwelling or a townhouse subject to the following provisions:

- (i) No more than one total secondary suite or backyard suite shall be permitted on a lot;**
- (ii) A backyard suite is not considered a separate main building or main dwelling;**
- (iii) The backyard suite shall meet the accessory buildings requirements as set out in Sections 4D to 4K;**
- (iv) The gross floor area of a backyard suite shall not exceed 90.0 square metres or the maximum floor area of an accessory building permitted in this Land Use Bylaw, whichever is less;**

- (v) The footprint of a backyard suite shall not exceed 60.0 square metres, unless the backyard suite is located in an accessory building that existed prior to this amendment (**INSERT DATE**);
- (vi) Notwithstanding the parking requirements of Section 6, additional off-street parking shall not be required; and
- (vii) Where a residential use is a non-conforming use a backyard suite shall not be permitted;
- (viii) A backyard suite must be located on the same lot as the main dwelling unit; and
- (ix) Where the main dwelling unit does not have a side yard on both sides, a backyard suite must have unobstructed access upon the same lot in which the backyard suite is located to a public street.

- 5) Amend the GENERAL PROVISIONS Section, Subsection 16K (2) COASTAL AREAS by inserting the following text shown in bold:

16K COASTAL AREAS (RC-Jun 25/14;E-Oct 18/14)

- (1) No development permit shall be issued for any dwelling on a lot abutting the coast of the Atlantic Ocean, including its inlets, bays and harbours, within a 3.8 metre elevation above Canadian Geodetic Vertical Datum (CGVD 28).
- (2) Subsection (1) does not apply to any residential accessory structures **which do not contain a backyard suite**, marine dependant uses, open space uses, parking lots, temporary uses permitted and permitted accessory buildings. (HW, HEMD and NWCC – Dec 11/18; E- D 29/18)

Proposed Land Use By-Law Amendments
Proposed Amendments to the Land Use By-law for Halifax Mainland Land Use By-law

BE IT ENACTED by the Halifax Regional Council of the Halifax Regional Municipality that the Land Use By-law for Halifax Mainland is hereby amended as follows:

- 1) Amend Section 2, the DEFINITIONS section by inserting the following text shown in bold:
 - (a) "Accessory Building" means a detached subordinate building not exceeding one storey and 14 feet in height, not used for human habitation **except where backyard suites are permitted**, located on the same lot as the main building, structure or use to which it is accessory, the use of which is naturally or customarily incidental and complementary to the main use of the land, building or structure;
- 2) Amend Section 2, the DEFINITIONS section by inserting the following definition in bold after the definition for "Areas of Elevated Archaeological Potential":

Backyard Suite means a self-contained subordinate dwelling unit that is located within an accessory building or structure.

- 3) Amend Section 2, the DEFINITIONS section by inserting the following definition in bold after the definition for "Schedule L":

Secondary Suite means a self-contained subordinate dwelling unit that is located within a residential main building.

- 4) Amend GENERAL PROVISIONS section by inserting the following general provision in bold immediately after Subsection 14B HOME OCCUPATION – BED AND BREAKFAST:

14BA SECONDARY SUITES AND BACKYARD SUITES

(a) SECONDARY SUITES

Secondary suites shall be permitted accessory to a single family dwelling, a duplex dwelling, a semi-detached dwelling or a townhouse subject to the following provisions:

- (i) No more than one total secondary suite or backyard suite shall be permitted on a lot;**
- (ii) The floor area of a secondary suite shall not exceed 80.0 square metres;**
- (iii) A duplex dwelling or semi-detached dwelling that contains a secondary suite shall not be considered a multiple unit dwelling;**
- (iv) Notwithstanding the parking requirements of Section 9, additional off-street parking shall not be required; and**
- (v) Where a residential use is a non-conforming use a secondary suite shall not be permitted.**

(b) BACKYARD SUITES

Backyard suites shall be permitted accessory to a single family dwelling, one mobile dwelling, a duplex dwelling, a semi-detached dwelling or a townhouse subject to the following provisions:

- (i) No more than one total secondary suite or backyard suite shall be permitted on a lot;**
- (ii) A backyard suite is not considered a separate main building or main dwelling;**
- (iii) The backyard suite shall meet the accessory buildings requirements as set out in each zone;**
- (iv) The floor area of a backyard suite shall not exceed 90.0 square metres or the maximum floor area of an accessory building permitted in this Land Use Bylaw, whichever is less;**
- (v) Notwithstanding the parking requirements of Section 9, additional off-street parking shall not be required;**
- (vi) Where a residential use is a non-conforming use a backyard suite shall not be permitted;**
- (vii) A backyard suite must be located on the same lot as the main dwelling unit; and**
- (viii) Where the main dwelling unit does not have a side yard on both sides, a backyard suite must have unobstructed access upon the same lot in which the backyard suite is located to a public street.**

- 5) Amend the GENERAL PROVISIONS Section, Subsection 14QB (2) COASTAL AREAS by inserting the following text shown in bold:

14QB COASTAL AREAS (RC-Jun 25/14;E-Oct 18/14)

- (1) No development permit shall be issued for any dwelling on a lot abutting the coast of the Atlantic Ocean, including its inlets, bays and harbours, within a 3.8 metre elevation above Canadian Geodetic Vertical Datum (CGVD 28)
 - (2) Subsection (1) does not apply to any residential accessory structures **which do not contain a backyard suite**, marine dependant uses, open space uses, parking lots and temporary uses permitted in accordance with this by-law. (HW, HEMD and NWCC – Dec 11/18; E- D 29/18)
- 6) Amend the R-1 ZONE: SINGLE FAMILY DWELLING ZONE Section, Subsection 21 REQUIREMENTS by inserting the following text shown in bold immediately after Subsection 21(g):

21 Buildings erected, altered or used for R-1 uses in an R-1 Zone shall comply with the following requirements:

- (a) lot frontage minimum 50 feet except when a lot faces on the outer side of a curve in the street, in which case the min. frontage may be reduced to 30 feet
- (b) lot area minimum 5,000 square feet
- (ba) Notwithstanding clause (b), the minimum lot area, for lots abutting an inland watercourse in the "Mainland South Area", shall be 6,000 square feet;
- (c) lot coverage maximum 35 percent
- (ca) height maximum 35 feet
- (d) floor coverage of living 950 square feet space, minimum
- (e) every building shall be at least 12 feet from any other building and at least 8 feet from the rear and both side lines of the lot on which it is situated and at least 20 feet from any street line in front of such building

ACCESSORY BUILDINGS

- (f) notwithstanding the provisions of clause (e), a carport or a detached or attached non-commercial garage may be located not less than 4 feet from the rear and both side lines of the lot on which it is situated and shall be located 8 feet from any other building
- (g) notwithstanding the provisions of clause (f), any accessory building shall not require any side or rear yard nor any setback from any other building if such building is located entirely within the rear yard of the lot on which such building is located; provided, however, that such accessory building shall not be closer than 15 feet to any street line.
- (ga) Notwithstanding Subsection (d), Backyard Suites are not subject to a minimum living space.**

- 7) Amend the R-2 ZONE: TWO FAMILY DWELLING ZONE Section, Subsection 26 REQUIREMENTS by inserting the following text shown in bold immediately after Subsection 21(g):

26 Buildings erected, altered or used for R-2 uses in an R-2 Zone shall comply with the following requirements:

- (a) Lot frontage minimum 50 feet except when a lot faces on the outer side of a curve in the street, in which case the minimum frontage may be reduced to 30 feet
- (b) Lot area minimum 5,000 square feet
- (ba) Notwithstanding clause (b), the minimum lot area for lots abutting an inland watercourse in the "Mainland South Area", shall be 6,000 square feet;
- (c) Lot coverage maximum 35 percent

- (ca) The maximum height shall be 35 feet
- (d) Floor coverage of 900 square feet living space, minimum
- (e) Every building shall be at least 12 feet from any other building and at least 8 feet from the rear and both side lines of the lot on which it is situated and at least 20 feet from any street line in front of such building;

ACCESSORY BUILDINGS

- (f) Notwithstanding the provisions of clause (e), a carport or a detached or attached non-commercial garage may be located not less than 4 feet from the rear and both side lines of the lot on which it is situated and shall be located 8 feet from any other building;
- (g) Notwithstanding the provisions of clause (f), any accessory building shall not require any side or rear yard nor any setback from any other building if such building is located entirely within the rear yard of the lot on which such building is located; provided, however, that such accessory building shall not be closer than 15 feet to any street line. **(ga) Notwithstanding the provisions of Subsection 21(d), Backyard Suites are not subject to a minimum floor coverage of living space.**

I, {Insert Name}, Municipal Clerk for the Halifax Regional Municipality, hereby certify that the above-noted by-law was passed at a meeting of the Regional Council held on [DATE], 202[#].

