



WEST HANTS REGIONAL MUNICIPALITY REPORT

Information <input type="checkbox"/>	Recommendation <input checked="" type="checkbox"/>	Decision Request <input type="checkbox"/>	Councillor Activity <input type="checkbox"/>
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To: Mayor Zebian and Members of West Hants Regional Municipality Council

Submitted by: _____
Madelyn LeMay, Director, Planning and Development

Date: June 22, 2021

Subject: File # 20-29D: WMPS and LUB Text Amendment: Secondary Suites

LEGISLATIVE AUTHORITY

Municipal Government Act Section 210.

POSSIBLE MOTION

Following conclusion of the Public Hearing on July 27, should Council wish to complete the proposed amendment, the following motion would be in order:

...that Council amend the **Windsor** Municipal Planning Strategy and Land Use By-law to permit secondary suites in single and two-unit dwellings, in a manner substantively the same as Attachment D of the Second Reading Report to Council dated June 22, 2021.

BACKGROUND

Property <input checked="" type="checkbox"/>	Public Opinion <input type="checkbox"/>	Environment <input type="checkbox"/>	Social <input type="checkbox"/>	Economic <input type="checkbox"/>	Councillor Activity <input type="checkbox"/>
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A Public Information Meeting was held on April 22, 2021 (Attachment A).

On May 13, 2021 staff presented a recommendation report to the Planning and Heritage Advisory Committee (PAC/HAC) (Attachment B).

Council held First Reading on May 25, 2021 (Attachment D).

NEXT STEPS



*anticipated dates; final dates will be set by Council

ATTACHMENTS

- Attachment A Public Information Meeting Notes – File 20-29 A
- Attachment B Staff Report Secondary Suites - File #20-29
- Attachment C First Reading Report – File # 20-29 B
- Attachment D Proposed Amendments

Report Prepared by: _____
Madelyn LeMay, Director of Planning and Development

Report Approved by:  _____
Mark Phillips, CAO

Attachment A

Public Information Meeting Notes

April 22, 2021- May 6, 2021

File 20-29A

Secondary Suites MPS and LUB Amendment Windsor

Meeting date and time	A public information meeting was held on April 22, 2021 beginning at 7 p.m. The meeting was broadcast live on the Municipal Facebook page.
Attending	In attendance: Councillor Murley Madelyn LeMay, Director, Planning and Development Saira Shah, Planner Sara Poirier, Planner As this meeting was held virtually there were no members of the public present.
Applicant Family Resource Centre	Ms. Shah outlined the request from the Family Resource Centre to amend all planning documents in West Hants Regional Municipality to permit secondary suites in single and two-unit dwellings and align the definition of secondary suites with the National Building Code.
File Number	20-29A
Comments	Three (3) written comments were received: Two (2) residents were in general support of the amendment. One (1) resident referred to the major housing crisis in the region. They believe the proposed changes could alleviate some of the housing issues and would like to see detached secondary suites considered in a future amendment. Another resident and Housing Support Worker (the applicant) felt this amendment would increase affordable housing options and make existing housing potentially more affordable for homeowners who would be able to rent the apartments to cover some of their mortgage costs. One (1) resident was opposed to not requiring parking for secondary suites in Windsor as they feel the downtown streets have parking problems now.
Adjournment	The presentation portion of the PIM ended at 7:08 p.m.; comments could be submitted by the public by mail, drop-off at the Municipal Office, e-mail and telephone to Ms. Shah until May 6, 2021.
Attachment A	PIM Comments

Attachment A

(April 26, 2021 e-mail)

Hello,

I just wanted to add my comments to the public information hearing. I don't live in Windsor but my job requires me to find housing for folks in Windsor.

I would say there is a major housing crisis right now and the proposed changes would help alleviate some of that. I think the proposed changes are great and I hope they get passed.

I also hope that we can see them extend even further to include detached secondary dwellings.

Regards,

Kelly McGregor

(April 27, 2021 e-mail)

Dear Mayor and Council etal,

When I walk up Campbell Ave or around Lakeview Drive ,(the newer build area's) it looks very different than walking on Gerrish, King, Stanus or Victoria Street's.

Our historical downtown area is over 200 yrs old with the majority of the homes over 130 years old. Downtown was created before cars or parking concerns.

Downtown homes are either relatively small or large, mostly tight together, shared driveways , most built directly on the sidewalks or streets and parking is a issue.

Oil delivery companies will tell you that it's not that easy to park in downtown to deliver oil to our older homes.

I live on a older busy street with parking issues already. It has a very busy Day care with lots of drop offs and pick ups by many vehicles, home business's are becoming more permitted within our residential streets all adding to our parking woes.

I request that council keep our former planning strategy and maintain Secondary Suite's must have their own parking.

Sincerely, Denise Forand

May 4th, 2021 (via e-mail)

West Hants Regional Municipality

76 Morison Drive

PO Box 3000

Windsor NS B0N 2T0

To Whom It May Concern,

I am writing to express support to the by-law amendment to allow secondary suites to all single and two-unit residential dwellings in Windsor, Hantsport and West Hants.

