



Subject: *Motion C24(225)- Mini-homes as Accessory Dwelling Units*
To: CAO for Planning Advisory Committee, January 21st, 2025
Date Prepared: January 7, 2025
Related Motions: C24(225)
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Approved by: John Woodford, Director of Planning and Development

Summary

In June of 2024, East Hants Municipal Council passed a motion directing staff to explore the possibility of permitting small mini-home dwellings as accessory dwelling units. This report outlines the current regulations for accessory dwelling units and proposed changes to the Municipal Planning Strategy and Land Use Bylaw to allow mini-homes to be used as accessory dwelling units.

At their June 26th, 2024 meeting, Council passed the following motion:

Moved that Council direct staff to review land use regulations that are preventing small manufactured housing units from being used as accessory dwelling units.

This staff report addresses Motion C24(225), and recommends that a Public Information Meeting be scheduled.

Financial Impact Statement

There is no financial impact with the adoption of this report.

Recommendation

That Planning Advisory Committee recommends that Council authorize staff to schedule a Public Information Meeting

Recommended Motion

- *Planning Advisory Committee recommends that Council authorize staff to schedule a Public Information Meeting to amend the Municipal Planning Strategy and Land Use Bylaw to permit small mini-homes as accessory dwelling units.*

Background

At their June 2024 Regular Meeting, Council passed the following motion:

C24(225) *Moved that Council direct staff to review land use regulations that are preventing small manufactured housing units from being used as accessory dwelling units.*

Under the current East Hants Land Use Bylaw, mini-homes are not permitted to be used as an Accessory Dwelling Unit within a Residential Zone (R1, R2, CR, LR zones). Additionally, Mini-home dwellings are not permitted as a main use in any of our residential zones. This report outlines our current accessory dwelling unit regulations, mini-home regulations, and proposes amendments to allow for small mini-homes to be used as an accessory dwelling unit.

Discussion

Under the East Hants Land Use Bylaw, mini-home dwellings are not permitted as a main use within a residential zone (CR, LR, R1, R2 zones) as per Section 6.1: *Residential Neighbourhood Zone Permitted Uses*. Furthermore, section 6.2.5 of the Land Use Bylaw specifically states that mini-home dwellings, as per the definition, are not permitted within a residential zone. This clause therefore restricts the use of a mini-home to be used as an accessory dwelling unit. Section 6.2.5 of the Land Use Bylaw states:

6.2.5. Width to Length Ratio for Residential Buildings

*A development permit shall not be issued for a residential dwelling in an CR, LR, R1 or R2 Zone unless the following design standard for the dwelling is adhered to, exclusive of any additions: the length of the dwelling must not exceed the most common minimum width of the dwelling (normally measured at the centre point of the dwelling) by a ratio of 3 to 1, that is the length must not exceed 3 times the prevalent width, except for the replacement of mini-home homes which were lawfully existing at the time the Bylaw came into effect. **Mini-home dwellings as per the definition are not permitted.** Residential dwellings where the majority of the structure is constructed using shipping containers shall be exempt from the width to length ratio requirements of this section.*

Our definition for an accessory dwelling unit is as followed:

***Accessory Dwelling Unit** means a dwelling unit accessory to a single unit dwelling or bed and breakfast intended as an independent and separate unit which contains its own sleeping, living, cooking and sanitary facilities, and its own independent entrance. Accessory dwellings may be contained within the primary single unit dwelling or located in a detached structure.*

The Land Use Bylaw definition for a mini-home specifically states that any dwelling that is manufactured that has a wall width of less than 6.2m (20ft) shall be deemed as a mini-home. The definition is as follows:

***Dwelling, Mini-home** means a dwelling designed for transportation after fabrication, whether on its own wheels or on a flatbed or other trailer, and which arrives at the site where it is to be occupied as a dwelling complete and ready for occupancy, except for minor and incidental unpacking and assembling, and the foregoing shall include mobile homes and modular dwellings having any main walls with a width of less than 6.2 m*

Should Council wish to consider permitting mini-home dwellings as accessory dwelling units, an amendment to remove the section which states mini-home dwellings are not permitted under section 6.2.5 is required. As per the permitted uses table, mini-homes would still not be permitted as a main use in a residential zone. This will allow small mini-homes to be used as an accessory dwelling unit within a residential zone, provided all other requirements of the Land Use Bylaw are met. The amended section will read as followed:

6.2.5. Width to Length Ratio for Residential Buildings

A development permit shall not be issued for a residential dwelling in an CR, LR, R1 or R2 Zone unless the following design standard for the dwelling is adhered to, exclusive of any additions: the length of the dwelling must not exceed the most common minimum width of the dwelling (normally measured at the centre point of the dwelling) by a ratio of 3 to 1, that is the length must not exceed 3 times the prevalent width, except for the replacement of mini-home homes which were lawfully existing at the time the Bylaw came into effect. ~~Mini-home dwellings as per the definition are not permitted.~~ Residential dwellings where the majority of the structure is constructed using shipping containers shall be exempt from the width to length ratio requirements of this section.