{Insert Name}
Municipal Clerk

Proposed Land Use By-Law Amendments Proposed Amendments to the Land Use By-law for Lawrencetown Plan Area

BE IT ENACTED by the Halifax Regional Council of the Halifax Regional Municipality that the Land Use By-law for Lawrencetown is hereby amended as follows:

- 1) Amend PART 2 DEFINITIONS by inserting the following definitions shown in bold immediately after Section 2.71 STRUCTURE:

2.71.5 SUITE

- (a) **Suite, Backyard means a self-contained subordinate dwelling unit that is located within an accessory building or structure.**
- (b) **Suite, Secondary means a self-contained subordinate dwelling unit that is located within a residential main building.**

- 2) Amend PART 4: GENERAL PROVISIONS FOR ALL ZONES, Section 4.5 ONE DWELLING ON A LOT, by inserting the text shown in bold:

4.5 ONE DWELLING ON A LOT

No person shall erect more than one dwelling on a lot, **except where backyard suites are permitted.**

- 3) Amend PART 4: GENERAL PROVISIONS FOR ALL ZONES by inserting the following general provision in bold immediately after Section 4.13 ACCESSORY USES AND STRUCTURES:

4.13A SECONDARY SUITES AND BACKYARD SUITES

(a) SECONDARY SUITES

Secondary suites shall be permitted accessory to a single unit dwelling or a two unit dwelling subject to the following provisions:

- (i) No more than one total auxiliary dwelling unit, secondary suite or backyard suite shall be permitted on a lot;**
- (ii) The floor area of a secondary suite shall not exceed 80.0 square metres;**
- (iii) A two unit dwelling that contains a secondary suite shall not be considered a multiple unit dwelling;**
- (iv) Notwithstanding the parking requirements of Section 4.25, additional off-street parking shall not be required; and**
- (v) Where a residential use is a non-conforming use a secondary suite shall not be permitted.**

(b) BACKYARD SUITES

Backyard suites shall be permitted accessory to a single unit dwelling, a mobile dwelling or a two unit dwelling subject to the following provisions:

- (i) No more than one total auxiliary dwelling unit, secondary suite or backyard suite shall be permitted on a lot;**
- (ii) A backyard suite is not considered a separate main building or main dwelling;**
- (iii) The backyard suite shall meet the accessory buildings requirements as set out in Sections 4.12 and 4.13;**
- (iv) The floor area of a backyard suite shall not exceed 90.0 square metres or the maximum floor area of an accessory building as set out in Section 4.13, whichever is less;**
- (v) Notwithstanding the parking requirements of Section 4.25, additional off-street parking shall not be required;**
- (vi) Where a residential use is a non-conforming use a backyard suite shall not be permitted;**
- (vii) A backyard suite must be located on the same lot as the main dwelling unit; and**
- (viii) Where the main dwelling unit does not have a side yard on both sides, a backyard suite must have unobstructed access upon the same lot in which the backyard suite is located to a public street.**

- 4) Amend PART 4: GENERAL PROVISIONS Section 4.19A (2) COASTAL AREAS by inserting the following text shown in bold:

4.19A COASTAL AREAS (RC-Jun 25/14;E-Oct 18/14)

- (1) No development permit shall be issued for any dwelling on a lot abutting the coast of the Atlantic Ocean, including its inlets, bays and harbours, within a 3.8 metre elevation above Canadian Geodetic Vertical Datum (CGVD 28).**
- (2) Subsection (1) does not apply to any residential accessory structures **which does not contain a backyard suite**, marine dependant uses, open space uses, parking lots and temporary uses permitted in accordance with this by-law.**

I, {Insert Name}, Municipal Clerk for the Halifax Regional Municipality, hereby certify that the above-noted by-law was passed at a meeting of the Regional Council held on [DATE], 202[#].

{Insert Name}
Municipal Clerk

**Proposed Land Use By-Law Amendments
Proposed Amendments to the Land Use By-law for Musquodoboit Valley/Dutch Settlement Plan
Area**

BE IT ENACTED by the Halifax Regional Council of the Halifax Regional Municipality that the Land Use By-law for Musquodoboit Valley/Dutch Settlement is hereby amended as follows:

- 1) Amend PART 2: DEFINITIONS by inserting the following definitions shown in bold immediately after Section 2.84 STRUCTURE:

2.84A SUITE

- (a) **Suite, Backyard** means a self-contained subordinate dwelling unit that is located within an accessory building or structure.
- (b) **Suite, Secondary** means a self-contained subordinate dwelling unit that is located within a residential main building.

- 2) Amend PART 4: GENERAL PROVISIONS FOR ALL ZONES, Section 4.2 ONE DWELLING ON A LOT, by inserting the text shown in bold directly after subsection 4.2(b):

4.2 ONE DWELLING ON A LOT

- (a) No person shall erect more than one (1) dwelling on a lot.
- (b) Notwithstanding Section 4.2(a) above, two dwellings may be erected on a lot within a MU (Mixed Use) Zone provided that each dwelling is located on an area of land that is capable of meeting subdivision requirements and a preliminary subdivision examination has been completed in accordance with the municipal Subdivision By-law and provided that all other applicable provisions of this By-law are satisfied.
- (c) **Notwithstanding Sections 4.2(a) & 4.2(b), a single unit dwelling and a backyard suite may be located on the same lot.**

- 3) Amend PART 4: GENERAL PROVISIONS FOR ALL ZONES by inserting the following general provision in bold immediately after Section 4.12 ACCESSORY BUILDINGS:

4.12A SECONDARY SUITES AND BACKYARD SUITES

(a) SECONDARY SUITES

Secondary suites shall be permitted accessory to a single unit dwelling or a two unit dwelling subject to the following provisions:

- (i) No more than one total auxiliary dwelling unit, secondary suite or backyard suite shall be permitted on a lot;
- (ii) The floor area of a secondary suite shall not exceed 80.0 square metres;
- (iii) A two unit dwelling that contains a secondary suite shall not be considered a multiple unit dwelling;
- (iv) Notwithstanding the parking requirements of Section 4.23, additional off-street parking shall not be required; and
- (v) Where a residential use is a non-conforming use a secondary suite shall not be permitted.

(b) BACKYARD SUITES

Backyard suites shall be permitted accessory to a single unit dwelling, a mobile dwelling or a two unit dwelling subject to the following provisions:

- (i) No more than one total auxiliary dwelling unit, secondary suite or backyard suite shall be permitted on a lot;
- (ii) A backyard suite is not considered a separate main building or main dwelling;
- (iii) The backyard suite shall meet the accessory buildings requirements as set out in Sections 4.11 and 4.12;
- (iv) The floor area of a backyard suite shall not exceed 90.0 square metres or the maximum floor area of an accessory building as set out in Section 4.12, whichever is less;
- (v) Notwithstanding the parking requirements of Section 4.23, additional off-street parking shall not be required;
- (vi) Where a residential use is a non-conforming use a backyard suite shall not be permitted;
- (vii) A backyard suite must be located on the same lot as the main dwelling unit; and
- (viii) Where the main dwelling unit does not have a side yard on both sides, a backyard suite must have unobstructed access upon the same lot in which the backyard suite is located to a public street.

