



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 # 20-27D: WHMPS 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 **West Hants** 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 and determined that one (1) parking space should be required for each secondary suite (Attachment D).

NEXT STEPS



*anticipated dates; final dates will be set by Council

ATTACHMENTS

- Attachment A Public Information Meeting Notes – File 20-27 A
- Attachment B Staff Report Secondary Suites - File #20-27
- Attachment C First Reading Report – File # 20-27 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 20-27A

Secondary Suits MPS and LUB Amendment West Hants

Meeting date and time	A public information meeting was held on April 22, 2021 beginning at 6 p.m. The meeting was broadcast live on the Municipal Facebook page.
Attending	In attendance: Councillor Murphy Mayor Zebian 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	20-27A
Comments	Two (2) written comments were received from the public in support of the amendments. The first resident referred to the major housing crisis in the Region and believe the proposed changes could alleviate some of the housing issues. They would like to see detached secondary suites 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.
Adjournment	The presentation portion of the PIM ended at 6:10 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	Comments from public

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

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

ATTACHMENT B



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 20-27 Secondary Suites MPS and LUB Amendment **West Hants**

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 West Hants 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 to 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 West Hants Municipal Planning Strategy (WHMPS) and West Hants Land Use By-Law (WHLUB). 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 West Hants Municipal Planning Strategy (WHMPS) 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 West Hants Land Use By-law (WHLUB) is 700 ft² (65 m²), which is smaller than the NBC permits.

4.0 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. Part 4.11 of the WHMPS addresses housing.

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 4.11 of the WHMPS states: *Accessory apartments in dwellings 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 apartments, Council can ensure that the building retains the look of the original dwelling and are (sic) compatible with the neighbourhood.*

WHMPS Policy 4.11.4 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 WHLUB to ensure the use remains small-scale and 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 section 4.11 of the WHMPS and the recommendation from the RAD Consulting report, staff consider Council to be in general support of secondary suites (accessory apartments) as an affordable housing option for West Hants.

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

When developing the amendments, staff referred to the planning documents in neighbouring municipalities that have recently updated land use requirements related to secondary suites.

Halifax Regional Municipality (HRM) Council approved amendments to the Regional Municipal Planning Strategy and all Land Use By-laws on September 1, 2020, with the exception of the Regional Centre Land Use By-law, to allow secondary suites accessory to single and two-unit dwellings and town houses. The maximum floor area permitted for the secondary suites aligns with the NBC definition. No additional parking is required for the suites and the same zoning requirements that apply to the dwelling unit apply to the suites. A minimum lot size requirement was not set for this amendment as HRM staff thought it could limit development of secondary suites in densely populated areas. HRM staff had initially proposed permitting secondary suites in only single unit dwellings in January 2020, but HRM Council requested that staff consider both two-unit dwellings and town houses. Back yard suites which are located in a separate building accessory to the dwelling unit were also approved as part of this amendment.

East Hants Council approved its planning documents in 2016; these permit accessory dwelling units in several residential zones as accessory to single detached dwellings. East Hants has three (3) categories of accessory dwelling units: garage suites, garden suites, and secondary suites. The definition and

requirements for secondary suites align with the NBC. The appearance of the exterior of the accessory dwelling unit including materials, cladding colour, roof type and pitch must match the main dwelling. Shipping containers are an exception as they can be used as garden suites and do not have to match the main dwelling.

The Town of Wolfville approved its planning documents in the summer of 2020. Secondary suites both attached to and detached from the main dwelling are permitted in a wide variety of residential and commercial zones with the exception of the Low Density Residential Restricted (R1) zone. There is no definition in the Land Use By-law for secondary suites attached to the dwelling however staff contacted the Director of Planning and Development, Devin Lake, who confirmed secondary suites attached to the main dwelling are considered a form of two-unit dwelling and all requirements that apply to two-unit dwellings would be applicable.