I am a Housing Support Worker who lives and works in West Hants. The lack of affordable housing in this area is an ongoing issue that many of my clients are dealing with every day, which is why they need additional support from service providers such as myself and a housing locator, to help them find safe, affordable places to live.

A secondary suite, also known as a basement apartment, granny suite or in-law suite is defined by the Halifax Regional Municipality as a self-contained dwelling unit with a limited floor area which is located within a house or another building that contains only residential occupancies. The Secondary Suite and the Main Suite must constitute a single real estate entity.

According to the results of Canada Mortgage and Housing Corporation's Rental Market Survey conducted in October 2019, the Halifax CMA vacancy rate was 1% versus 1.6% in October 2018. (CMHC 2020). Allowing secondary suites more broadly is intended to support the creation of complete communities as well as meet affordable housing targets. (Halifax.ca).

If secondary suites are permitted, not only can it increase the amount of affordable housing opportunities within the West Hants Municipality, but they can also be used as a way that people who are struggling to afford their current place of residence. Having a secondary suite to rent out can give them extra cash flow to help make ends meet. In doing so, a small part can be played by increasing the vacancy rate and decreasing the number of people struggling with, who are at risk of or who are currently experiencing homelessness.

Sincerely,
Kayla Todd
Housing Support Worker
Family Resource Centre of West Hants



WEST HANTS REGIONAL MUNICIPALITY REPORT

Information <input type="checkbox"/>	Recommendation X	Decision Request <input type="checkbox"/>	Councillor Activity <input type="checkbox"/>
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To: Members of Planning and Heritage Advisory Committee(PAC/HAC)

Submitted by: _____
Madelyn LeMay, Director, Planning and Development

Date: May 13, 2021

Subject: File 20-29 Secondary Suites MPS and LUB Amendment **Windsor**

1.0 LEGISLATIVE AUTHORITY

Section 205 of the Municipal Government Act.

2.0 RECOMMENDATION

Should the Planning and Heritage Advisory Committee (PAC/HAC) wish to forward a positive recommendation, the following motion would be in order:

...that Council give First Reading and hold a Public Hearing to consider amending the Windsor Municipal Planning Strategy and Land Use By-law to permit secondary suites in single and two-unit dwellings, in a manner substantively the same as Attachment A of the staff report to PAC/HAC dated May 13, 2021.

3.0 BACKGROUND

On December 11, 2020 the Family Resource Centre, a member of the West Hants Housing Coalition, applied for an amendment to all planning documents in West Hants Regional Municipality to permit secondary suites in single and two-unit dwellings and align the definition of secondary suites with the National Building Code (NBC). The application was complete January 26, 2021.

West Hants Regional Municipality has a separate Municipal Planning Strategy and Land use By-law for each of Hantsport, Windsor and West Hants. The amendments for each set of documents must be considered separately. This report will deal only with the Windsor Municipal Planning Strategy (WMPS) and

Windsor Land Use By-Law (WLUB). There will be duplication of material within the three reports but this ensures that documentation for each separate amendment is complete.

WHRM staff categorized potential options to improve the amount of affordable housing as short, medium, and long-term depending on the amount of time required for any required changes. One of the short-term options was to permit secondary suites in single and two-unit dwellings and align the definition of secondary suites with the NBC definition.

The NBC defines a secondary suite as *“a self-contained dwelling unit with a limited floor area which is contained within a house or another building which contains only residential occupancies. The Secondary Suite and the Main Suite must constitute a single real estate entity.”* The NBC also limits the size of a suite to 80% of the total floor area of the main dwelling unit to a maximum of 861 ft² (80 m²), and includes requirements for ceiling height, smoke alarms, separation of units, ventilation, egress, and heating systems to ensure both the secondary and main suites are safe for occupancy.

The WMPS does not refer to secondary suites but does permit a similar type of unit, “accessory apartments”, in the Single Unit Residential (R-1) zone. The maximum size for accessory apartments in the WLUB is 25% of the floor area of the dwelling, which is smaller than the NBC permits.

4.0 DISCUSSION

4.1 Provincial Support for Secondary Suites

All municipalities in Nova Scotia that have planning documents are required to have specific policies related to housing as there is a *Statement of Provincial Interest* regarding housing. The Provincial goal is to provide housing opportunities to meet the needs of all Nova Scotians. This is achieved by having policies that specifically address affordable housing, special-needs housing and rental accommodations. The Province requires the Municipality to consider permitting higher densities, smaller lot sizes and reduced yard requirements that encourage a range of housing types. Section 5.0 of the WMPS addresses housing and residential uses.

Secondary suites can reflect this Provincial intention and be part of the solution by providing an affordable housing option that does not appear to increase density in low density neighbourhoods as the suites are located within an existing dwelling.