I, {Insert Name}, Municipal Clerk for the Halifax Regional Municipality, hereby certify that the above-noted by-law was passed at a meeting of the Regional Council held on [DATE], 202[#].

{Insert Name}
Municipal Clerk

**Proposed Land Use By-Law Amendments
Proposed Amendments to the Land Use By-law for North Preston/Lake Major/Lake Loon/Cherry
Brook/East Preston Plan Area**

BE IT ENACTED by the Halifax Regional Council of the Halifax Regional Municipality that the Land Use By-law for North Preston/Lake Major/Lake Loon/Cherry Brook/East Preston is hereby amended as follows:

- 1) Amend PART 2: DEFINITIONS by inserting the following definitions shown in bold immediately after Section 2.67 STRUCTURE:

2.67.5 SUITE

- (a) **Backyard Suite means a self-contained subordinate dwelling unit that is located within an accessory building or structure.**
- (b) **Secondary Suite means a self-contained subordinate dwelling unit that is located within a residential main building.**

- 2) Amend PART 4: GENERAL PROVISIONS FOR ALL ZONES by inserting the following general provision in bold immediately after Section 4.2A SHIPPING CONTAINERS AS ACCESSORY BUILDINGS;

4.2B SECONDARY SUITES AND BACKYARD SUITES

(a) SECONDARY SUITES

Secondary suites shall be permitted accessory to a single unit dwelling, a two unit dwelling or a row/townhouse dwelling subject to the following provisions:

- (i) **No more than one total secondary suite or backyard suite shall be permitted on a lot;**
- (ii) **The floor area of a secondary suite shall not exceed 80.0 square metres;**
- (iii) **A two unit dwelling that contains a secondary suite shall not be considered a multiple unit dwelling;**
- (iv) **Notwithstanding the parking requirements of Section 4.22, additional off-street parking shall not be required; and**
- (v) **Where a residential use is a non-conforming use a secondary suite shall not be permitted.**

(b) BACKYARD SUITES

Backyard suites shall be permitted accessory to a single unit dwelling, a mobile dwelling, a two unit dwelling or a row/townhouse dwelling subject to the following provisions:

- (i) **No more than one total secondary suite or backyard suite shall be permitted on a lot;**
- (ii) **A backyard suite is not considered a separate main building or main dwelling;**
- (iii) **The backyard suite shall meet the accessory buildings requirements as set out in Sections 4.1 and 4.2;**
- (iv) **The floor area of a backyard suite shall not exceed 90.0 square metres or the maximum floor area of an accessory building as set out in Section 4.2, whichever is less;**
- (v) **Notwithstanding the parking requirements of Section 4.22, additional off-street parking shall not be required;**
- (vi) **Where a residential use is a non-conforming use a backyard suite shall not be permitted;**
- (vii) **A backyard suite must be located on the same lot as the main dwelling unit; and**
- (viii) **Where the main dwelling unit does not have a side yard on both sides, a backyard suite must have unobstructed access upon the same lot in which the backyard suite is located to a public street.**

I, {Insert Name}, Municipal Clerk for the Halifax Regional Municipality, hereby certify that the above-noted by-law was passed at a meeting of the Regional Council held on [DATE], 202[#].

{Insert Name}
Municipal Clerk

**Proposed Land Use By-Law Amendments
Proposed Amendments to the Land Use By-law for Planning District 4 (Prospect) Plan Area**

BE IT ENACTED by the Halifax Regional Council of the Halifax Regional Municipality that the Land Use By-law for Planning District 4 (Prospect) Plan Area is hereby amended as follows:

- 1) Amend PART 2: DEFINITIONS by inserting the following definitions shown in bold immediately after Section 2.87 STRUCTURE:

2.87A SUITE

- (a) **Backyard Suite means a self-contained subordinate dwelling unit that is located within an accessory building or structure.**
- (b) **Secondary Suite means a self-contained subordinate dwelling unit that is located within a residential main building.**

- 2) Amend PART 4: GENERAL PROVISIONS FOR ALL ZONES, Section 4.2 ONE DWELLING ON A LOT, by inserting the text shown in bold:

4.2: **ONE DWELLING ON A LOT**

No person shall erect more than one (1) dwelling on a lot, **except where backyard suites are permitted.**

- 3) Amend PART 4: GENERAL PROVISIONS FOR ALL ZONES by inserting the following general provision in bold immediately after Section 4.12A SHIPPING CONTAINERS:

4.12B SECONDARY SUITES AND BACKYARD SUITES.

(a) SECONDARY SUITES

Secondary suites shall be permitted accessory to a single unit dwelling or a two unit dwelling subject to the following provisions:

- (i) **No more than one total auxiliary dwelling unit, secondary suite or backyard suite shall be permitted on a lot;**
- (ii) **The floor area of a secondary suite shall not exceed 80.0 square metres;**
- (iii) **A two unit dwelling that contains a secondary suite shall not be considered a multiple unit dwelling;**
- (iv) **Notwithstanding the parking requirements of Section 4.25, additional off-street parking shall not be required; and**
- (v) **Where a residential use is a non-conforming use a secondary suite shall not be permitted.**

(b) BACKYARD SUITES

Backyard suites shall be permitted accessory to a single unit dwelling, a mobile dwelling, or a two unit dwelling subject to the following provisions:

- (i) No more than one total auxiliary dwelling unit, secondary suite or backyard suite shall be permitted on a lot;**
- (ii) A backyard suite is not considered a separate main building or main dwelling;**
- (iii) The backyard suite shall meet the accessory buildings requirements as set out in Sections 4.11 and 4.12;**
- (iv) The floor area of a backyard suite shall not exceed 90.0 square metres or the maximum floor area of an accessory building as set out in Section 4.12, whichever is less;**
- (v) Notwithstanding the parking requirements of Section 4.25, additional off-street parking shall not be required;**
- (vi) Where a residential use is a non-conforming use a backyard suite shall not be permitted;**
- (vii) A backyard suite must be located on the same lot as the main dwelling unit; and**
- (viii) Where the main dwelling unit does not have a side yard on both sides, a backyard suite must have unobstructed access upon the same lot in which the backyard suite is located to a public street.**

- 4) Amend PART 4: GENERAL PROVISIONS Section 4.19A (2) COASTAL AREAS by inserting the following text shown in bold:

4.19A COASTAL AREAS (RC-Jun 27/06;E-Aug 26/06)

- (1) No development permit shall be issued for any dwelling on a lot abutting the coast of the Atlantic Ocean, including its inlets, bays and harbours, within a 3.8 metre elevation above Canadian Geodetic Vertical Datum (CGVD 28).
- (2) Subsection (1) does not apply to residential accessory structures **which does not contain a backyard suite** permitted in accordance with this by-law.

I, {Insert Name}, Municipal Clerk for the Halifax Regional Municipality, hereby certify that the above-noted by-law was passed at a meeting of the Regional Council held on [DATE], 202[#].

