

## ATTACHMENT D18

### Proposed Amendments to the Sackville Drive Land Use By-law

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

- 1 Part 6, section 33 of the By-law is amended by striking out “the height of the building it is accessory to with a maximum height of” in clause (4), by repealing clause (7), and by adding the new clause (8) after clause (7) as shown below in **bold**:
  - (4) exceed ~~the height of the building it is accessory to with a maximum height of~~ 35 ft (10.7m)
  - (7) ~~exceed the height of the main building.~~
  - (8) **Notwithstanding anything else in this by-law, an enclosed or internal staircase or elevator leading to a dwelling unit within an accessory structure is exempted from the maximum gross floor area requirements for accessory buildings or structures.**
  
- 2 The portion of part 6, subsection 34B(1) of the By-law before subclause (i) is amended by striking out the comma after “single unit dwelling” and by striking out “a duplex dwelling, a semi-detached dwelling” as shown below in ~~strikeout~~:
  - (1) Secondary Suites  
  
Secondary suites shall be permitted accessory to a single unit dwelling, ~~a duplex dwelling, a semi-detached dwelling~~ or a townhouse dwelling subject to the following provisions:
  
- 3 Part 6, subsection 34B(1) of the By-law is amended by striking out “or backyard suite” in subclause (i), by repealing subclause (iv), and by striking out “Where a residential use is a non-conforming use a secondary suite shall not be permitted” and replacing it with “A secondary suite shall be permitted accessory to a non-conforming structure for residential use, except where no residential uses are permitted in the zone” as shown below in ~~strikeout~~:
  - (i) No more than one total secondary suite ~~or backyard suite~~ shall be permitted on a lot;
  - (iv) ~~Notwithstanding the parking requirements of Part 7 Section 16 (Deletion: NWCC Mar 8/21; E Mar 27/21), additional off street parking shall not be required; and~~
  - (v) ~~Where a residential use is a non-conforming use a secondary suite shall not be permitted~~  
**A secondary suite shall be permitted accessory to a non-conforming structure for residential use, except where no residential uses are permitted in the zone.**
  
- 4 Part 6, subsection 34B(2) of the By-law is amended by adding “, a multi-unit dwelling containing only three (3) units” after “a semi-detached dwelling” in the portion before clause (a), by striking out “total secondary suite or” in subclause (i), by striking out “90.0 square metres” in subclause (iv) and replacing it with “1,000 square feet (93 square metres)”, by striking out “Where a residential use is a non-conforming use a backyard suite shall not be permitted” in subclause (vi)

and replacing it with “A backyard suite shall be permitted accessory to a non-conforming structure for residential use, except where no residential uses are permitted in the zone”, by striking out “and” in subclause (vii), by striking out subclause (viii) and replacing it with “A backyard suite shall have unobstructed access that (A) connects the backyard suite to a street, private road, or private right-of-way; (B) is located on the same lot on which the backyard suite is located; and (C) has a minimum width of 1.1 metres”, and by adding the new subclause (ix) after subclause (viii) as shown below in **bold** and ~~strikeout~~:

(2) Backyard suites

Backyard suites shall be permitted accessory to a single unit dwelling, a duplex dwelling, a semi-detached dwelling, **a multi-unit dwelling containing only three (3) units** or a townhouse dwelling subject to the following provisions:

- (i) No more than one ~~total secondary suite or~~ backyard suite shall be permitted on a lot;
- (iv) The gross floor area of a backyard suite shall not exceed ~~90.0 square metres~~ **1,000 square feet (93 square metres)**;
- (vi) ~~Where a residential use is a non-conforming use a backyard suite shall not be permitted~~ **A backyard suite shall be permitted accessory to a non-conforming structure for residential use, except where no residential uses are permitted in the zone;**
- (vii) A backyard suite must be located on the same lot as the main dwelling unit; ~~and~~
- (viii) ~~Where the main dwelling unit does not have a side yard on both sides, a backyard suite must have unobstructed access upon the same lot in which the backyard suite is located to a public street.~~  
**A backyard suite shall have unobstructed access that**
  - (A) **connects the backyard suite to a street, private road, or private right-of-way,**
  - (B) **is located on the same lot on which the backyard suite is located,**  
**and**
  - (C) **has a minimum width of 1.1 metres;**
- (ix) **A non-conforming accessory building may be converted to a backyard suite if the gross floor area of the backyard suite does not exceed 93 square metres.**

- 5 Table "Spaces" after Part 7, section 16(a) of the By-law is amended by striking out "1" after "Any dwelling except as specified below:" and replacing it with "0", and by striking out "1.5" after "Multiple Unit Dwelling" and replacing it with "0.33" as shown below in **bold** and ~~strikeout~~:

SPACES		
Proposed Use	Space(s) Required	Measurement Type (all square footage based on gross floor area unless specified otherwise)
Any dwelling except as specified below:	<del>1</del> <b>0</b>	Per each dwelling unit
Multiple Unit Dwelling	<del>1.5</del> <b>0.33</b>	Per each dwelling unit

THIS IS TO CERTIFY that the by-law of which this is a true copy was duly passed at a duly called meeting of the Council of Halifax Regional Municipality held on the \_\_\_\_ day of \_\_\_\_\_, A.D., 20\_\_\_\_.

GIVEN under the hand of the Municipal Clerk and under the Corporate Seal of the said Municipality this \_\_\_\_ day of \_\_\_\_\_, A.D., 20\_\_\_\_.

\_\_\_\_\_  
Municipal Clerk