4.2 Municipal Support for Secondary Suites

The background material in Part 5.1 of the WMPS states: *With an aging population, the need for flexible housing options will continue to grow in the future. Small accessory apartments in single unit dwellings can provide a solution for those wishing to keep elderly or dependant family members nearby. Although tenancy cannot be restricted to family members, by strictly regulating the size and appearance of these apartments, Council can ensure that the building retains the appearance of a single unit dwelling and remains compatible with the neighbourhood.*

Policy 5.1.3 specifically permits accessory apartments within or attached to the main dwelling in the Single Unit Residential (R-1) zone and outlines that the size, location and appearance of the apartments will be limited in the WLUB to ensure the use remains compatible with low density neighbourhoods.

On February 23, 2021 Council approved in principle all recommendations presented in the RAD Consulting report. Recommendation 12 encourages Council to address affordable housing by considering options such as secondary suites.

Based on the material in Part 5.1 of the WMPS and the recommendation from the RAD Consulting report, staff consider Council to be in general support of secondary suites (accessory apartments) in Windsor as an affordable housing option.

4.3 Review: Secondary Suites as a Permitted Use in Nearby Municipal Units

When developing the amendments, staff reviewed the planning documents in neighbouring municipalities that have recently updated land use requirements for secondary suites. The detailed review can be found in the staff report titled "2021-05-13 File 20-27 Secondary Suites MPS and LUB Amendment West Hants".

The background material and policy that permit accessory apartments in Windsor are currently in Part 5.1 Single Unit Residential. The proposal is to replace this with a housing section in the WMPS General Land Use Policies similar to Part 4.11 of the West Hants Municipal Planning Strategy. This proposed amendment will ensure the general housing policies for the Region are similar and meet the requirements of the Statements of Provincial Interest.

4.4 Parking Requirements for Secondary Suites

HRM was the most recent Municipality to consider amendments to permit secondary suites. It is also the only Municipality which does not require parking for a secondary suite. Although several HRM residents stated concerns about parking for suites, HRM staff state in a December 2019 staff report several reasons why additional parking may not be needed or may create a burden which may decrease the number of secondary suites installed:

Under the Integrated Mobility Plan, HRM is working to reduce parking requirements overall and instead allow the market to determine its own needs. Additional parking requirements for secondary and backyard suites may be unwarranted in some areas or unnecessarily limit the location of where such uses can be created. The cost of an additional parking space may also add to the cost of the overall development, thereby increasing the costs that may be needed to be recovered through rents. Further, parking requirements may be unnecessary in cases where tenants do not own or cannot operate an automobile, or in neighbourhoods that are close to services and have access to transit.

Section 5.25 of the WLUB requires one (1) parking space for each dwelling unit. Section 8.3 (h) of the WLUB requires parking for accessory apartments be provided in accordance with Section 5.25 and the parking space must be located in the side or rear yard of the lot.

Although WHRM staff are recommending that one (1) space be required for secondary suites regulated by the West Hants MPS and LUB, staff are not recommending parking be required within the areas regulated by either the Windsor or Hantsport Municipal Planning Strategies and Land Use By-laws.

WHRM staff asked Troy Burgess to comment on parking requirements as he was Traffic Authority for the Town of Windsor and is now Manager of Public Works Operations and Traffic Authority for Municipal roads in WHRM. Mr. Burgess stated when parking is not available for all tenants they typically park on the street which has caused operational issues in the past for snow and ice removal but also street sweeping and street repairs. He mentioned the HRM winter parking ban makes it easier for that Municipality to carry out snow clearing operations. WHRM uses section 129 of the Motor Vehicle Act to address parking during snow and ice events. Public Works has closed streets in the past, particularly Gerrish Street, to carry out snow removal as on-street parking has been an issue in that area. Mr. Burgess appreciates the goal of reducing barriers to affordable housing but thinks a parking requirement for secondary suites would be in the best interest of the Municipality. When asked if alternative options are available for winter parking Mr. Burgess mentioned the parking areas at the community centre and swimming pool have been rented in the past. Dianne Levy, Manager of Recreation and Facilities, stated winter parking is currently available at the pool parking lot from December 1 to March 30 at a cost of \$45 per month plus HST for each space. Although there is room for between six (6) and eight (8) vehicles, only two (2) permits were sold this year.

The RAD Consulting report included several recommendations that relate to parking. Recommendation 4 *Prepare an Integrated Mobility Plan* encourages Council to consider alternative transportation options and develop a mobility plan similar to the Halifax Integrated Mobility Plan. HRM staff stated the Integrated Mobility Plan and HRM's Council's intention to reduce reliance on personal vehicles was one of the reasons for not requiring a parking space for secondary

suites. Recommendations 9 and 11 of the RAD report focus on creating walkable communities and addressing climate change. Not requiring a parking space for secondary suites in walkable communities will align with these recommendations as it could increase affordable housing options for residents without a personal vehicle and encourage more residents to walk to services and reduce Greenhouse Gas emissions.