{Insert Name}
Municipal Clerk

Proposed Land Use By-Law Amendments
Proposed Amendments to the Land Use By-law for Planning District 5 (Chebucto Peninsula) Plan Area

BE IT ENACTED by the Halifax Regional Council of the Halifax Regional Municipality that the Land Use By-law for Planning District 5 (Chebucto Peninsula) Plan Area is hereby amended as follows:

- 1) Amend PART 2: DEFINITIONS by inserting the following definitions shown in bold immediately after Section 2.70 STRUCTURE:

2.70.5 SUITE

- (a) **Backyard Suite means a self-contained subordinate dwelling unit that is located within an accessory building or structure.**
- (b) **Secondary Suite means a self-contained subordinate dwelling unit that is located within a residential main building.**

- 2) Amend PART 4: GENERAL PROVISIONS FOR ALL ZONES, Section 4.3 ONE DWELLING ON A LOT, by inserting the text shown in bold:

4.3 ONE DWELLING ON A LOT

No person shall erect more than one (1) dwelling on a lot, **except where backyard suites are permitted.**

- 3) Amend PART 4: GENERAL PROVISIONS FOR ALL ZONES by inserting the following general provision in bold immediately after Section 4.13A SHIPPING CONTAINERS:

4.13B SECONDARY SUITES AND BACKYARD SUITES

(a) SECONDARY SUITES

Secondary suites shall be permitted accessory to a single unit dwelling, a two-unit dwelling or a townhouse dwelling subject to the following provisions:

- (i) **No more than one total auxiliary dwelling unit, secondary suite or backyard suite shall be permitted on a lot;**
- (ii) **The floor area of a secondary suite shall not exceed 80.0 square metres;**
- (iii) **Notwithstanding Section 4.14, a secondary suite is permitted within a two unit dwelling;**
- (iv) **A two unit dwelling that contains a secondary suite shall not be considered a multiple unit dwelling;**
- (v) **Notwithstanding the parking requirements of Section 4.27, additional off-street parking shall not be required; and**
- (vi) **Where a residential use is a non-conforming use a secondary suite shall not be permitted.**

(b) BACKYARD SUITES

Backyard suites shall be permitted accessory to a single unit dwelling, a mobile dwelling, a two-unit dwelling or a townhouse dwelling to the following provisions:

- (i) **No more than one total auxiliary dwelling unit, secondary suite or backyard suite shall be permitted on a lot;**
- (ii) **A backyard suite is not considered a separate main building or main dwelling;**
- (iii) **The backyard suite shall meet the accessory buildings requirements as set out in Sections 4.12 and 4.13;**
- (iv) **The floor area of a backyard suite shall not exceed 90.0 square metres or the maximum floor area of an accessory building as set out in Section 4.13, whichever is less;**

- (v) **Notwithstanding the parking requirements of Section 4.27, additional off-street parking shall not be required;**
- (vi) **Where a residential use is a non-conforming use a backyard suite shall not be permitted;**
- (vii) **A backyard suite must be located on the same lot as the main dwelling unit; and**
- (viii) **Where the main dwelling unit does not have a side yard on both sides, a backyard suite must have unobstructed access upon the same lot in which the backyard suite is located to a public street.**

- 4) Amend PART 4: GENERAL PROVISIONS FOR ALL ZONES, Section 4.20A (2) COASTAL AREAS by inserting the following text shown in bold:

4.20A COASTAL AREAS (RC-Jun 25/14;E-Oct 18/14)

- (1) No development permit shall be issued for any dwelling on a lot abutting the coast of the Atlantic Ocean, including its inlets, bays and harbours, within a 3.8 metre elevation above Canadian Geodetic Vertical Datum (CGVD 28).
- (2) Subsection (1) does not apply to any residential accessory structures **which do not contain a backyard suite**, marine dependant uses, open space uses, parking lots and temporary uses permitted, permitted in accordance with the requirements of this by-law. (HW, HEMD and NWCC – Dec 11/18; E- D 29/18)

I, {Insert Name}, Municipal Clerk for the Halifax Regional Municipality, hereby certify that the above-noted by-law was passed at a meeting of the Regional Council held on [DATE], 202[#].

{Insert Name}
Municipal Clerk

**Proposed Land Use By-Law Amendments
Proposed Amendments to the Land Use By-law for Planning District 1 & 3 (St. Margaret's Bay Area) Plan Area**

BE IT ENACTED by the Halifax Regional Council of the Halifax Regional Municipality that the Land Use By-law for Planning District 1 & 3 (St. Margaret's Bay Area) Plan Area is hereby amended as follows:

- 1) Amend PART 2: DEFINITIONS by inserting the following definitions shown in bold immediately after Section 2.76 STRUCTURE:

2.76.5 SUITE

- (a) **Suite, Backyard means a self-contained subordinate dwelling unit that is located within an accessory building or structure.**
- (b) **Suite, Secondary means a self-contained subordinate dwelling unit that is located within a residential main building.**

- 2) Amend PART 4: GENERAL PROVISIONS FOR ALL ZONES, Section 4.4 ONE DWELLING ON A LOT, by inserting the text shown in bold:

4.4 ONE DWELLING ON A LOT

No person shall erect more than one (1) dwelling on a lot, **except where backyard suites are permitted.**

- 3) Amend PART 4: GENERAL PROVISIONS FOR ALL ZONES by inserting the following general provision in bold immediately after Section 4.13A SHIPPING CONTAINERS:

4.13B SECONDARY SUITES AND BACKYARD SUITES

(a) SECONDARY SUITES

Secondary suites shall be permitted accessory to a single unit dwelling, a two unit dwelling, a semi-detached dwelling or a townhouse dwelling subject to the following provisions:

- (i) No more than one total auxiliary dwelling unit, secondary suite or backyard suite shall be permitted on a lot;**
- (ii) The floor area of a secondary suite shall not exceed 80.0 square metres;**
- (iii) A two unit dwelling that contains a secondary suite shall not be considered a multiple unit dwelling;**
- (iv) Notwithstanding the parking requirements of Section 4.27, additional off-street parking shall not be required; and**
- (v) Where a residential use is a non-conforming use a secondary suite shall not be permitted.**

(b) BACKYARD SUITES

Backyard suites shall be permitted accessory to a single unit dwelling, a mobile dwelling, a two unit dwelling, a semi-detached dwelling or a townhouse dwelling subject to the following provisions:

- (i) No more than one total auxiliary dwelling unit, secondary suite or backyard suite shall be permitted on a lot;**
- (ii) A backyard suite is not considered a separate main building or main dwelling;**
- (iii) The backyard suite shall meet the accessory buildings requirements as set out in Sections 4.12 and 4.13;**
- (iv) The floor area of a backyard suite shall not exceed 90.0 square metres or the maximum floor area of an accessory building as set out in Section 4.13, whichever is less;**
- (v) Notwithstanding the parking requirements of Section 4.27, additional off-street parking shall not be required;**
- (vi) Where a residential use is a non-conforming use a backyard suite shall not be permitted;**
- (vii) A backyard suite must be located on the same lot as the main dwelling unit; and**
- (viii) Where the main dwelling unit does not have a side yard on both sides, a backyard suite must have unobstructed access upon the same lot in which the backyard suite is located to a public street.**

- 4) Amend PART 4: GENERAL PROVISIONS FOR ALL ZONES, Section 4.19A (2) COASTAL AREAS by inserting the following text shown in bold:

4.19A COASTAL AREAS (RC-Jun 25/14;E-Oct 18/14)

- (1) No development permit shall be issued for any dwelling on a lot abutting the coast of the Atlantic Ocean, including its inlets, bays and harbours, within a 3.8 metre elevation above Canadian Geodetic Vertical Datum (CGVD 28).
- (2) Subsection (1) does not apply to any residential accessory structures **which do not containing a backyard suite**, marine dependant uses, open space uses, parking lots and temporary uses permitted in accordance with this by-law.

I, {Insert Name}, Municipal Clerk for the Halifax Regional Municipality, hereby certify that the above-noted by-law was passed at a meeting of the Regional Council held on [DATE], 202[#].