In addition, regulations under section 3.14: *Accessory Dwelling Units*, including the design requirements would prohibit the use of a mini-home as an accessory dwelling unit. This regulation states:

Accessory dwelling unit exterior *Must match the main dwelling in building material type, cladding colour, roof type, and roof pitch. Shipping containers designed as garden suites are exempt from the requirement to match the main dwelling.*

Shipping containers used as accessory dwelling units are exempt from this regulation. An amendment to also exempt mini-homes used as accessory dwelling units from this design requirement should be considered. An amendment should also be considered that mini-home dwellings be exempt from the garden suite height requirement of 4.5m. There are no other proposed changes to the remaining regulations including maximum size, setbacks, etc. The proposed change to the design requirement shall read:

Accessory dwelling unit exterior *Must match the main dwelling in building material type, cladding colour, roof type, and roof pitch. Shipping containers and mini-homes designed as garden suites are exempt from the requirement to match the main dwelling.*

Municipal Planning Strategy policy amendments are required in order to permit mini-home dwellings as accessory dwelling units. Policy RD2, Policy RD16, and Policy RD21 specifically reference that accessory dwelling units shall be designed to maintain the appearance of a single detached dwelling. An amendment to remove the requirement that accessory dwelling units shall be designed as a single detached dwelling is required. The policies currently read as followed:

RD2: *Council shall encourage context sensitive intensification and infill residential development that complements surrounding homes and preserves or enhances neighbourhood integrity. This goal shall be achieved through measures such as:*

*a) Accessory dwelling unit regulations within appropriate residential areas subject to requirements **designed to maintain the appearance of a single detached dwelling** and minimize impact on adjacent properties and the surrounding neighbourhood.*

RD16: *Council shall permit accessory dwelling units in the Established Residential Neighbourhood (R1) Zone to provide 1 additional dwelling unit subject to **requirements designed to maintain the appearance of a single detached dwelling** and minimize impact on adjacent land uses and the surrounding neighbourhood.*

RD21 *Council shall permit accessory dwelling units in the Two Dwelling Unit Residential (R2) Zone accessory to single detached dwellings. This is to provide one additional dwelling unit subject to requirements **designed to maintain the appearance of a single detached dwelling** and minimize impact on adjacent land uses and the surrounding neighbourhood.*

With the amendments, mini-homes that meet the size requirement for an accessory dwelling unit (80% of the gross floor area of the main dwelling, up to 80 sq.m) as well as all other requirements in the Land Use Bylaw, will be permitted within a residential zone. Figure 1 demonstrates a cottage mini-home that would now be permitted.



Figure 1: Prestige Homes- Manufactured Cottage (40' x 16')

Below are two (2) examples of mini-homes that would be now be permitted as accessory dwelling units. All examples fall under the 80 sq.m maximum size requirement.



Figure 2: Prestige Homes: Mini-Home (48' x 16')



Figure 3: Prestige Homes: Mini-Home (40' x 16')

STRATEGIC ALIGNMENT

Amendments to the East Hants Official Community Plan aligns with Council’s Strategic goal to build strong communities by ensuring the East Hants official community plan is effective in managing changes in the community, reducing land use conflict and protecting both natural resources and community character.

LEGISLATIVE AUTHORITY

The Municipality has Legislative Authority to create land use policies and regulations under Part 8 of the Municipal Government Act.

FINANCIAL CONSIDERATIONS

There is a cost to the Municipality if Council decides to proceed with amendments to the Land Use Bylaw, including advertising. There is no immediate cost to the Municipality with the adoption of this report outside from advertising costs.

Citizen Engagement

Planning staff will comply with the Citizen Engagement Policies of the Municipal Planning Strategy when processing the amendments. An advertisement outlining the proposal and indicating that it is under review by staff will be placed in an upcoming edition of the *Chronicle Herald*.

A Public Information Meeting (PIM) is required as there are amendments needed to the Municipal Planning Strategy policy. A notice of the PIM will be placed in the *Chronicle Herald* and on the Municipal website.

Conclusion

Staff are recommending that approval be given to schedule a Public Information Meeting to consider amendments to the Municipal Planning Strategy and Land Use Bylaw to permit small mini-home dwellings to be used as accessory dwelling units.

Attachments

There are no attachments to this report.