Although having adequate parking to meet the needs of residents is important, staff recommend not requiring parking for secondary suites in Windsor, as the potential burden of a parking requirement may hinder the opportunity to increase affordable housing options and may undermine the development of a more walkable community. The secondary suite may be intended for a grandparent who no longer drives or a single parent who can not afford a vehicle. In both situations, the individual may be purposely choosing a housing location close to services, enabling them to remain independent in the community without a vehicle. The lack of a parking requirement would not prevent a property owner from creating an additional parking space if there is room and it is needed. It would ensure that smaller properties that may not have room for an additional parking space, but are close to services, would be able to have a secondary suite.

A number of additional assumptions underly requiring a parking space for every dwelling unit:

- everyone wants, needs or can afford to have a car;
- the best use of serviced land is for parking;
- that unless parking is provided, housing should not be permitted; and
- ensuring the most efficient use of areas serviced with sewer and water is secondary to providing parking.

Requiring parking for each unit reduces potential infill development and keeps the supply of dwelling units from meeting demand. This inflates housing prices, which in turn inflates rents...all of which tends to force those least able to pay for housing to more car-dependent neighbourhoods on the outskirts of denser residential areas.

4.5 Lot Coverage

Lot coverage is a term defined in the WLUB: *the percentage of the lot that is covered by buildings, also known as the building footprint; maximum lot coverage means the largest allowable area that can be covered by any building or buildings on a lot.*

The maximum lot coverage in the WLUB is 50%. Staff recommend removing the lot coverage restriction as part of the amendment as the requirement disproportionately prevents property owners with smaller lots from constructing accessory apartments. NBC requirements and WLUB yard requirements would

still apply which ensures development is compatible with the neighbourhood without the need for a maximum coverage restriction.

4.6 Floor Area

WLUB has a maximum floor area requirement for accessory apartments that is smaller than that allowed in the NBC. 25% of the total floor area of the structure in Windsor may be used, compared to 80% of the total floor area of the main dwelling unit or a maximum of 861 ft² (80 m²) allowed in the NBC.

Most planning documents reviewed by staff include a specific maximum floor area requirement that aligns with the NBC except Kings which, as noted above, only refers to the NBC: *Secondary Suite means a secondary suite as defined by the National Building Code, as amended from time to time.* Staff considered the Kings definition as it aligns with the NBC without including the specific maximum floor area requirements. This ensures the planning documents do not need to be amended every time the NBC changes.

However, for ease of administration, staff have included the maximum floor area requirements in the proposed definition, which lets the Development Officer issue a permit if the maximum size is increased in the NBC without amendment to the definition in the WLUB.

4.7 Number of Secondary Suites per Lot

In areas regulated by the WLUB, the number of main buildings which can be constructed on most lots as-of-right is now limited to one (1). There are some lots with more than one main building which may have been constructed prior to land use regulation, or others which have specific provision in the WLUB such as the General Commercial (GC) zone.

In Windsor only one (1) accessory apartment is permitted on a lot. If a two-unit dwelling or multiple single unit dwellings are located on one lot and held in the same ownership, this regulation would prevent a secondary suite in more than one of the dwellings. Staff recommends removing potential barriers and ensuring secondary suites are permitted in single and two-unit dwellings regardless of the number of single and two-unit dwellings on a lot by permitting one (1) secondary suite in each dwelling on a lot.

4.8 Zones

Many dwellings exist outside residential zones; these may be permitted under the present WLUB (such as in the General Commercial (GC) Zone) or may have been constructed prior to the enactment of land use regulation.

The proposed amendments would permit secondary suites to be constructed in single and two-unit dwellings in any zone to accommodate residential uses that exist outside of residential zones.

4.9 Appearance of the Main Dwelling Unit

The present requirements listed below for accessory apartments in the WLUB have been incorporated in the proposed amendments to ensure the intention of Council expressed in the 2005 Windsor MPS is maintained. These are:

- the suite must be within or attached to the dwelling unit;
- the roof line or height of the existing dwelling unit can not be changed unless it is to accommodate dormers or is a structural necessity for public safety;
- no new entrances can be installed on the front of the dwelling unit for the suite; and
- additions to accommodate the suite must be at the rear of the dwelling unit.

These requirements are intended to ensure dwellings with secondary suites remain visually compatible with low-density neighborhoods. If the roof line and height of the dwelling unit are not altered, the entrance to the suite is not visible from the front of the dwelling unit and any additions to accommodate the suite are only located in the rear of the dwelling unit the visual appearance from the street of the dwelling unit with a secondary suite will in most instances not differ from the original building. Corner lots are the main exception as the rear yard for a corner lot is visible from the side street. Council has identified maintaining the visual appearance of a low-density neighborhood as important in the present WMPS: *By regulating the size and appearance of these apartments, Council can ensure that the building retains the look of the original dwelling and are (sic) compatible with the neighbourhood.*

Inclusion of these requirements reflects Council's intention and does not prevent creation of most secondary suites.

PAC/HAC may recommend or Council can change its intention and remove these requirements if maintaining the appearance of a low-density neighborhood is no longer a priority or it is determined that the appearance can be maintained without these requirements.