{Insert Name}
Municipal Clerk

**Proposed Land Use By-Law Amendments
Proposed Amendments to the Land Use By-law for Planning District 14 & 17 (Shubenacadie
Lakes) Plan Area**

BE IT ENACTED by the Halifax Regional Council of the Halifax Regional Municipality that the Land Use By-law for Planning District 14 & 17 (Shubenacadie Lakes) Plan Area is hereby amended as follows:

- 1) Amend PART 2: DEFINITIONS by inserting the following definitions shown in bold immediately after Section 2.77 STRUCTURE:

2.77A SUITE

- (a) **Backyard Suite means a self-contained subordinate dwelling unit that is located within an accessory building or structure.**
- (b) **Secondary Suite means a self-contained subordinate dwelling unit that is located within a residential main building.**

- 2) Amend PART 4: GENERAL PROVISIONS FOR ALL ZONES by inserting the following general provision in bold immediately after Section 4.11 ACCESSORY BUILDINGS

4.11A SECONDARY SUITES AND BACKYARD SUITES

(a) SECONDARY SUITES

Secondary suites shall be permitted accessory to a single unit dwelling, a two unit dwelling or a townhouse dwelling subject to the following provisions:

- (i) **No more than one total auxiliary dwelling unit, secondary suite or backyard suite shall be permitted on a lot;**
- (ii) **The floor area of a secondary suite shall not exceed 80.0 square metres;**
- (iii) **A two unit dwelling that contains a secondary suite shall not be considered a multiple unit dwelling;**
- (iv) **Notwithstanding the parking requirements of Section 4.25 additional off-street parking shall not be required; and**
- (v) **Where a residential use is a non-conforming use a secondary suite shall not be permitted.**

(b) BACKYARD SUITES

Backyard suites shall be permitted accessory to a single unit dwelling, a mobile dwelling, a two unit dwelling or a townhouse dwelling subject to the following provisions:

- (i) **No more than one total auxiliary dwelling unit, secondary suite or backyard suite shall be permitted on a lot;**
- (ii) **A backyard suite is not considered a separate main building or main dwelling;**
- (iii) **The backyard suite shall meet the accessory building requirements as set out in Sections 4.10 and 4.11;**
- (iv) **The floor area of a backyard suite shall not exceed 90.0 square metres or the maximum floor area of an accessory building as set out in Section 4.11, whichever is less;**
- (v) **Notwithstanding the parking requirements of Section 4.25 additional off-street parking shall not be required;**
- (vi) **Where a residential use is a non-conforming use a backyard suite shall not be permitted;**
- (vii) **A backyard suite must be located on the same lot as the main dwelling unit; and**
- (viii) **Where the main dwelling unit does not have a side yard on both sides, a backyard suite must have unobstructed access upon the same lot in which the backyard suite is located to a public street.**

I, {Insert Name}, Municipal Clerk for the Halifax Regional Municipality, hereby certify that the above-noted by-law was passed at a meeting of the Regional Council held on [DATE], 202[#].

{Insert Name}
Municipal Clerk

**Proposed Land Use By-Law Amendments
Proposed Amendments to the Land Use By-law for Planning District 8 & 9 (Lake Echo/Porters Lake) Plan Area**

BE IT ENACTED by the Halifax Regional Council of the Halifax Regional Municipality that the Land Use By-law for Planning District 8 & 9 (Lake Echo/Porters Lake) Plan Area is hereby amended as follows:

- 1) Amend PART 2: DEFINITIONS by inserting the following definitions shown in bold immediately after Section 2.62 STRUCTURE:

2.62.5 SUITE

- (a) **Backyard Suite** means a self-contained subordinate dwelling unit that is located within an accessory building or structure.
- (b) **Secondary Suite** means a self-contained subordinate dwelling unit that is located within a residential main building.

- 2) Amend PART 4: GENERAL PROVISIONS FOR ALL ZONES, Section 4.6 ONE DWELLING ON A LOT, by inserting the text shown in bold directly after subsection 4.6(b):

4.6 ONE DWELLING ON A LOT

- (a) Not more than one (1) dwelling shall be erected on a lot.
- (b) Notwithstanding Section 4.6(a) above, two dwellings may be erected on a lot within an RE (Rural Enterprise) or MR (Mixed Resource) Zone provided that each dwelling is located on an area of land that is capable of meeting subdivision requirements and a preliminary subdivision examination has been completed in accordance with the municipal Subdivision By-law and provided that all other applicable provisions of this By-law are satisfied.
- (c) **Notwithstanding Sections 4.2(a) & 4.2(b), a single unit dwelling and a backyard suite or a mobile dwelling and a backyard suite may be located on the same lot.**

- 3) Amend PART 4: GENERAL PROVISIONS FOR ALL ZONES by inserting the following general provision in bold immediately after Section 4.12 ACCESSORY BUILDINGS:

4.12A SECONDARY SUITES AND BACKYARD SUITES

(a) SECONDARY SUITES

Secondary suites shall be permitted accessory to a single unit dwelling or a two unit dwelling subject to the following provisions:

- (i) **No more than one total auxiliary dwelling unit, secondary suite or backyard suite shall be permitted on a lot;**
- (ii) **The floor area of a secondary suite shall not exceed 80.0 square metres;**
- (iii) **A two unit dwelling that contains a secondary suite shall not be considered a multiple unit dwelling;**
- (iv) **Notwithstanding the parking requirements of Section 4.24, additional off-street parking shall not be required; and**
- (v) **Where a residential use is a non-conforming use a secondary suite shall not be permitted.**

(b) BACKYARD SUITES

Backyard suites shall be permitted accessory to a single unit dwelling, a mobile dwelling or a two unit dwelling subject to the following provisions:

- (i) **No more than one total auxiliary dwelling unit, secondary suite or backyard suite shall be permitted on a lot;**
- (ii) **A backyard suite is not considered a separate main building or main dwelling;**
- (iii) **The backyard suite shall meet the accessory buildings requirements as set out in Sections 4.11 and 4.12;**
- (iv) **The floor area of a backyard suite shall not exceed 90.0 square metres or the maximum floor area of an accessory building as set out in Section 4.12, whichever is less;**

- (v) **Notwithstanding the parking requirements of Section 4.24, additional off-street parking shall not be required;**
- (vi) **Where a residential use is a non-conforming use a backyard suite shall not be permitted;**
- (vii) **A backyard suite must be located on the same lot as the main dwelling unit; and**
- (viii) **Where the main dwelling unit does not have a side yard on both sides, a backyard suite must have unobstructed access upon the same lot in which the backyard suite is located to a public street.**

4) Amend PART 4: GENERAL PROVISIONS FOR ALL ZONES, Section 4.18A (2) COASTAL AREAS by inserting the following text shown in bold:

4.18A COASTAL AREAS (RC-Jun 25/14;E-Oct 18/14)

- (1) No development permit shall be issued for any dwelling on a lot abutting the coast of the Atlantic Ocean, including its inlets, bays and harbours, within a 3.8 metre elevation above Canadian Geodetic Vertical Datum (CGVD 28).
- (2) Subsection (1) does not apply to any residential accessory structures **which do not containing a backyard suite**, marine dependant uses, open space uses, parking lots and temporary uses permitted in accordance with this by-law.

I, {Insert Name}, Municipal Clerk for the Halifax Regional Municipality, hereby certify that the above-noted by-law was passed at a meeting of the Regional Council held on [DATE], 202[#].

 {Insert Name}
 Municipal Clerk

**Proposed Land Use By-Law Amendments
 Proposed Amendments to the Land Use By-law for Sackville Drive Plan Area**

BE IT ENACTED by the Halifax Regional Council of the Halifax Regional Municipality that the Land Use By-law for Sackville Drive Plan Area is hereby amended as follows:

1) Amend PART 2: DEFINITIONS by inserting the following definitions shown in bold immediately after the definition for **Structure**:

Suite

BACKYARD SUITE means a self-contained subordinate dwelling unit that is located within an accessory building or structure.

SECONDARY SUITE: means a self-contained subordinate dwelling unit that is located within a residential main building.