The Municipality of the County of Kings (Kings) approved its planning documents in 2019. Section 4.3.4.1 of the Land Use Bylaw sets out the requirements for secondary suites. A secondary suite is permitted in a single unit dwelling with the entrance at the side or rear of the dwelling and the exterior needs to be compatible with existing dwellings in the neighbourhood. Rather than outlining the requirements for secondary suites, such as a maximum size, established in the NBC, the definition just refers to the NBC: *Secondary Suite means a secondary suite as defined by the National Building Code, as amended from time to time.* This enables the requirements to change as the NBC is amended without having to amend the Land Use By-law.

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 reviewed 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 5.31 of the WHLUB requires one (1) parking space for each dwelling unit. Section 8.3 (h) of the WHLUB requires parking for accessory apartments be provided in accordance with Section 5.31 and the parking space must be located in the side or rear yard of the lot.

Although WHRM staff are not recommending a parking requirement for secondary suites in the more densely developed communities of Windsor and Hantsport, staff are recommending a parking requirement for secondary suites in the more rural areas of West Hants which are covered by the WHMPS and WHLUB. In the more rural areas where services are not within walking distance the majority of residents in secondary suites will likely need their own vehicle to be able to reach services and employment. In particular, in unserviced areas, requiring a parking space for each dwelling unit does not have the same negative impact as a requirement for parking in serviced and more densely developed areas. Although there are areas of the Municipality with sewer and water services, these tend to have larger lots than in the more developed urban areas.

4.5 Lot Coverage

Lot coverage is a term defined in the WHLUB: *means 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 WHLUB 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 WHLUB 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

WHLUB has a maximum floor area requirement for accessory apartments that is smaller than that allowed in the NBC. Only 700 ft² (65 m²) may be used under the WHLUB compared to 80% of the total floor area of the main dwelling unit to 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 WHLUB.

4.7 Number of Secondary Suites per Lot

In areas regulated by the WHLUB, 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 WHLUB such as the agricultural zones.

In West Hants 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 WHLUB (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 WHLUB have been incorporated in the proposed amendments to ensure the intention of Council expressed in the 2008 document 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 WHMPS: *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

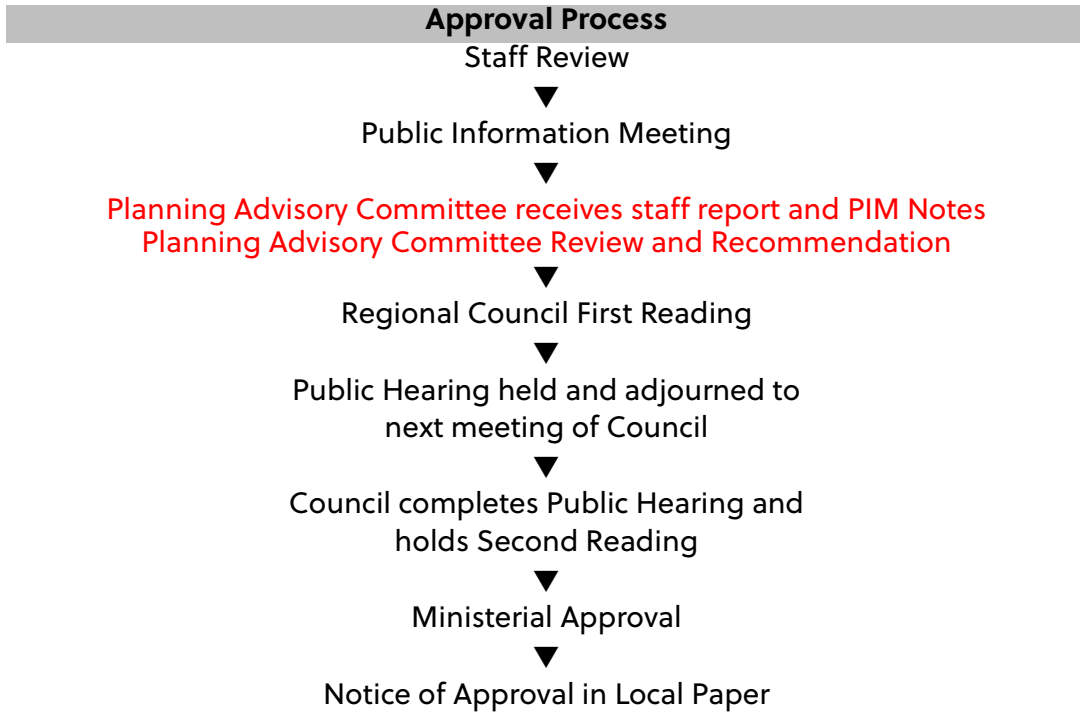
When drafting the amendments, (Appendix A), staff considered the Statement of Provincial Interest, the review of nearby municipal units mentioned above, the NBC, and the existing planning documents in order to develop amendments which increase affordable housing options in WHRM. The amendments include a name change in the West Hants 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 WHMPS and are consistent with the intent, objectives and policies of the WHMPS. The proposed amendment to permit secondary suites in single and two-unit dwellings reflects the intent of the existing Municipal Planning Strategy policies. 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 WHMPS and make this recommendation to Council.