4.10 Draft Amendments

When drafting the amendments, (Appendix A), staff considered the Statement of Provincial Interest, the review of nearby municipal units mentioned above, the NBC, and the existing planning documents in order to develop amendments which increase affordable housing options in WHRM. The amendments include a

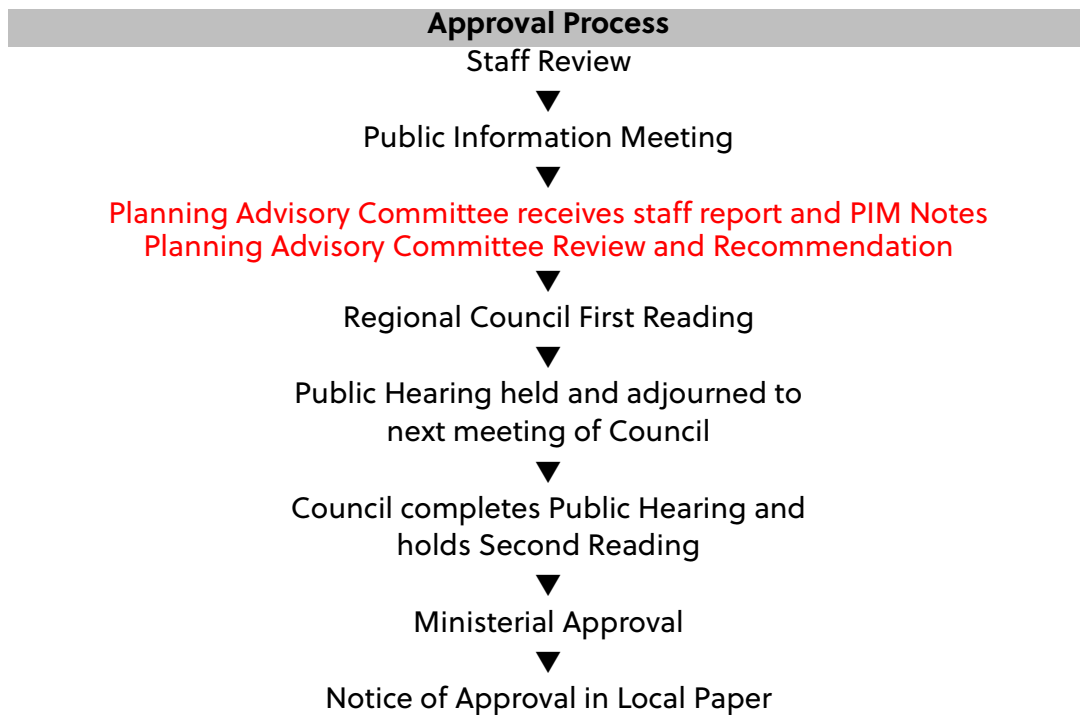
name change in the Windsor documents from accessory apartments to secondary suites as this is the name used in the NBC.

4.11 Municipal Climate Change Action Plan

The Municipal Climate Change Action Plan (MCCAP) was not considered for this amendment as it is a text amendment.

5.0 **NEXT STEPS**

As noted above, the proposed amendments have been considered within the context of the general policies of the WMPS and are consistent with the intent, objectives and policies of the WMPS. The proposed amendment to permit secondary suites in single and two-unit dwellings reflects the intent of the existing policies of the Windsor Municipal Planning Strategy. As a result, staff recommends proceeding with the approval process for the proposed amendments.



6.0 **FINANCIAL IMPLICATIONS**

There may be an increase in households using water, sewer, and waste disposal services in the area. However, the increased services are expected to be paid for, at least in part, by the municipal taxes and service charges for property owners who are installing secondary suites or the tenant who may cover some of

these fees through their rent. Property owners will be responsible for ensuring services are provided to the secondary suites.

7.0 ALTERNATIVES

In response to the application, PAC/HAC may:

- request further information on a specific topic;
- determine that the application does not meet the criteria of the WMPS and make this recommendation to Council.

8.0 ATTACHMENTS

Appendix A Draft Amendments

Report Prepared by: _____
Saira Shah, Planner

Madelyn LeMay, Director of Planning and Development

Attachment A Draft Amendments

Note: coloured text indicates a change from the present WMPS or WLUB and is provided only for the convenience of PAC/HAC and Council

Text amendments to the Windsor Municipal Planning Strategy and Land Use By-law to allow secondary suites in single and two-unit dwellings.

