

Request for Regional Council's Consideration

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| <input checked="" type="checkbox"/> Included on Agenda
(Submitted to Municipal
Clerk's Office by Noon
Thursday) | <input type="checkbox"/> Added Item
(Submitted to Municipal
Clerk's Office by Noon
Monday) | <input type="checkbox"/> Request from the Floor |
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Date of Regional Council Meeting: January 14, 2020

Subject: Floating Homes Letter to the Province of Nova Scotia

Motion for Regional Council to Consider:

That Halifax Regional Council request the Mayor send an official letter to the Minister of Nova Scotia Municipal Affairs & Housing to request an immediate moratorium on Floating Homes in order for the Halifax Regional Municipality and other municipalities to get the legislative authority and regulations in place to deal with the pending phenomenon.

Reason:

In the past the issue of Houseboats, or more commonly known today as Floating Homes, was not prevalent but it is becoming a larger issue throughout the Municipality.

Here's the excerpt from our 2006 Regional Plan that is still relevant today:

*2006 HALIFAX REGIONAL MUNICIPAL PLANNING STRATEGY - CHAPTER 5 ECONOMY AND FINANCE
(pages 97 & 98)*

5.5.2 Halifax Harbour Functional Plan:

A number of locations within the Halifax Harbour Designation involve issues and opportunities requiring more detailed analysis in advance of specific land use policies and regulations being developed. In addition, there are several topics related to harbour management and administration and jurisdictional opportunities that warrant further evaluation and resolution.

The Halifax Harbour Functional Plan should consider the following studies:

10. Infill of Water Lots: establish an inter-governmental working committee of environmental approval agencies to determine water lot infill objectives, legislative regimes and improved coordination of application processes, and other matters related to environmental improvement of the Harbour.

12. Water-based Recreation: inventory and needs assessment addressing facilities such as boat launches, vehicle and trailer parking, marinas and small craft servicing and fueling, boat storage, berthing and mooring, recreational diving, canoeing/kayaking and other water recreation pursuits.

13. Houseboat Community Implications: best practices research on the implications for non-based-housing in the context of Halifax Harbour.

More importantly, the Municipality needs to expand this request to include all waterways albeit a harbour, lake, pond, or river anywhere in in the Halifax Regional Municipality, and Nova Scotia as a whole.

Outcome Sought:

That a moratorium be put on Floating Homes until such a time that Halifax Regional Municipality has the authority and regulations in place to manage the issue.

Councillor David Hendsbee

District 2



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Preston-Chezzetcook-
Eastern Shore**

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January 8, 2020

Minister Chuck Porter
Department of Municipal Affairs
14th Floor North, Maritime Centre
1505 Barrington Street
Halifax, Ns B3J 3K5

Dear Minister Porter,

As a local Municipal Councillor, I want to bring to your attention an issue that has several immeasurable concerns for both the Province and potentially all its municipalities.

The issue is Floating Homes /Houseboats. These structures can quickly appear on waterways; including a harbour, lake or river anywhere in Nova Scotia. In fact there is already one on Lake MicMac in Dartmouth and is being promoted as an Air bnb (see Facebook page for Floating House Halifax).

The presence of these structures will create some cumbersome issues such as construction rules and zoning regulations, housing occupancy inspections, access to public safety services, potential environmental impacts, and any other regulatory permits for allowing such structures to be on our waterways.

This phenomenon of Floating Homes has emerged on the West Coast in the Cities of Victoria and Vancouver and in the Toronto area on Lake Ontario, and apparently now PEI has some too.

For your information, I want to bring this link to your attention:

https://www2.gov.bc.ca/assets/gov/farming-natural-resources-and-industry/construction-industry/building-codes-and-standards/guides/2003_float_home_standard.pdf

It appears that Transport Canada has some guidelines about Floating Homes, and those provinces impacted thus far by this issue have adopted these federal rules as a standard.

At the present time, HRM does not have the legislative authority to regulate Floating Homes. In fact, the Municipality 's jurisdiction is limited only to land-use regulations and does not cover water use.

At a recent HRM Council Meeting on Nov.12/19, a motion was passed for a Staff Report to investigate what legislative options were available to regulate both land use and building standards for these types of buildings.

Both I, HRM staff and the local Eastern Shore MLA have been doing some research across Canada and elsewhere in order provide us with some insight on other regulatory regimes for direction on how we can proceed locally.

When this report eventually gets back to HRM Council, I anticipate that we will need to ask the Province for an Amendment to our Municipal Charter and probably to the MGA as well to empower all municipalities the ability and authority to deal with this new reality.

Furthermore, the Province and its municipalities will need to know how these structures will be assessed for taxes. Will a Floating Home be classified as a 'Tangible Personal Property' asset or 'Real Property'? And what impacts and demands will these new housing structures have on municipal services?

This topic of Floating Homes may be an issue that spans over several provincial departments, but your Department of Municipal Affairs should take the lead.

Therefore, I beseech that you declare a moratorium on Floating Homes immediately.

It will take some time for the various provincial departments and respective municipalities to get their own guidelines standards and regulations in place to deal with this emerging trend. Then this may be an opportunity for the Provincial to introduce some appropriate legislation in the upcoming Spring 2020 sitting of the NS House of Assembly.

My urgent concern is that more of these structures on barges could be appearing on frozen lakes over the wintertime or whenever the ice breaks this Spring. There may be some eager developers trying get ahead of the curve to circumvent and supersede any pending regulations.

This matter respectfully requires your immediate attention. Thank you for your time and consideration.

Best regards,
Original Signed

David Hefidsbee
HRM District 2 Councillor
Preston-Chezzetcook-Eastern Shore

MLA - Eastern Shore - Hon. Kevin Murphy
MP - Darrell Samson
HRM Mayor & Councillors
HRM CAO - Jacque Dube
HRM Planning - Kelly Denty
HRM Legal - John Traves
NSFM CEO - Juanita Spencer