8.0 ATTACHMENTS

Appendix A Draft Amendments

Report Prepared by: _____

Saira Shah, Planner; and

Madelyn LeMay, Director of Planning and Development

Attachment A Draft Amendments

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

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

MUNICIPAL PLANNING STRATEGY

1. Amend Section 4 Part 4.11, Housing, of the West Hants Municipal Planning Strategy by replacing the background material, Policy 4.11.1, 4.11.3 and Policy 4.11.4 with the following material so that Part 4.11 reads as follows:

4.11 Housing

Council **acknowledges** it is important to encourage the provision of housing that includes all residents of West Hants regardless of socio-economic status, age or physical or mental ability. 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 within 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 existing dwellings and are compatible with the neighbourhood.

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

Policy 4.11.1 encourage the provision of housing adequate to meet the needs of all residents of West Hants. 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 4.11.2 provide for the development of a range of housing types in West Hants.

Policy 4.11.3 include flexible development standards which encourage innovative housing development in the Land Use By-law.

Policy 4.11.4 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 Part 5.3, Three Mile Plains Growth Centre Residential Policies, of the West Hants Municipal Planning Strategy by removing the term “accessory apartments” in Policy 5.3.1 so that it reads as follows:

Policy 5.3.1 It shall be the policy of Council to establish a Single Unit Residential (R-1) zone which will permit single unit dwellings and existing manufactured homes.

3. Amend Section 15 Part 15.1, Servicing Policies, of the West Hants Municipal Planning Strategy by replacing the phrase “accessory apartments in the Single Unit Residential (R-1) zone” with “secondary suites in single and two-unit dwellings” so that Part 15.1 reads as follows:

Council wishes to encourage development that makes maximum use of the existing infrastructure within the service area boundaries (Growth Centres). Other policies of this Strategy address infill development on existing undersized lots, multiple residential development in appropriate locations, and **secondary suites in single and two-unit dwellings**. Policies for grouped dwellings encourage more compact cluster developments that use less land and are more economical to service.

LAND USE BY-LAW

4. Add Secondary Suites, in Section 5, General Provisions for All Zones, of the West Hants Land Use By-law following Licensed Cannabis Uses as shown below:

Secondary Suites

- 5.57 Secondary Suites shall be permitted in single and two-unit dwellings in all zones.
- 5.58 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 a dwelling unit;
 - (b) alterations shall not 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) parking shall be provided as required in Section 5.31 in the side or rear yard of the lot; and
 - (e) additions shall be limited to the rear yard of the exiting dwelling.

5. Remove from Section 8 Part 8.1 Permitted Uses of the West Hants 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
- Existing manufactured homes

6. Remove from Section 8 Part 8.3, Accessory Apartments- Special Requirements, from the West Hants Land Use By-law.

Accessory Apartments – Special Requirements

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

7. Amend Section 35, Definitions, of the West Hants Land Use By-law by removing the definition of "Accessory Apartment" and inserting the definition of "Secondary Suite" between the definitions of Scrap Operation and Self Storage Operations so that the definitions of "Accessory Apartment" and "Secondary Suite" read 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 C



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: May 25, 2021

Subject: **West Hants** MPS and LUB Amendment: Secondary Suites, File #20-27C

LEGISLATIVE AUTHORITY

Section 210 of the Municipal Government Act.