- 2) Amend PART 6: GENERAL PROVISIONS FOR ALL ZONES, Section 33. (1) Accessory Buildings by inserting the following text shown in bold:

33. Accessory buildings and structures shall be permitted in any zone but shall not:

(1) be used for human habitation, **except where a backyard suite is a permitted;**

- 3) Amend PART 6: GENERAL PROVISIONS FOR ALL ZONES by inserting the following general provision in bold immediately after Section 34A. Shipping Containers as Accessory Buildings

Secondary Suites and Backyard Suites

34B. (1) Secondary Suites

Secondary suites shall be permitted accessory to a single unit dwelling, a duplex dwelling, a semi-detached dwelling or a townhouse dwelling subject to the following provisions:

- (i) No more than one total secondary suite or backyard suite shall be permitted on a lot;**
- (ii) The floor area of a secondary suite shall not exceed 80.0 square metres;**
- (iii) A duplex dwelling or semi-detached dwelling that contains a secondary suite shall not be considered a multiple unit dwelling;**
- (iv) Notwithstanding the parking requirements of Part 7 Section 16(a), additional off-street parking shall not be required; and**
- (v) Where a residential use is a non-conforming use a secondary suite shall not be permitted.**

(2) Backyard Suites

Backyard suites shall be permitted accessory to a single unit dwelling, a duplex dwelling, a semi-detached dwelling or a townhouse dwelling subject to the following provisions:

- (i) No more than one total secondary suite or backyard suite shall be permitted on a lot;**
- (ii) A backyard suite is not considered a separate main building or main dwelling;**
- (iii) The backyard suite shall meet the accessory building requirements as set out in Part 6 Sections 33, 34 and 34A;**
- (iv) The gross floor area of a backyard suite shall not exceed 90.0 square metres;**
- (v) Notwithstanding the parking requirements of Part 7 Section 16(a), additional off-street parking shall not be required;**
- (vi) Where a residential use is a non-conforming use a backyard suite shall not be permitted;**
- (vii) A backyard suite must be located on the same lot as the main dwelling unit; and**
- (viii) Where the main dwelling unit does not have a side yard on both sides, a backyard suite must have unobstructed access upon the same lot in which the backyard suite is located to a public street.**

I, {Insert Name}, Municipal Clerk for the Halifax Regional Municipality, hereby certify that the

above-noted by-law was passed at a meeting of the Regional Council held on [DATE], 202[#].

{Insert Name}
Municipal Clerk

**Proposed Land Use By-Law Amendments
Proposed Amendments to the Land Use By-law for Sackville Plan Area**

BE IT ENACTED by the Halifax Regional Council of the Halifax Regional Municipality that the Land Use By-law for Sackville Plan Area is hereby amended as follows:

- 1) Amend PART 2: DEFINITIONS by inserting the following definitions shown in bold immediately after definition 2.73 STRUCTURE:

2.73A SUITE

- (a) **Backyard Suite means a self-contained subordinate dwelling unit that is located within an accessory building or structure.**
- (b) **Secondary Suite means a self-contained subordinate dwelling unit that is located within a residential main building.**

- 2) Amend PART 4: GENERAL PROVISIONS FOR ALL ZONES by inserting the following general provision in bold immediately after Section 4.11A SHIPPING CONTAINERS AS ACCESSORY BUILDINGS

4.11B SECONDARY SUITES AND BACKYARD SUITES

(a) SECONDARY SUITES

Secondary suites shall be permitted accessory to a single unit dwelling, a two-unit dwelling, a townhouse, or a rowhouse dwelling subject to the following provisions:

- (i) **No more than one total auxiliary dwelling, secondary suite or backyard suite shall be permitted on a lot;**
- (ii) **The floor area of a secondary suite shall not exceed 80.0 square metres;**
- (iii) **A two unit dwelling that contains a secondary suite shall not be considered a multiple unit dwelling;**
- (iv) **Notwithstanding the parking requirements of Section 4.24, additional off-street parking shall not be required; and**
- (v) **Where a residential use is a non-conforming use a secondary suite shall not be permitted.**

(b) BACKYARD SUITES

Backyard suites shall be permitted accessory to a single unit dwelling, a mobile dwelling, a two-unit dwelling, a townhouse, or a rowhouse dwelling subject to the following provisions:

- (i) **No more than one total auxiliary dwelling, secondary suite or backyard suite shall be permitted on a lot;**

- (ii) A backyard suite is not considered a separate main building or main dwelling;
- (iii) The backyard suite shall meet the accessory buildings requirements as set out in Sections 4.10 and 4.11;
- (iv) The floor area of a backyard suite shall not exceed 90.0 square metres or the maximum floor area of an accessory building as set out in Section 4.11, whichever is less;
- (v) Notwithstanding the parking requirements of Section 4.24, additional off-street parking shall not be required;
- (vi) Where a residential use is a non-conforming use a backyard suite shall not be permitted;
- (vii) A backyard suite must be located on the same lot as the main dwelling unit; and
- (viii) Where the main dwelling unit does not have a side yard on both sides, a backyard suite must have unobstructed access upon the same lot in which the backyard suite is located to a public street.

I, {Insert Name}, Municipal Clerk for the Halifax Regional Municipality, hereby certify that the above-noted by-law was passed at a meeting of the Regional Council held on [DATE], 202[#].

{Insert Name}
Municipal Clerk

Proposed Land Use By-Law Amendments
Proposed Amendments to the Land Use By-law for Timberlea/Lakeside/Beechville Plan Area

BE IT ENACTED by the Halifax Regional Council of the Halifax Regional Municipality that the Land Use By-law for Timberlea/Lakeside/Beechville Plan Area is hereby amended as follows:

- 1) Amend PART 2: DEFINITIONS by inserting the following definitions shown in bold immediately after Section 2.68 STRUCTURE

2.68A SUITE

- (a) **Suite, Backyard** means a self-contained subordinate dwelling unit that is located within an accessory building or structure.
- (b) **Suite, Secondary** means a self-contained subordinate dwelling unit that is located within a residential main building.

- 2) Amend PART 4: GENERAL PROVISIONS FOR ALL ZONES by inserting the following general provision in bold immediately after Section 4.13A SHIPPING CONTAINERS:

4.13B SECONDARY SUITES AND BACKYARD SUITES

(a) SECONDARY SUITES

Secondary suites shall be permitted accessory to a single unit dwelling, a two unit dwelling or a townhouse dwelling subject to the following provisions:

- (i) No more than one total auxiliary dwelling, secondary suite or backyard suite shall be permitted on a lot;**
- (ii) The floor area of a secondary suite shall not exceed 80.0 square metres;**
- (iii) A two unit dwelling that contains a secondary suite shall not be considered a multiple unit dwelling;**
- (iv) Notwithstanding the parking requirements of Section 4.27, additional off-street parking shall not be required; and**
- (v) Where a residential use is a non-conforming use a secondary suite shall not be permitted.**

(b) BACKYARD SUITES

Backyard suites shall be permitted accessory to a single unit dwelling, a mobile dwelling, a two unit dwelling or a townhouse dwelling subject to the following provisions:

- (i) No more than one total auxiliary dwelling, secondary suite or backyard suite shall be permitted on a lot;**
- (ii) A backyard suite is not considered a separate main building or main dwelling;**
- (iii) The backyard suite shall meet the accessory buildings requirements as set out in Sections 4.12 and 4.13;**
- (iv) The floor area of a backyard suite shall not exceed 90.0 square metres or the maximum floor area of an accessory building as set out in Section 4.13, whichever is less;**
- (v) Notwithstanding the parking requirements of Section 4.27, additional off-street parking shall not be required;**
- (vi) Where a residential use is a non-conforming use a backyard suite shall not be permitted;**
- (vii) A backyard suite must be located on the same lot as the main dwelling unit; and**
- (viii) Where the main dwelling unit does not have a side yard on both sides, a backyard suite must have unobstructed access upon the same lot in which the backyard suite is located to a public street.**

I, {Insert Name}, Municipal Clerk for the Halifax Regional Municipality, hereby certify that the above-noted by-law was passed at a meeting of the Regional Council held on [DATE], 202[#].