1. Amend Section 4.0, General Land Use Policies, of the Windsor Municipal Planning Strategy by inserting Part 4.18 Housing following Part 4.17 Watercourses so that Part 4.18 reads as follows:

4.18 Housing

Council acknowledges it is important to encourage the provision of housing that includes all residents in Windsor regardless of socio-economic status, age or physical or mental disability. Demographic changes, such as an aging population, smaller household size and a growing number of single-parent families, mean that a community needs to provide diverse housing types to satisfy the housing needs of its population. Housing must be available for seniors and individuals in the community with special needs. Housing choices and the affordability of those choices can be increased by providing flexible development standards allowing for smaller lots and setbacks, narrower streets, clustered developments and opportunities for multiple-unit development in appropriate locations. A secondary suite in a dwelling can provide a solution for those wishing to keep elderly or dependent family members nearby and can increase affordable housing options for the greater community. By regulating the size and appearance of these suites, Council can ensure that the buildings retain the look of the original dwellings and are compatible with the neighbourhood.

As a result, it shall be the policy of Council to:

Policy 4.18.1 encourage the provision of housing adequate to meet the needs of all residents of Windsor. Council will encourage affordable housing, special-needs housing and rental accommodation to develop in a manner that is sensitive to the needs of those being served and the entire community.

Policy 4.18.2 provide for the development of a range of housing types in Windsor.

Policy 4.18.3 include flexible development standards which encourage innovative housing development in the Land Use By-law.

Policy 4.18.4 permit secondary suites in single and two-unit dwellings in all zones, and regulate the size, location and appearance of secondary suites to ensure the use remains small-scale and compatible with the neighborhood.

2. Amend Section 5.0 Part 5.1, Single Unit Residential, of the Windsor Municipal Planning Strategy by replacing "single unit residential" with "Single Unit

Residential (R-1)”, and removing the phrases “With an aging population, the need for flexible housing options will continue to grow in the future. Small accessory apartments in single unit dwellings can provide a solution for those wishing to keep elderly or dependant family members nearby. Although tenancy cannot be restricted to family members, by strictly regulating the size and appearance of these apartments, Council can ensure that the building retains the appearance of a single unit dwelling and remains compatible with the neighbourhood.” and policy 5.1.3 so that Part 5.1 reads as follows:

5.1 Single Unit Residential

The Single Unit Residential (R-1) zone encompasses areas in which the predominant existing use is single detached dwellings. The previous Land Use By-law also pre-zoned several blocks of vacant land for single detached residential development. Those areas, located on College Road, Payzant Drive and Underwood Drive, will also be zoned Single Unit Residential (R-1) under this Strategy and Land Use By-law.

Policy 5.1.1 It shall be the policy of Council to establish a Single Unit Residential (R-1) zone for areas where the predominant existing use is single unit dwellings.

Policy 5.1.2 In addition to zoning areas of existing single unit residential development, Council shall consider pre-zoning areas for future single unit residential use where the need is anticipated and the use is considered compatible with the surrounding area.

Policy 5.1.3 (removed in amendment File #20-27 effective date)

3. Insert Secondary Suites in Section 5.0, General Provisions for All Zones, of the Windsor Land Use By-law following Urban Agricultural Uses as shown below:

Secondary Suites

5.45 Secondary Suites are permitted in single and two-unit dwellings in all zones.

5.46 In addition to all other regulations of this By-law, the following provisions shall apply to secondary suites:

- (a) no more than one (1) secondary suite shall be permitted within or attached to the dwelling unit;
- (b) no alterations shall change the roof line or increase the height of the existing dwelling unit except for the addition of dormers or structures necessary for public safety;
- (c) no new entrances shall be created on the front façade of the dwelling unit;

- (d) notwithstanding the parking requirements of Section 5.31, off-street parking shall not be required for the secondary suite; and
- (e) additions shall be limited to the rear yard of the dwelling unit.

4. Remove from Section 8.0 Part 8.1 Permitted Uses of the Windsor Land Use By-law the listed permitted use “accessory apartments” so that Part 8.1 reads as follows:

Permitted Uses

- 8.1 The following uses shall be permitted in the Single Unit Residential (R-1) zone:
- Single unit dwellings

5. Remove from Section 8.0 Part 8.3, Accessory Apartments- Special Requirements, from the Windsor Land Use By-law.

Accessory Apartments – Special Requirements

- 8.3 (removed in amendment File #20-27 effective date)

6. Amend Section 31.0, Definitions, of the Windsor Land Use By-law by replacing the definition of “Accessory Apartment” with the following definition of “Secondary Suite” between the definitions of Scrap Yard and Senior Citizen Housing so that the definition of “Accessory Apartment” and “Secondary Suite” reads as follows:

Accessory Apartment (removed in amendment File #20-27 effective date)

Secondary Suite means a self-contained dwelling unit contained within a single or two-unit dwelling. The maximum floor area of a Secondary Suite is 80% of the total floor area of the main dwelling unit to the maximum established in the NBC or 862 ft² (80 m²), whichever is greater.

Appendix C

Draft Amendments Recommended by PAC/HAC

Note: coloured text indicates a change from the present WMPS or WLUB and is provided only for the convenience of PAC/HAC and Council

Text amendments to the Windsor Municipal Planning Strategy and Land Use By-law to allow secondary suites in single and two-unit dwellings.