RECOMMENDATION or DECISION REQUEST

Should Council wish to proceed to a Public Hearing as recommended by PAC/HAC, the following motion would be in order:

...that Council give First Reading and hold a Public Hearing to consider amending the **West Hants** 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 Appendix C of the First Reading Report to Council dated May 25, 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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DISCUSSION

A Public Information Meeting was held on April 22, 2021 (Appendix A).

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

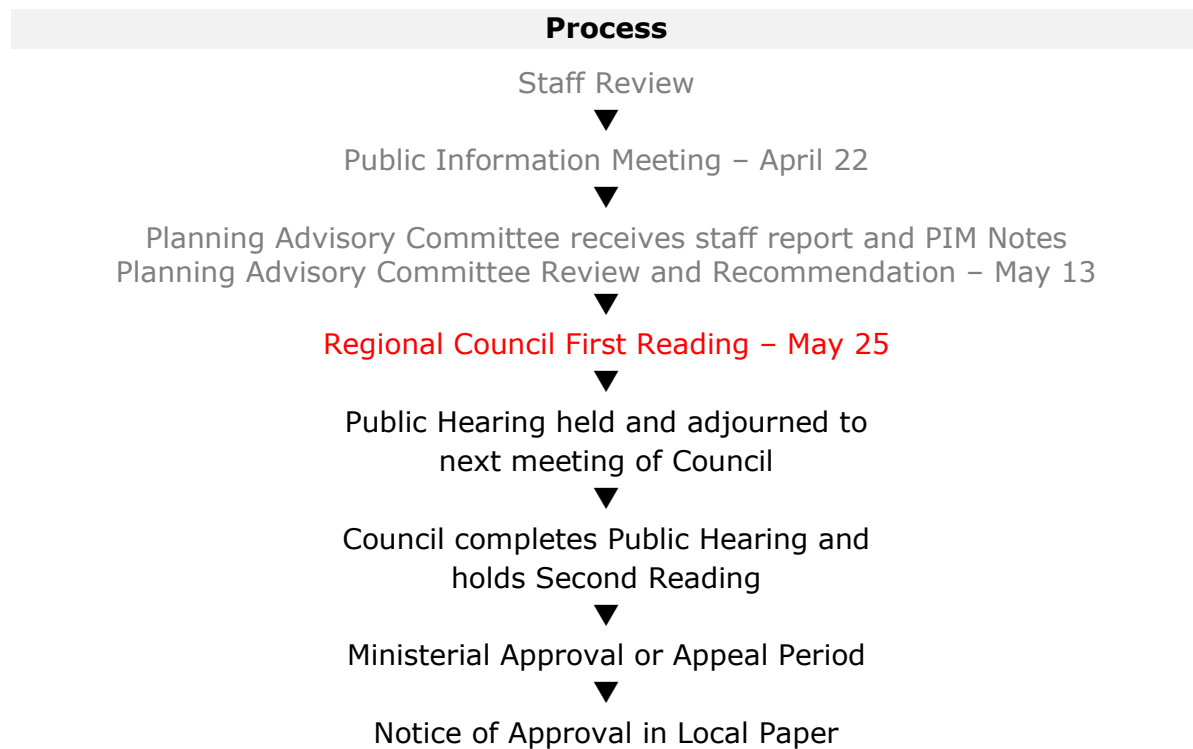
There was considerable discussion at PAC/HAC regarding the maximum number of secondary suites which should be permitted on any lot and whether a parking space should be required for each secondary suite.

When considered for the West Hants documents, the determination of PAC/HAC was that neither a limit of one secondary suite per lot nor a requirement for a parking space for each secondary suite should be added to the proposed amendments. PAC/HAC requested that Council be advised that the vote regarding both of these items was split.