{Insert Name}
Municipal Clerk



**ADVISORY COMMITTEE FOR ACCESSIBILITY IN HRM
MINUTES
February 19, 2019**

PRESENT: Tova Sherman
Brian George
Haylee Milne
Julia Bremner
Jillian Banfield
Jacki Purcell
Councillor Lisa Blackburn
Councillor Richard Zurawski

REGRETS: Carole Arsenault
Victoria Levack

STAFF: Darren Young, Project Manager, Corporate Facility Design & Construction
Tracey Jones-Grant, Managing Director, Office of Diversity and Inclusion
Kayla Douglas, Accessibility Intern, Office of Diversity and Inclusion
Alan Howell, Planner III, Planning and Development
Elora Wilkinson, Planner II, Planning and Development
Liam MacSween, Legislative Assistant, Office of the Municipal Clerk
Sharon Chase, Legislative Support, Office of the Municipal Clerk

The following does not represent a verbatim record of the proceedings of this meeting.

The agenda, reports, supporting documents, and information items circulated are online at halifax.ca.

The meeting was called to order at 4:02 p.m. and adjourned at 6:06 p.m.

1. CALL TO ORDER

Liam MacSween, Legislative Assistant, called the meeting to order at 4:02 p.m. in Halifax Hall, City Hall 1847 Argyle Street, Halifax.

Round table introductions were done.

- **Election of Chair and Vice Chair**

The Committee considered deferring the annual election to allow new members to get to know one another and to ensure all were present.

MOVED by Tova Sherman, seconded by Haylee Milne

THAT the Annual Election of Chair and Vice Chair be deferred to the next meeting of the Advisory Committee for Accessibility in HRM, to ensure participation of all members of the Committee.

MOTION PUT AND PASSED.

MOVED by Jillian Banfield, seconded by Councillor Blackburn

THAT Julia Bremner be appointed acting Chair of the Advisory Committee for Accessibility in HRM until the Annual Election takes place.

MOTION PUT AND PASSED.

2. APPROVAL OF MINUTES – November 19, 2018

MOVED by Councillor Blackburn, seconded by Councillor Zurawski

THAT the minutes of November 19, 2018 be approved as distributed.

MOTION PUT AND PASSED.

3. APPROVAL OF THE ORDER OF BUSINESS AND APPROVAL OF ADDITIONS AND DELETIONS

Deletion:

Item 9.1.5 Parks and Recreation Update is deleted as Noreen Guptill, Inclusion and Accessibility Specialist is absent.

The agenda was approved as amended.

- 4. BUSINESS ARISING OUT OF THE MINUTES- NONE**
- 5. CALL FOR DECLARATION OF CONFLICT OF INTERESTS- NONE**
- 6. CONSIDERATION OF DEFERRED BUSINESS – NONE**
- 7. CORRESPONDENCE, PETITIONS & DELEGATIONS- NONE**
- 8. INFORMATION ITEMS BROUGHT FORWARD- NONE**

9. REPORTS/DISCUSSION

9.1.1 HRM Board and Committee Orientation – Liam MacSween, Legislative Assistant, Office of the Municipal Clerk

Tracey Jones-Grant, Managing Director Office of Diversity and Inclusion, provided the Committee with an overview of the Office of Diversity and Inclusion. A copy of this presentation is on file. Jones-Grant reviewed the office's areas of focus and its role within HRM: working with business units on their diversity and inclusion goals and initiatives; conducting corporate training and providing advice on corporate policy. The link for the Diversity and Inclusion Framework was shared and will be emailed to committee members for their reference. The corporate definitions of diversity and inclusion were reviewed. Jones-Grant emphasized how a clear understanding of diversity and inclusion impacts the work that is done by HRM and how this is being integrated into all business units.

It was noted that the Committee adds this lens with the work they do and that the member's expertise provides valuable input and information for HRM. Provincial and federal acts and regulations are important considerations for the Committee and how they work with these bodies. Paul Vienneau is now working with the CAO's office and the Province on their goals and work.

Liam MacSween, Legislative Assistant, shared an Advisory Board and Committee Orientation presentation. A copy of this presentation is on file. HRM's decision making process was outlined. The Committee's business is conducted using Administrative Order One and their specific Terms of Reference. MacSween also reviewed: quorum, conflict of interest, the agenda and the components of a committee meeting and member conduct guidelines.

9.1.2 Staff Presentation – General approach to Secondary & Backyard Suites and Special Care Facilities/Seniors Housing – Alan Howell, Planner III, Planning and Development

Alan Howell, Planner III, gave a presentation on Affordable Housing Workplan Items. A copy of this presentation is on file. They provided a snapshot of current housing needs in HRM with comparisons to other Canadian cities on two key measures: percentage of households spending greater than 30% of household income on housing and identified core housing needs. HRM's affordable housing work plan will focus on: removing policy and regulatory barriers and enabling lower cost development. Howell then reviewed the definitions of Secondary Suites and Backyard Suites, giving examples of each. Presently there is inconsistency with permitting, rules and limitations on these types of dwellings in HRM. There is also growing demand for this type of housing and development. Public consultation took place throughout the fall of 2018. Howell shared staff's proposed direction along with some specific considerations, noting that the report is presently being drafted. Howell then reviewed HRM's definition of Special Care Facilities. There are currently multiple definitions and inconsistent treatment in regulation. At the same time there is a clear demand for this type of housing. Some consultation has taken place and the remaining process was summarized which will include a provincial review.

Howell clarified that water and sewage for backyard suites would be considered separate connections within the service boundary and will depend on lot size and existing sewage and water in unserved areas. Provincial legislation and regulation under the Special Care Act does not factor into the building application process. Howell noted that the initiation report from July 2018 could be used to reference and that the current staff report is due in the spring. Building code and compliance are presently reviewing the work to determine the inclusion of accessibility requirements and whether they should be regulated.

9.1.3 Staff Presentation - Functional Design for Spring Garden Road between South Park Street to Queen Street – Elora Wilkinson, Planner II, Planning and Development

Elora Wilkinson, Planner II, provided a presentation to the Committee, seeking their input as a part of the staff report being prepared. A copy of this presentation is on file. A map was shown identifying the functional versus schematic limits. This project addresses many of Council's current priorities. Wilkinson reviewed some key project objectives including: place making, walking/wheeling, transit and traffic. Data

has been collected on the modes of transportation at various times in the area. The 2018 Stoplet Pilot Project provided an opportunity for testing and gathering of feedback on some of the new streetscaping concepts. Results of a public engagement survey were shared.

The Committee discussed the importance of addressing the concern regarding panhandlers in the area with a focus on being more inclusive and considering how marginalized individuals should be treated as a part of the community. The Committee noted that accessibility and diversity need to be included in plans for the area. Wilkinson stated that the streets are being designed for everyone and these types of conversations have been considered and included.

Wilkinson reviewed three options being considered in the design regarding transit: Option 1- Transit Prioritized Vehicle Thoroughfare, Option 2- Turn Restricted Transit Priority and Option 3- Daytime Transit Corridor. There has also been an analysis of one-way street options. Wilkinson shared the stages in the public engagement process for this project, where the project is in the process and next steps. They hope to be presenting to the Transportation Standing Committee at the end of March. Detail design will follow. Wilkinson encouraged the Committee to share their thoughts and feedback with Planning as the project evolves.

The Committee discussed options for changes to pedestrian crossings. Based on current volumes, the use of leading pedestrian intervals is most appropriate. Widening sidewalks and improving curb cuts was considered important. The Committee also noted that Bill 59 must be considered in any future planning.

9.1.4 Update – Darren Young, Senior Project Manager, Corporate Facility Design & Construction

The Committee did not receive this update as time did not allow.

9.1.5 Update – Noreen Guptill, Inclusion and Accessibility Specialist, Parks and Recreation

This item was deleted during the approval of the order of business.

9.2 COMMITTEE MEMBER UPDATES

9.2.1 Active Transportation Advisory Committee – Jillian Banfield

The Committee did not receive this update as time did not allow.