1. Amend Section 4.0, General Land Use Policies, of the Windsor Municipal Planning Strategy by inserting Part 4.18 Housing following Part 4.17 Watercourses so that Part 4.18 reads as follows:

4.18 Housing

Council acknowledges it is important to encourage the provision of housing that includes all residents in Windsor regardless of socio-economic status, age or physical or mental disability. Demographic changes, such as an aging population, smaller household size and a growing number of single-parent families, mean that a community needs to provide diverse housing types to satisfy the housing needs of its population. Housing must be available for seniors and individuals in the community with special needs. Housing choices and the affordability of those choices can be increased by providing flexible development standards allowing for smaller lots and setbacks, narrower streets, clustered developments and opportunities for multiple-unit development in appropriate locations. A secondary suite in a dwelling can provide a solution for those wishing to keep elderly or dependent family members nearby and can increase affordable housing options for the greater community. By regulating the size and appearance of these suites, Council can ensure that the buildings retain the look of the original dwellings and are compatible with the neighbourhood.

As a result, it shall be the policy of Council to:

Policy 4.18.1 encourage the provision of housing adequate to meet the needs of all residents of Windsor. Council will encourage affordable housing, special-needs housing and rental accommodation to develop in a manner that is sensitive to the needs of those being served and the entire community.

Policy 4.18.2 provide for the development of a range of housing types in Windsor.

Policy 4.18.3 include flexible development standards which encourage innovative housing development in the Land Use By-law.

Policy 4.18.4 permit secondary suites in single and two-unit dwellings in all zones, and regulate the size, location and appearance of secondary suites to ensure the use remains small-scale and compatible with the neighborhood.

2. Amend Section 5.0 Part 5.1, Single Unit Residential, of the Windsor Municipal Planning Strategy by replacing "single unit residential" with "Single Unit

Residential (R-1)”, and removing the phrases “With an aging population, the need for flexible housing options will continue to grow in the future. Small accessory apartments in single unit dwellings can provide a solution for those wishing to keep elderly or dependant family members nearby. Although tenancy cannot be restricted to family members, by strictly regulating the size and appearance of these apartments, Council can ensure that the building retains the appearance of a single unit dwelling and remains compatible with the neighbourhood.” and policy 5.1.3 so that Part 5.1 reads as follows:

5.1 Single Unit Residential

The Single Unit Residential (R-1) zone encompasses areas in which the predominant existing use is single detached dwellings. The previous Land Use By-law also pre-zoned several blocks of vacant land for single detached residential development. Those areas, located on College Road, Payzant Drive and Underwood Drive, will also be zoned Single Unit Residential (R-1) under this Strategy and Land Use By-law.

Policy 5.1.1 It shall be the policy of Council to establish a Single Unit Residential (R-1) zone for areas where the predominant existing use is single unit dwellings.

Policy 5.1.2 In addition to zoning areas of existing single unit residential development, Council shall consider pre-zoning areas for future single unit residential use where the need is anticipated and the use is considered compatible with the surrounding area.

Policy 5.1.3 (removed in amendment File #20-27 effective date)

3. Insert Secondary Suites in Section 5.0, General Provisions for All Zones, of the Windsor Land Use By-law following Urban Agricultural Uses as shown below:

Secondary Suites

5.45 Secondary Suites are permitted in single and two-unit dwellings in all zones.

5.46 In addition to all other regulations of this By-law, the following provisions shall apply to secondary suites:

- (a) no more than one (1) secondary suite shall be permitted on any lot;
- (b) no more than one (1) secondary suite shall be permitted within or attached to a dwelling unit;
- (c) no alterations shall change the roof line or increase the height of the existing dwelling unit except for the addition of dormers or structures necessary for public safety;
- (d) no new entrances shall be created on the front façade of the dwelling unit;

- (e) one (1) parking space shall be required for each secondary suite; and
- (f) additions shall be limited to the rear yard of the dwelling unit.

4. Remove from Section 8.0 Part 8.1 Permitted Uses of the Windsor Land Use By-law the listed permitted use "accessory apartments" so that Part 8.1 reads as follows:

Permitted Uses

- 8.1 The following uses shall be permitted in the Single Unit Residential (R-1) zone:
- Single unit dwellings

5. Remove from Section 8.0 Part 8.3, Accessory Apartments- Special Requirements, from the Windsor Land Use By-law.

Accessory Apartments – Special Requirements

- 8.3 (removed in amendment File #20-27 effective date)

6. Amend Section 31.0, Definitions, of the Windsor Land Use By-law by replacing the definition of "Accessory Apartment" with the following definition of "Secondary Suite" between the definitions of Scrap Yard and Senior Citizen Housing so that the definition of "Accessory Apartment" and "Secondary Suite" reads as follows:

Accessory Apartment (removed in amendment File #20-27 effective date)

Secondary Suite means a self-contained dwelling unit contained within a single or two-unit dwelling. The maximum floor area of a Secondary Suite is 80% of the total floor area of the main dwelling unit to the maximum established in the NBC or 862 ft² (80 m²), whichever is greater.