The changes to the draft amendments proposed by PAC/HAC for the West Hants documents are included in the draft amendments attached as Appendix C to this report.

NEXT STEPS

The process for this application is as follows:



FINANCIAL IMPLICATIONS

There are no financial implications to the Municipality in relation to the filing of this report.

ALTERNATIVES

In response to the application, Council may decide to:

- provide alternative direction such as requesting further information on a specific topic.

APPENDICES

Appendix A Public Information Meeting Notes – File 20-27A

Appendix B Staff Report and Recommendation - File 20-27B

Appendix C Draft Amendments recommended by PAC/HAC

CHIEF ADMINISTRATIVE OFFICER REVIEW

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

Report Approved by:  _____
Mark Phillips, Chief Administrative Officer

Appendix A

Public Information Meeting Notes

April 22, 2021 – May 6, 2021

File 20-27A

Secondary Suits MPS and LUB Amendment West Hants

Meeting date and time	A public information meeting was held on April 22, 2021 beginning at 6 p.m. The meeting was broadcast live on the Municipal Facebook page.
Attending	In attendance: Councillor Murphy Mayor Zebian 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	20-27A
Comments	Two (2) written comments were received from the public in support of the amendments. The first resident referred to the major housing crisis in the Region and believe the proposed changes could alleviate some of the housing issues. They would like to see detached secondary suites 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.
Adjournment	The presentation portion of the PIM ended at 6:10 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	Comments from public

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

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

Appendix B



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 20-27 Secondary Suites MPS and LUB Amendment **West Hants**

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 West Hants 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 to 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 West Hants Municipal Planning Strategy (WHMPS) and West Hants Land Use By-Law (WHLUB). 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 West Hants Municipal Planning Strategy (WHMPS) 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 West Hants Land Use By-law (WHLUB) is 700 ft² (65 m²), which is smaller than the NBC permits.

4.0 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. Part 4.11 of the WHMPS addresses housing.

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 4.11 of the WHMPS states: *Accessory apartments in dwellings 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 apartments, Council can ensure that the building retains the look of the original dwelling and are (sic) compatible with the neighbourhood.*

WHMPS Policy 4.11.4 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 WHLUB to ensure the use remains small-scale and 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 section 4.11 of the WHMPS and the recommendation from the RAD Consulting report, staff consider Council to be in general support of secondary suites (accessory apartments) as an affordable housing option for West Hants.

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

When developing the amendments, staff referred to the planning documents in neighbouring municipalities that have recently updated land use requirements related to secondary suites.

Halifax Regional Municipality (HRM) Council approved amendments to the Regional Municipal Planning Strategy and all Land Use By-laws on September 1, 2020, with the exception of the Regional Centre Land Use By-law, to allow secondary suites accessory to single and two-unit dwellings and town houses. The maximum floor area permitted for the secondary suites aligns with the NBC definition. No additional parking is required for the suites and the same zoning requirements that apply to the dwelling unit apply to the suites. A minimum lot size requirement was not set for this amendment as HRM staff thought it could limit development of secondary suites in densely populated areas. HRM staff had initially proposed permitting secondary suites in only single unit dwellings in January 2020, but HRM Council requested that staff consider both two-unit dwellings and town houses. Back yard suites which are located in a separate building accessory to the dwelling unit were also approved as part of this amendment.

East Hants Council approved its planning documents in 2016; these permit accessory dwelling units in several residential zones as accessory to single detached dwellings. East Hants has three (3) categories of accessory dwelling units: garage suites, garden suites, and secondary suites. The definition and

requirements for secondary suites align with the NBC. The appearance of the exterior of the accessory dwelling unit including materials, cladding colour, roof type and pitch must match the main dwelling. Shipping containers are an exception as they can be used as garden suites and do not have to match the main dwelling.