10. ADDED ITEMS- NONE

11. DATE OF NEXT MEETING – March 25, 2019 - 4:00 p.m., Halifax Hall, 2nd Floor, City Hall 1841 Argyle Street, Halifax

12. ADJOURNMENT

The meeting adjourned at 6:06 pm.

INFORMATION ITEMS – NONE

Sharon Chase
Legislative Support

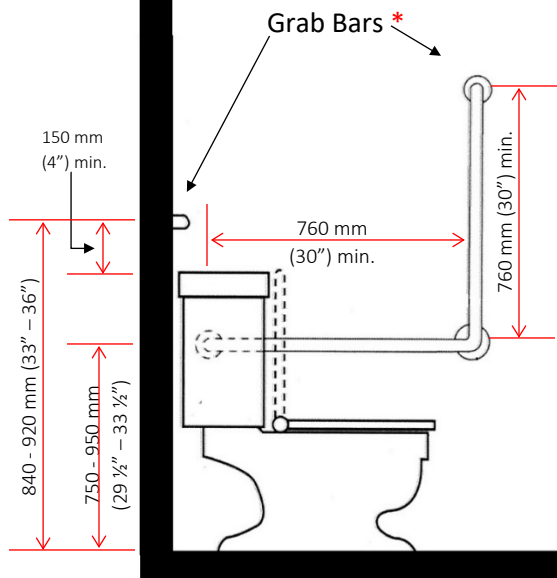


Adaptable Housing Requirements for Residential & Care Occupancies

As required by the 2019 Nova Scotia Building Code Regulations (Accessibility Schedule "C")

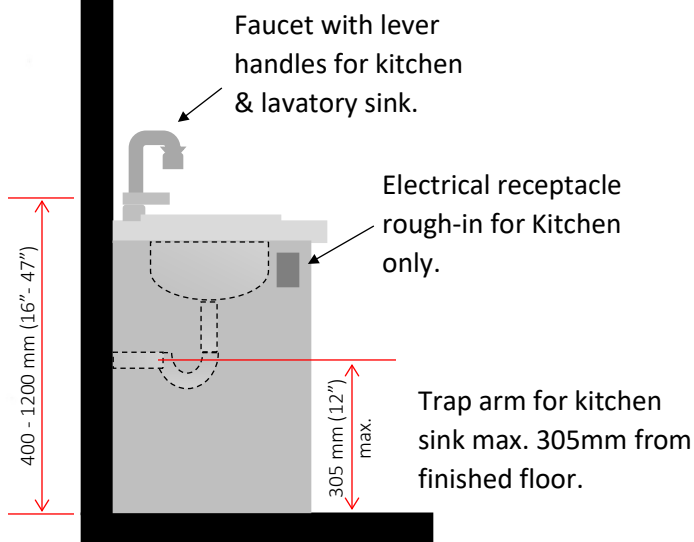
Water Closet

See notes overleaf.



Lavatory & Kitchen Sink

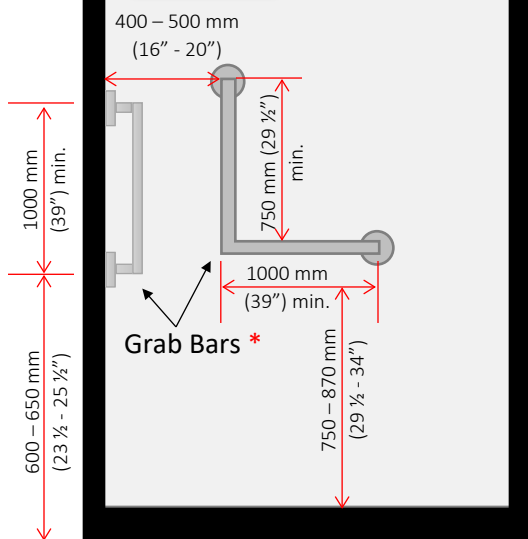
See notes overleaf.



*** Reinforcement must be present in the bathroom walls to allow the future installation of Barrier Free grab bars as indicated for the water closet, shower and bathtub.**

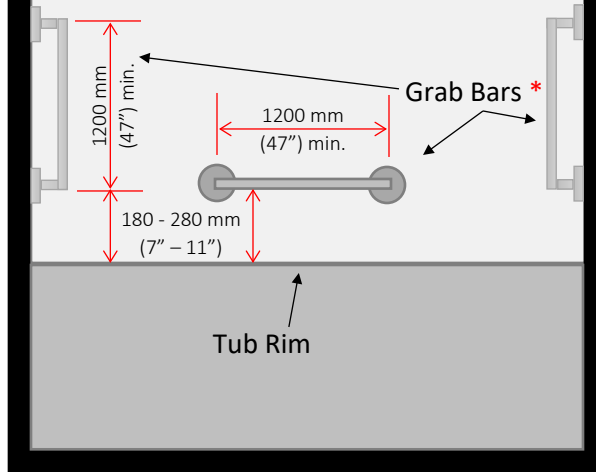
Shower

See notes overleaf.



Bathtub

See notes overleaf.



ADAPTABLE HOUSING REQUIREMENTS

For Residential & Care Occupancies

For full details of the minimum acceptable Adaptable Housing Requirements refer to Schedule “C” Accessibility of the 2019 Nova Scotia Building Code Regulations, specifically Section 3.8.4 Adaptable Housing Requirements.

APPLICATION

The Adaptable Housing Requirements apply to dwelling units in buildings that would otherwise be exempt from the Barrier Free Requirements of the Nova Scotia Building Code Regulations. This includes:

- Houses, including single unit dwellings, semi-detached houses, houses with secondary suites, duplexes, triplexes, town houses, row houses, boarding and rooming houses and mobile homes.
- Dwelling units in a building with multiple suites of care or residential occupancy that are not required to be Barrier Free by Section 3.8.2 of the Nova Scotia Building Code Regulations.

DOORS & CORRIDORS

- At least one Entrance Door to a dwelling unit, and any door between an attached garage and a dwelling unit, shall be at least 900 mm (36”) wide.
- The Entrance Door shall have a threshold that is not more than 13 mm (½ ”) higher than the finished floor and beveled to facilitate the passage of wheelchairs or shall be capable of being adapted for such a threshold.
- Access from a sidewalk or parking area to the Entrance Door shall be capable of being made Barrier Free.
- Doors and passageways within the dwelling unit that lead to habitable rooms or service rooms, and corridors within a dwelling unit, shall be at least 900 mm (36”) wide.
- Doors described above shall be fitted with opening hardware that is operable with a force not greater than 22N with one hand using a closed fist or other method that does not require tight grasping or twisting of the wrist, and that is located between 400 mm and 1200 mm (16” - 47”) above the finished floor, or shall be capable of having such hardware installed.

KITCHENS & BATHROOMS

- Kitchen sinks and bathroom lavatory sinks shall be fitted with lever-type faucets that are capable of being operated with a force not greater than 22N with one hand using a closed fist or other method that does not require tight grasping or twisting of the wrist, and that are located between 400 mm and 1200 mm (16” - 47”) above the finished floor, or shall be capable of having such a faucet installed.
- Trap arms under the kitchen sink shall be installed no higher than 305 mm (12”) above the finished floor.
- An electrical rough-in shall be provided below the kitchen counter top to allow the installation of a receptacle at the front or side of the work surface.
- Walls that enclose a bathroom in a dwelling unit shall include reinforcement that will allow the future installation of Barrier Free compliant grab bars for the water closet, bathtub and shower.

CONTACT US

Contact HRM to obtain the required Building Permit, or to speak to a Building Official for advice and clarification of any of the requirements outlined above, by visiting the Customer Service Centers located at:

7071 Bayers Rd, Suite 2005, 2nd Floor, Halifax B3L 4P4 or 40 Alderney Drive, 1st Floor, Dartmouth B2Y 2N5