Attachment D Draft Amendments

Note: coloured text indicates a change from the present WMPS or WLUB and is provided only for the convenience of PAC/HAC and Council

Text amendments to the Windsor Municipal Planning Strategy and Land Use By-law to allow secondary suites in single and two-unit dwellings.

1. Amend Section 4.0, General Land Use Policies, of the Windsor Municipal Planning Strategy by inserting Part 4.18 Housing following Part 4.17 Watercourses so that Part 4.18 reads as follows:

4.18 Housing

Council acknowledges it is important to encourage the provision of housing that includes all residents in Windsor regardless of socio-economic status, age or physical or mental disability. Demographic changes, such as an aging population, smaller household size and a growing number of single-parent families, mean that a community needs to provide diverse housing types to satisfy the housing needs of its population. Housing must be available for seniors and individuals in the community with special needs. Housing choices and the affordability of those choices can be increased by providing flexible development standards allowing for smaller lots and setbacks, narrower streets, clustered developments and opportunities for multiple-unit development in appropriate locations. A secondary suite in a dwelling can provide a solution for those wishing to keep elderly or dependent family members nearby and can increase affordable housing options for the greater community. By regulating the size and appearance of these suites, Council can ensure that the buildings retain the look of the original dwellings and are compatible with the neighbourhood.

As a result, it shall be the policy of Council to:

Policy 4.18.1 encourage the provision of housing adequate to meet the needs of all residents of Windsor. Council will encourage affordable housing, special-needs housing and rental accommodation to develop in a manner that is sensitive to the needs of those being served and the entire community.

Policy 4.18.2 provide for the development of a range of housing types in Windsor.

Policy 4.18.3 include flexible development standards which encourage innovative housing development in the Land Use By-law.

Policy 4.18.4 permit secondary suites in single and two-unit dwellings in all zones, and regulate the size, location and appearance of secondary suites to ensure the use remains small-scale and compatible with the neighborhood.

2. Amend Section 5.0 Part 5.1, Single Unit Residential, of the Windsor Municipal Planning Strategy by replacing "single unit residential" with "Single Unit

Residential (R-1)”, and removing the phrases “With an aging population, the need for flexible housing options will continue to grow in the future. Small accessory apartments in single unit dwellings can provide a solution for those wishing to keep elderly or dependant family members nearby. Although tenancy cannot be restricted to family members, by strictly regulating the size and appearance of these apartments, Council can ensure that the building retains the appearance of a single unit dwelling and remains compatible with the neighbourhood.” and policy 5.1.3 so that Part 5.1 reads as follows:

5.1 Single Unit Residential

The Single Unit Residential (R-1) zone encompasses areas in which the predominant existing use is single detached dwellings. The previous Land Use By-law also pre-zoned several blocks of vacant land for single detached residential development. Those areas, located on College Road, Payzant Drive and Underwood Drive, will also be zoned Single Unit Residential (R-1) under this Strategy and Land Use By-law.

Policy 5.1.1 It shall be the policy of Council to establish a Single Unit Residential (R-1) zone for areas where the predominant existing use is single unit dwellings.

Policy 5.1.2 In addition to zoning areas of existing single unit residential development, Council shall consider pre-zoning areas for future single unit residential use where the need is anticipated and the use is considered compatible with the surrounding area.

Policy 5.1.3 (removed in amendment File #20-27 effective date)

3. Insert Secondary Suites in Section 5.0, General Provisions for All Zones, of the Windsor Land Use By-law following Urban Agricultural Uses as shown below:

Secondary Suites

5.45 Secondary Suites are permitted in single and two-unit dwellings in all zones.

5.46 In addition to all other regulations of this By-law, the following provisions shall apply to secondary suites:

- (a) no more than one (1) secondary suite shall be permitted on any lot;
- (b) no more than one (1) secondary suite shall be permitted within or attached to a dwelling unit;
- (c) no alterations shall change the roof line or increase the height of the existing dwelling unit except for the addition of dormers or structures necessary for public safety;
- (d) no new entrances shall be created on the front façade of the dwelling unit;

- (e) one (1) parking space shall be required for each secondary suite; and
- (f) additions shall be limited to the rear yard of the dwelling unit.

4. Remove from Section 8.0 Part 8.1 Permitted Uses of the Windsor Land Use By-law the listed permitted use "accessory apartments" so that Part 8.1 reads as follows:

Permitted Uses

- 8.1 The following uses shall be permitted in the Single Unit Residential (R-1) zone:
- Single unit dwellings

5. Remove from Section 8.0 Part 8.3, Accessory Apartments- Special Requirements, from the Windsor Land Use By-law.

Accessory Apartments – Special Requirements

- 8.3 (removed in amendment File #20-27 effective date)

6. Amend Section 31.0, Definitions, of the Windsor Land Use By-law by replacing the definition of "Accessory Apartment" with the following definition of "Secondary Suite" between the definitions of Scrap Yard and Senior Citizen Housing so that the definition of "Accessory Apartment" and "Secondary Suite" reads as follows:

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