The Town of Wolfville approved its planning documents in the summer of 2020. Secondary suites both attached to and detached from the main dwelling are permitted in a wide variety of residential and commercial zones with the exception of the Low Density Residential Restricted (R1) zone. There is no definition in the Land Use By-law for secondary suites attached to the dwelling however staff contacted the Director of Planning and Development, Devin Lake, who confirmed secondary suites attached to the main dwelling are considered a form of two-unit dwelling and all requirements that apply to two-unit dwellings would be applicable.

The Municipality of the County of Kings (Kings) approved its planning documents in 2019. Section 4.3.4.1 of the Land Use Bylaw sets out the requirements for secondary suites. A secondary suite is permitted in a single unit dwelling with the entrance at the side or rear of the dwelling and the exterior needs to be compatible with existing dwellings in the neighbourhood. Rather than outlining the requirements for secondary suites, such as a maximum size, established in the NBC, the definition just refers to the NBC: *Secondary Suite means a secondary suite as defined by the National Building Code, as amended from time to time.* This enables the requirements to change as the NBC is amended without having to amend the Land Use By-law.

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 reviewed 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 5.31 of the WHLUB requires one (1) parking space for each dwelling unit. Section 8.3 (h) of the WHLUB requires parking for accessory apartments be provided in accordance with Section 5.31 and the parking space must be located in the side or rear yard of the lot.

Although WHRM staff are not recommending a parking requirement for secondary suites in the more densely developed communities of Windsor and Hantsport, staff are recommending a parking requirement for secondary suites in the more rural areas of West Hants which are covered by the WHMPS and WHLUB. In the more rural areas where services are not within walking distance the majority of residents in secondary suites will likely need their own vehicle to be able to reach services and employment. In particular, in unserviced areas, requiring a parking space for each dwelling unit does not have the same negative impact as a requirement for parking in serviced and more densely developed areas. Although there are areas of the Municipality with sewer and water services, these tend to have larger lots than in the more developed urban areas.

4.5 Lot Coverage

Lot coverage is a term defined in the WHLUB: *means 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 WHLUB 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 WHLUB 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

WHLUB has a maximum floor area requirement for accessory apartments that is smaller than that allowed in the NBC. Only 700 ft² (65 m²) may be used under the WHLUB compared to 80% of the total floor area of the main dwelling unit to 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 WHLUB.

4.7 Number of Secondary Suites per Lot

In areas regulated by the WHLUB, 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 WHLUB such as the agricultural zones.

In West Hants 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 WHLUB (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 WHLUB have been incorporated in the proposed amendments to ensure the intention of Council expressed in the 2008 document 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 WHMPS: *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

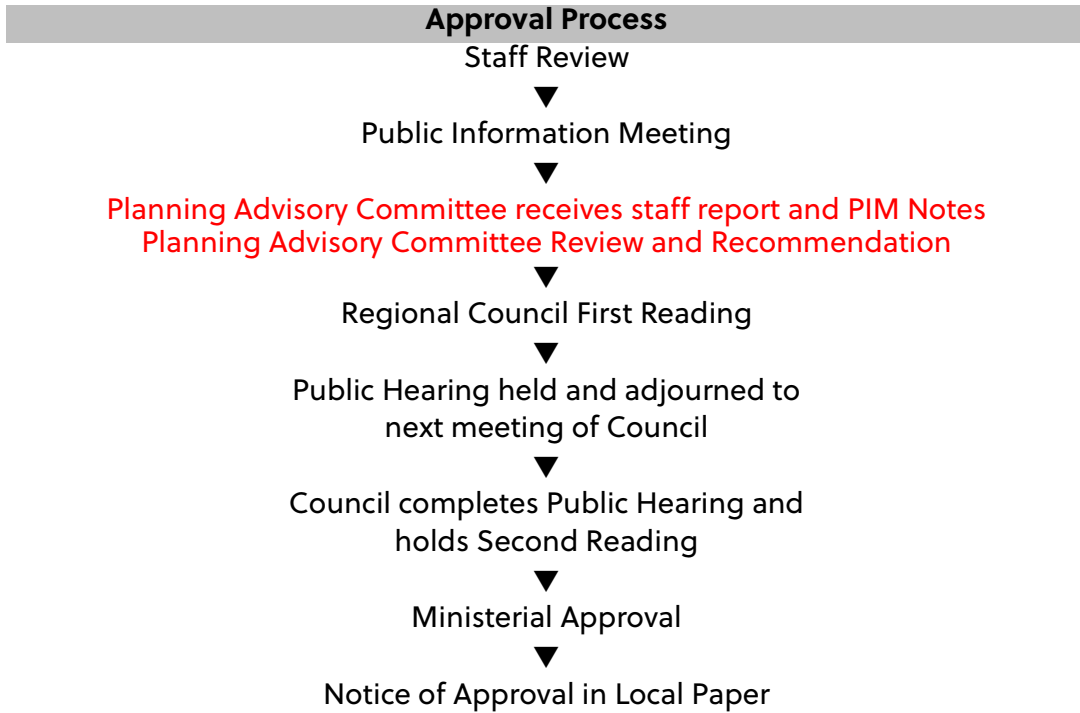
When drafting the amendments, (Appendix A), staff considered the Statement of Provincial Interest, the review of nearby municipal units mentioned above, the NBC, and the existing planning documents in order to develop amendments which increase affordable housing options in WHRM. The amendments include a name change in the West Hants 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 WHMPS and are consistent with the intent, objectives and policies of the WHMPS. The proposed amendment to permit secondary suites in single and two-unit dwellings reflects the intent of the existing Municipal Planning Strategy policies. 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 WHMPS and make this recommendation to Council.

8.0 ATTACHMENTS

Appendix A Draft Amendments

Report Prepared by: _____

Saira Shah, Planner; and

Madelyn LeMay, Director of Planning and Development

Attachment A Draft Amendments

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

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

MUNICIPAL PLANNING STRATEGY

1. Amend Section 4 Part 4.11, Housing, of the West Hants Municipal Planning Strategy by replacing the background material, Policy 4.11.1, 4.11.3 and Policy 4.11.4 with the following material so that Part 4.11 reads as follows:

4.11 Housing

Council **acknowledges** it is important to encourage the provision of housing that includes all residents of West Hants regardless of socio-economic status, age or physical or mental ability. 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 within 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 existing dwellings and are compatible with the neighbourhood.

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

Policy 4.11.1 encourage the provision of housing adequate to meet the needs of all residents of West Hants. 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 4.11.2 provide for the development of a range of housing types in West Hants.

Policy 4.11.3 include flexible development standards which encourage innovative housing development in the Land Use By-law.

Policy 4.11.4 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 Part 5.3, Three Mile Plains Growth Centre Residential Policies, of the West Hants Municipal Planning Strategy by removing the term “accessory apartments” in Policy 5.3.1 so that it reads as follows:

Policy 5.3.1 It shall be the policy of Council to establish a Single Unit Residential (R-1) zone which will permit single unit dwellings and existing manufactured homes.

3. Amend Section 15 Part 15.1, Servicing Policies, of the West Hants Municipal Planning Strategy by replacing the phrase “accessory apartments in the Single Unit Residential (R-1) zone” with “secondary suites in single and two-unit dwellings” so that Part 15.1 reads as follows:

Council wishes to encourage development that makes maximum use of the existing infrastructure within the service area boundaries (Growth Centres). Other policies of this Strategy address infill development on existing undersized lots, multiple residential development in appropriate locations, and **secondary suites in single and two-unit dwellings**. Policies for grouped dwellings encourage more compact cluster developments that use less land and are more economical to service.

LAND USE BY-LAW

4. Add Secondary Suites, in Section 5, General Provisions for All Zones, of the West Hants Land Use By-law following Licensed Cannabis Uses as shown below:

Secondary Suites

- 5.57 Secondary Suites shall be permitted in single and two-unit dwellings in all zones.
- 5.58 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 a dwelling unit;
 - (b) alterations shall not 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) parking shall be provided as required in Section 5.31 in the side or rear yard of the lot; and
 - (e) additions shall be limited to the rear yard of the exiting dwelling.

5. Remove from Section 8 Part 8.1 Permitted Uses of the West Hants 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
- Existing manufactured homes

6. Remove from Section 8 Part 8.3, Accessory Apartments- Special Requirements, from the West Hants Land Use By-law.

Accessory Apartments – Special Requirements

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

7. Amend Section 35, Definitions, of the West Hants Land Use By-law by removing the definition of "Accessory Apartment" and inserting the definition of "Secondary Suite" between the definitions of Scrap Operation and Self Storage Operations so that the definitions of "Accessory Apartment" and "Secondary Suite" read 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 WHMPS or WHLUB and is provided only for the convenience of PAC/HAC and Council

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

1. Amend Section 4 Part 4.11, Housing, of the West Hants Municipal Planning Strategy by replacing the background material, Policy 4.11.1, 4.11.3 and Policy 4.11.4 so that Part 4.11 reads as follows:

4.11 Housing

Council **acknowledges** it is important to encourage the provision of housing that **includes all residents** in West Hants 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 4.11.1 encourage the provision of housing adequate to meet the needs of all residents in West Hants. **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 4.11.2 provide for the development of a range of housing types in West Hants.

Policy 4.11.3 **include flexible development standards which encourage innovative housing development in the Municipal Planning Strategy and Land Use By-law.**

Policy 4.11.4 **permit secondary suites in single and two-unit dwellings in all zones, with regulation regarding the size, location and appearance of secondary suites to ensure the use remains small-scale and compatible with the neighborhood.**

2. Amend Section 5 Part 5.3, Three Mile Plains Growth Centre Residential Policies, of the West Hants Municipal Planning Strategy by removing the term “accessory apartments” in Policy 5.3.1 so that it reads as follows:

Policy 5.3.1 It shall be the policy of Council to establish a Single Unit Residential (R-1) zone which will permit single unit dwellings and existing manufactured homes.

3. Amend Section 15 Part 15.1, Servicing Policies, of the West Hants Municipal Planning Strategy by replacing the phrase “accessory apartments in the Single Unit Residential (R-1) zone” with “secondary suites in single and two-unit dwellings” so that Part 15.1 reads as follows:

Council wishes to encourage development that makes maximum use of the existing infrastructure within the service area boundaries (Growth Centres). Other policies of this Strategy address infill development on existing undersized lots, multiple residential development in appropriate locations, and secondary suites in single and two-unit dwellings. Policies for grouped dwellings encourage more compact cluster developments that use less land and are more economical to service.

4. Insert, Secondary Suites, in Section 5, General Provisions for All Zones, of the West Hants Land Use By-law following Licensed Cannabis Uses as shown below:

Secondary Suites

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

5.58 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 per dwelling unit;
- (b) the secondary suite shall be contained within or attached to the 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) Notwithstanding section 5.31, a parking spaces shall not be required for each secondary suite; and
- (f) additions shall be limited to the rear yard of the dwelling unit.

5. Remove from Section 8 Part 8.1 Permitted Uses of the West Hants 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:

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6. Remove from Section 8 Part 8.3, Accessory Apartments- Special Requirements, from the West Hants Land Use By-law.

Accessory Apartments – Special Requirements

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

7. Amend Section 35, Definitions, of the West Hants Land Use By-law by removing the definition for "Accessory Apartment" and inserting the definition for "Secondary Suite" between the definitions of Scrap Operation and Self Storage Operations so that the definition for "Accessory Apartment" and "Secondary Suite" reads as follows:

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

Secondary Suite means a dwelling unit within a dwelling unit limited to a maximum of (1) 80% of the total floor area of the dwelling unit if 80% is less than 862 ft² (80 m²) or (2) 862 ft² (80 m²) or (3) greater as established in the National Building Code.

Attachment D Draft Amendments

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- (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;
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Accessory Apartments – Special Requirements

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

Secondary Suite means a dwelling unit within a dwelling unit limited to a maximum of (1) 80% of the total floor area of the dwelling unit if 80% is less than 862 ft² (80 m²) or (2) 862 ft² (80 m²) or (3) greater as established in the National Building Code.